

## 9<sup>th</sup> Session of the Expert Mechanism on the Rights of Indigenous Peoples

11 – 15 July 2016

### Agenda 3: WCIP, including the review of the mandate of Expert Mechanism

Presented by: **Sanjeeb Drong**

Chairperson, distinguish delegates, indigenous sisters and brothers, I would like to present this statement on behalf of the Asia Caucus.

We welcome the UN System Wide Action Plan on the Rights of Indigenous Peoples as a response to the WCIP 2014 Outcome Document.

*World Conference on IPs*

Mr. Chair, I would like to inform the EMRIP that Asia indigenous peoples representatives from 12 countries gathered in Yangon, Myanmar from 10-13 March 2016 to discuss the UN Human Rights mechanisms and procedures relating to Indigenous Peoples. We thoroughly discussed the WCIP 2014 Outcome Document, particularly OP 28, which mentions reviewing the mandate of the EMRIP in monitoring, evaluating and ensuring that the Declaration is achieved.

*OP - Operative Paragraph*

I would like to call the attention of the EMRIP to consider the following recommendations we agreed on during that gathering and include them to EMRIP's mandate.

- Facilitate dialogue between states and indigenous peoples representatives, including possibly at the national level to discuss the situation of human rights of indigenous peoples;
- Provide and increase technical assistance and advice to states, indigenous peoples and the private sector to overcome obstacles in implementing the Declaration;
- Review the selection process and criteria of EMRIP members and increase the number of EMRIP members to seven taking into account one each from seven socio-cultural regions of indigenous peoples, including representation of youth, women and persons with disabilities;
- Monitor the implementation of achieving the ends of the Declaration, including the national implementation plans and legislative, policy and administrative measures;
- Provide advice for the implementation of recommendations of UN human rights bodies that have substantial consensus between states and indigenous peoples, and hold inter-sessional meetings of EMRIP at regional levels;
- Carry-out country visits and issue general observations relating to the rights of indigenous peoples and individuals, with respect to the provisions of the Declaration, and collaborate and take joint action with other special mandate holders;
- Seek and receive communications and other information from states and indigenous peoples on specific cases and matters of concern that deviate from the Declaration. This includes conducting thematic, country- or case-specific hearings with the participation of states and indigenous peoples addressing core issues of cross cutting relevance to the implementation of the Declaration;

- Contribute to the work of the UPR process and the Treaty Bodies, which have an existing role in ensuring States meet their obligations, and make proposals to the Human Rights Council regarding gaps in existing standards or norms for the protection of indigenous peoples' rights;
- Undertake studies and research at the request of indigenous peoples, states and the Human Rights Council, taking into account submissions and proposals from states and indigenous peoples, and provide expert advice and recommendations to the Council based on these studies;
- Provide continuing follow-up to key studies elaborated by the Working Group on Indigenous Populations, particularly the studies on Treaties, Agreements, and constructive arrangements on indigenous peoples' permanent sovereignty over land and natural resources;
- Provide inputs to the Working Group on Human Rights, transnational corporations and other business enterprises, and other UN mechanisms and bodies regarding implementing the rights of indigenous peoples;
- Increase allocation of resources for EMRIP, including support staff at UN/OHCHR and/or EMRIP members' offices;
- Monitor the implementation of UNDRIP in coordination with NHRIs, including standard-setting, greater coordination and collaboration with other Special Procedure such as EMRIP members engaging in country visits of SRs and responding to urgent cases of violations of the rights of indigenous peoples in collaboration with SRIP.
- Document recurring or systemic issues, share information about best practices and issue interpretations of the Declaration, initiate measures to resolve conflicts through consensual solutions, and collaborate with other special mandate holders.

Mr. Chair, I will conclude our statement by saying that EMRIP, as a subsidiary body of the Human Rights Council, should strengthen its mandate in promoting and protecting the rights of indigenous peoples. We believe that this will help achieve the SWAP, which is demanded in WCIP 2014 Outcome Document, and that will aid in realising the ends of the UNDRIP.

Thank you Mr. Chairperson!

*SWAP : System Wide Action Plan*