

SUMMARY NOTES ON THE 10TH SESSION OF THE EXPERT MECHANISM ON THE RIGHTS OF INDIGENOUS PEOPLES

10th July – 14th July 2017, Geneva

The summary notes are reports of the most important UN meetings on indigenous rights and are issued twice a year. They are only available in an electronic version and sent by email.



Note on those Summary Notes:

This summary is based on the notes taken during the conference, the statements collected by Docip services and the rolling speakers' list of the conference. However, those notes reflect only the statements that have been delivered. Under each agenda item, they are separated according to the following scheme: first the opening statements, then statements from States, following by another paragraph on the statements made by indigenous organizations, followed by another paragraph by the statements made by all others stakeholders and finally the comments made by experts of the UN indigenous peoples' rights mechanisms.

Only the sessions that dealt with the agenda items of the [programme of work](#) of the tenth session of the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) are related.

This document uses abbreviations, the index of which is available in the Annex I.

1. Executive Summary

This tenth session of the EMRIP was the first one since the adoption by the Human Rights Council (HRC) of the [resolution 33/25](#) that amended the mandate. This new mandate provides EMRIP members with new capacities, including the possibility to engage with the private sector, to give States advice on the implementation of the United Declaration on the Rights of Indigenous Peoples (UNDRIP) upon request, to engage with the Universal Periodic Review (UPR) and the treaty bodies process and to establish an enhanced cooperation with the National Human Rights Institutions (NHRIs) to name a few. From now on, the EMRIP comprises seven expert members that represent the seven socio-cultural regions as decided by indigenous peoples: Mr. Albert Barumé from the Democratic Republic of the Congo for Africa (2018), Mr. Edtami Mansayagan from the Philippines for Asia (2020), Ms. Erika Yamada from Brazil for Latin America and the Caribbean (2019), Ms. Laila Vars from Norway for the Arctic (2020), Mr. Alexey Tsykarev from the Russian Federation for Russia, Eastern Europe and Transcaucasus (2019), Ms. Kristen Carpenter from the USA for North America (2020) and Ms. Megan Davis from Australia for the Pacific (2019).

This session was well attended in general. One of the overriding issues among the statements made by the floor was on the treatment reserved to indigenous rights defenders, and many statements mentioned that point as a priority. Some comments and statements also recalled the importance of the preservation of indigenous culture, traditional knowledge, and languages. The agenda item that raised a great deal of concern is the study on the ten years of the implementation of UNDRIP, about which numerous indigenous organizations as well as States expressed their views. In a nutshell, efforts have been made to achieve the ends of UNDRIP, even though the statements made by indigenous organizations demonstrate that the process is too slow to be translated into concrete actions for the communities on the ground. On the new EMRIP mandate, the part most commented on has been with regard to the cooperation that can be done with the NHRIs and Regional Human Rights Institutions (RHRI), with the others existing UN mechanisms on indigenous peoples' rights, as well as the

possibility of increasing advocacy for indigenous peoples' rights in the UPR and the treaty bodies processes. Regarding the study related to indigenous businesses, the discussion highlighted the complexity of the topic, linked to lack of recognition of indigenous right to self-determination on the one hand, and on the other hand the struggle of indigenous peoples to safeguard their homeland without being able to develop an economic activity. The report was adopted at the end of the session, with a list of ten proposals to be submitted to the HRC that relate to the following subjects:

1. Participation of indigenous peoples in the HRC
2. Theme of the HRC's annual half-day discussion on the rights of indigenous peoples, focused on human rights defenders
3. Increased engagement of States with EMRIP
4. Protection of human rights defenders
5. Sustainable Development Goals (SDGs)
6. Reporting to the General Assembly
7. National action plans to achieve the ends of UNDRIP
8. Contributions to the United Nations Voluntary Fund for Indigenous Peoples (UNVFIP)
9. Collaboration with the UPR process
10. International year of indigenous languages in 2019

2. Details

Monday, 10 July

- Opening of the session, election of officers, adoption of the agenda and programme of work

The traditional opening ceremony of the session was held by the **representative from the Mapuche people**, followed by introductory statements. **H.E. Mr. Mouayed SALEH, Vice-President of the HRC**, welcomed the new EMRIP members who entered the mechanism after the adoption of the new mandate by the HRC. The EMRIP's revised mandate is fully supported by the HRC for a better implementation of indigenous peoples' rights at all levels. There are still numerous challenges to be addressed, especially with regard to indigenous women and girls and indigenous persons with disabilities. **H.E Mr. Zeid Ra'ad Al Hussein, United Nations High Commissioner for Human Rights**, first spoke about the importance of preserving indigenous peoples' knowledge, which, according to him, is important to preserve Humanity's future through the implementation of their rights. The Ruggie's Framework on Business and Human Rights¹ is an important step; however, indigenous peoples' right to Free, Prior and Informed Consent (FPIC) is still not respected enough, which raises important issues in terms of indigenous land rights. No project that affects indigenous peoples' rights should be financed, and a concern remains regarding the growing number of indigenous human rights defenders who were killed. Positive examples can be mentioned in terms of regional instruments based on UNDRIP, still, however, with a lack of access to justice in terms of collective rights.

