

UN Permanent Forum on Indigenous Issues

27 April 2015

Item 4 Human Rights

Implementation of the United Nations Declaration on the Rights of Indigenous Peoples (with specific focus on economic, social and cultural rights)

Statement by OHCHR, delivered by Antti Korkeakivi, Chief, Indigenous Peoples and Minorities Section

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Thank you Mme Chairperson for giving us an opportunity to address the Permanent Forum on the implementation of the Declaration on the Rights of Indigenous Peoples, which remains a priority issue for the OHCHR.

We are particularly pleased that you have chosen this year to focus on economic, social and cultural rights of indigenous peoples. It is a vast area where, as findings of human rights mechanisms as well as various statements made at this session clearly demonstrate, implementation gaps remain all too wide in all too many countries. In every region of the World data show that economic, social and cultural rights of indigenous peoples are often under serious threat.

But it is also an area but where the potential for constructive UN engagement is significant and where new initiatives ranging from reinforced human rights mechanisms to post 2015 development agenda can make a difference, provided they firmly incorporate indigenous peoples' concerns.

This must include support to engagement of indigenous women, in line with the Outcome Document of the World Conference, which calls for measures towards full and effective participation of indigenous women in decision-making processes to eliminate barriers to their participation in political, economic, social and cultural life.

At OHCHR, we aim to ensure that economic, social and cultural rights are fully embedded in our work to advance rights of indigenous peoples, ranging from supporting the important work of the mandates of the Special Rapporteur on Indigenous Peoples and the Expert Mechanism on the Rights of Indigenous Peoples, both of which are working extensively on economic, social and cultural rights, to the fellowship programme and other capacity building work, where economic, social and cultural rights are a key component.

Our written submission to this session gives details of our current work, but let me highlight a few key initiatives, which in many cases reflect recommendations of the Permanent Forum:

One of our priorities has been to support and encourage national human rights institutions to take up indigenous peoples' rights, and we recently issued a manual on this topic in cooperation with Asia Pacific Forum. Much of the follow up work with NHRIs, through direct engagement in countries ranging from Namibia to the Russian Federation has had a major focus on economic, social and cultural rights.

We have also provided support to human rights treaty bodies efforts to address economic, social and cultural rights of indigenous peoples and to take the Declaration on the Rights of Indigenous Peoples into account in their jurisprudence and other work. In this respect, we also appreciate the direct contacts that the Permanent Forum has established with human rights treaty bodies, including with the Committee on Economic Social and Cultural Rights.

The potential of the Committee on Economic Social and Cultural Rights was further increased with the entry into force of the Optional Protocol to the Covenant on Economic, Social and Cultural Rights, allowing the Committee to consider complaints regarding the rights included in the Covenant. Given the favourable disposition of the Committee to address indigenous peoples' issues and the standards it has already set both in its General Committee and in concluding observations, the use of the Optional Protocol will be an important avenue to channel complaints about violations by indigenous peoples. Our office works to encourage further acceptance of this instrument, which has already been ratified by 20 States.

Treaty body engagement, and visibility of indigenous peoples' rights in the Human Rights Council's Universal Periodic Review, was further facilitated by the recent expansion of the mandate of the Voluntary Fund for Indigenous Peoples. The Fund is now supporting indigenous peoples' participation also in these mechanisms, and many of the beneficiaries have used this new mandate to draw attention also to concerns regarding economic, social and cultural rights.

OHCHR field presences have also supported organizations working on indigenous peoples' rights to engage with human rights mechanisms. For instance, our field presences in Kenya and Guatemala have assisted organizations in preparing parallel reports to the Committee on Economic, Social and Cultural Rights.

Indeed, much of our engagement on indigenous peoples' rights takes place at the regional and country level, where again economic, social and cultural rights are often at the forefront when we work, for example, on land rights issues in South East Asia or advance right to consultation in Latin America.

Madame Chair,

Let me conclude by stressing the need to integrate economic, social and cultural rights in our work to follow up the Outcome Document of the World Conference at both international and national level. Whether we are addressing national action plans, review of the mandate of the Expert Mechanism or any other follow up that needs to be firmly rooted in human rights, the success of such initiatives will require close attention to economic, social and cultural rights.

We look forward to working with all of you towards that shared goal.

Thank you.