

**United Nations Permanent Forum on Indigenous Issues
14th Session**

**UN Headquarters, New York
20 April- 1 May 2015**

**Agenda Item 7
Human Rights**

(Dialogue with Dr. Rodrigo Uprimny Yepes,
Member, UN Committee on Economic, Social and Cultural Rights
(27 April, 2015))

Intervention by:
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Madam Chairperson, Fellow Members of the Forum, Ladies & Gentlemen

As this is the first that I speak at this session, I congratulate Dr. Megan Davis on her chairpersonship. I am confident that Megan will steer us in the right direction. Let me also acknowledge the presence in this room of the Hon'ble MP from my constituency in Bangladesh, Mr Ushatan Taukder, and that of the Secretary of the Ministry of Chittagong Hill Tracts Affairs from Bangladesh.

It is very exciting to see Dr. Rodrigo Uprimny Yepes here.

We are aware that the Permanent Forum reports to the Economic and Social Council ("ECOSOC"), unlike the Expert Mechanism (on the Rights of Indigenous Peoples; EMRIP) and the Special Rapporteur on the Rights of Indigenous Peoples, which report to the Human Rights Council. Therefore, this is an opportunity for the Committee on Economic, Social and Cultural Rights, and other human rights treaty bodies, to get their voices heard at ECOSOC.

I say this because ECOSOC perhaps has a deeper understanding of economic, social and cultural rights, than several other UN bodies, or at least we would like to hope so.

Now, ECOSOC too, through this Forum, obtains an opportunity to inform itself of the progressive jurisprudence of the treaty bodies, particularly on economic, social and cultural rights, including collective rights of indigenous peoples, including self-determination and Free Prior and Informed Consent, such as were highlighted by Dr. Yepes.

But of course, this Forum needs to work harder to integrate its work with ECOSOC, as closely as functional commissions and other ECOSOC bodies have been able to. States members who closely follow the work of this Forum develop more “ownership” over the work of the Forum when it reaches ECOSOC, than do other states, who were not so involved, unlike in the case of other sub-ECOSOC bodies, like functional commissions.

Despite the fact that the rulings of the ESC Committee and other human rights treaty bodies are directly binding in only a few national jurisdictions, such as in the Americas, these rulings have much authoritative value in guiding national-level jurisprudence, and consequently, policy and programmatic action.

I would very strongly urge indigenous peoples to engage more intensively, systematically and strategically, with the treaty bodies. Engagement with the specifically indigenous-mandated institutions of the UN is important, but in order to influence global and national-level jurisprudence, there is no alternative to engaging with the other general mechanisms, including the treaty bodies.

This morning, in our informal meeting with Dr. Yeppes, the Forum members agreed that the Forum’s Secretariat and the Committee on Economic, Social and Cultural Rights will forge closer links on an ongoing basis. However, this can only be effective if the indigenous peoples closely follow the calendar of the Committee on Economic, Social and Cultural Rights, and that of other treaty bodies, and engage accordingly, while keeping this Forum and other indigenous-mandated mechanisms informed.

People like DR Yeppes spend time, voluntarily, like us members of the Forum, to uphold the concerned rights. But we cannot expect such experts to have detailed knowledge of the 160+ countries, and their indigenous peoples, particularly when disaggregated data and statistics are not easily available.

I therefore urge indigenous peoples, states and other relevant actors to focus upon a more integrated engagement with the human rights treaty bodies.

Thank you.