Mr. Alexey Tsykarev made a statement regarding the election of the officers: **Mr. Albert Barumé has been elected Chair; and Ms. Erika Yamada and Ms. Laila Vars as Vice-Chairs**. In his opening statement, the re-elected **Chair of the Expert Mechanism, Mr. Albert Barumé**, introduced the two studies that EMRIP conducted for this session: a study on good practices and challenges in business and access to financial services by indigenous peoples² and a report on the ten years of the implementation of the UNDRIP: good practices and lessons learned – 2007-2017³. He further discussed

¹ [A/HRC/8/5](#)

² [A/HRC/EMRIP/2017/CRP.1](#)

³ [A/HRC/EMRIP/2017/CRP.2](#)

the work done by EMRIP members during this past year, which highlighted the importance of the role of EMRIP with the new mandate and that this was the first session with the seven expert members – Ms. Kirsten Carpenter being absent for an unforeseen reason. He also presented the inter-sessional activities that were held in Boulder, Colorado, USA for the expert seminar on good practices and challenges for indigenous peoples' entrepreneurship; and meetings in Canada and Russia to discuss the new mandate and the methods of work.

- New mandate of the Expert Mechanism on the Rights of Indigenous Peoples: Activities and methods of work

Opening remarks were made by several expert members. **Mr. Albert Barumé** briefly presented the new mandate. From now on, EMRIP members have the capacity: 1. to provide advice upon request to States on the implementation of their national policies related to indigenous peoples and in the realm of the Universal Periodic Review (UPR) and the treaty bodies; 2. to engage with the private sector to facilitate the dialogue; 3. to freely choose the theme of the next EMRIP study, to achieve the ends of UNDRIP and to gather all of the necessary information for the fulfillment of the mandate. He also commented on the need to build mutual trust between the parties to create an enabling environment for dialogue. **Ms. Erika Yamada** further developed this idea by raising this unique opportunity to establish dialogue with States and to improve indigenous peoples' situation in-country. **Mr. Alexey Tsykarev** talked about the need to consider this mandate as comprehensive, which gives opportunities such as providing information to the HRC about human rights defenders and the engagement with the private sector during inter-sessional activities.

Several **States** took the floor to welcome this new mandate. **Finland, on behalf of the Nordic countries**, welcomed the new EMRIP mandate as a key achievement of the outcome document of the World Conference on Indigenous Peoples (WCIP)⁴, noting the importance of country engagement in this process. **The European Union** encouraged EMRIP to develop a six years' work program that would be publicly available, to provide transparency and better coordination with the United Nations Permanent Forum on Indigenous Issues (UNPFII) and the Special Rapporteur on the Rights of Indigenous Peoples (SRRIP). This last point was also raised by **Canada**. **Australia** highlighted the need for EMRIP to reinforce its collaboration with all human rights mechanisms within the UN system. **Mexico** recalled the importance of the revised mandate for the implementation of indigenous peoples' rights worldwide. **Guatemala** welcomed the new EMRIP mandate by reiterating the opportunity it provides to further strengthen the collaboration with other mechanisms to achieve the ends of UNDRIP. **The Russian Federation** warned of the limitations of the new EMRIP mandate and the possible challenges it might create in terms of country missions and collaboration with other stakeholders on the ground. **USA** noted that the mandates of EMRIP and SRRIP are duplicating each other's work, and suggested that EMRIP studies defer from the subjects of the SRRIP reports. **Bolivia** underlined the need to include more indigenous representatives within the UN system that would be able to properly address indigenous peoples' concerns. **South Africa** welcomed the new mandate by underlining the complementarity that exists between the three different UN mechanisms on indigenous peoples' rights.

Numerous **indigenous organizations** took the floor. **The Indian Law Resource Centre** put the emphasis on the need for EMRIP to better coordinate their actions with the other UN mechanisms on indigenous peoples' rights, such as the SRRIP and the UNPFII. **The Californian Association of Tribal Governments** regrets that EMRIP members cannot act on their own initiative to provide advice to States and that the request must come from the State itself. **The National Congress of American Indians with the Native American Rights Fund** underlined the need to have consultations with indigenous communities in a given country if the State requires assistance or if there would be a

⁴ [A/RES/69/2](#)

country visit. **The Asia Indigenous Peoples Caucus** recommended that EMRIP provides an annual programme of work to better consider the different States' requests and that EMRIP should be able to review the national action plans without being requested by a State. **Tamaynut** recommended that EMRIP asks the States for the implementation of previous advice contained in the previous EMRIP studies, and asked for more involvement of indigenous peoples in the process. The **Global Indigenous Youth Caucus** claimed that EMRIP should pay particular attention to the challenges faced by indigenous youth in their rights to land and land ownership, and also reflect on the right to economic empowerment which is undermined for indigenous youth. **Te Kopu, Pacific Indigenous and Local Knowledge Centre, on behalf of the Iwi Monitoring Mechanism** presented the monitoring which is conducted in New Zealand regarding EMRIP advices, noting, however, that there is a lack of engagement with regard to the right to self-determination. **Indigenous Peoples and Nations Coalition** highlighted the importance of having proper work methods under this new mandate. **The Sami Parliament of Finland** expressed support for the new EMRIP mandate, especially with regard to the multi-stakeholder's collaboration and country visits. **Indigenous Peoples Organization Australia** recommended that States should use the new ability of EMRIP to provide advices to States regarding national action plans for better implementation of UNDRIP. **The Global Indigenous Caucus** raised concerns over the decision that country visits remain in the hands of the States, and that more inclusion of all indigenous peoples in this process is required. **The European Network of People of African Descent** asked that research on restorative justice be included within the new EMRIP mandate. **The Continental Network of Indigenous Women of the Americas** underlined the need for more inclusion of indigenous women within the discussions, with a specific reference made to indigenous women's organizations.

One NHRI and one regional mechanism expressed views. **The New Zealand Human Rights Commission** emphasized the need for better coordination between the existing mechanisms, and underlined the opportunity given to States to further engage with EMRIP. **The Commissioner for the African Commission on Human and Peoples' Rights** stressed the lack of implementation of UNDRIP in this region, and the importance which is given to indigenous women and indigenous youth with programs dedicated to them.

A few **experts** took the floor. **Ms. Mariam Wallet Aboubakrine, Chair of the UNPFII**, expressed the importance of the 2019 Year on Indigenous Languages and how to find room to further strengthen the cooperation between the two mandates. **Mr. Albert Barumé** explained the methods of work adopted by EMRIP, which are, in a nutshell: two studies, one on general subjects on indigenous peoples' rights and the other one on how the ends of UNDRIP can be specifically addressed; dialogue with States; collaboration with the different human rights mechanisms; engagement with the private sector; combining EMRIP inter-sessional activities with capacity-building activities that could be done at the regional level; and improving EMRIP's communication. **Mr. Alexey Tsykarev** insisted on the importance of the terminology being used, as much as the country visits that have been entrusted to EMRIP members, to sort out information on indigenous peoples' rights violations where there is an ongoing research or request in that sense. To have enough resources to do so is key, as is better communication and inclusion within the social media. **Ms. Laila Vars** highlighted the important role played by the NHRIs in the dialogue process. **Ms. Megan Davis** wanted to stress the role that EMRIP can have with UPR and the treaty bodies processes. **Ms. Erika Yamada** noted that EMRIP is a defender of indigenous peoples' participation within the UN system, as well as an important mechanism for the dialogue between indigenous peoples' organizations and the State.

Tuesday 11 July

- Interactive dialogue with national human rights institutions (NHRIs), regional human rights institutions (RHRIs) and similar mechanisms

This interactive dialogue session was divided into questions addressed by the Chair to the different representatives from the NHRIs and RHRIs and chaired by **Ms. Laila Vars**, who made an opening statement. She talked about the crucial role played by the NHRIs at the national level, and the RHRIs at the regional one to raise public awareness and to create the link between the local and the national levels, engaging with other stakeholders. Her first question to the panelists was to share their best practices. **Commissioner Ms. Mohna Ansari, from the National Human Rights Commission of Nepal**, presented the new Constitution adopted by the country in 2015 and the advances made in the recognition of indigenous peoples' rights. These include, inclusion of indigenous peoples in the decision-making processes and protection and promotion of indigenous peoples' traditional knowledge. Several specific commissions have been created to facilitate a constructive dialogue between the government and indigenous organizations, with an effort to respect indigenous peoples' right to FPIC. **Ms. Norma Aguilar Inés León, from the National Human Rights Commission of Mexico**, presented the Commission's ability to make general recommendations and individual ones, with a general recommendation made in 2016 regarding the right to FPIC. Going further with this recommendation, the Commission also noted the need to adopt methods for family planning in the sexual reproductive rights of indigenous women. Several individual recommendations have been made in case of indigenous peoples' rights violations. **Commissioner Ms. Karen Johansen from the New Zealand Human Rights Commission**, explained that this NHRI is based on the Waitangi treaty between the British Crown and Maori people which uses UNDRIP as a working basis and nominates a Commissioner dedicated to indigenous peoples' rights. **Commissioner Ms. Soyata Maiga, Chairperson of the Working Group on Indigenous Populations / Communities in Africa from the African Commission on Human and Peoples' Rights** stated the mandate of the Working Group, which is to counsel, suggest and make recommendations in the area of the protection and promotion of indigenous peoples' rights in Africa. The Working Group can perform country visits and remains a principal focal point for establishing dialogue between the different stakeholders and the governments involved in the African Commission on Human and Peoples' Rights. **Ms. Fernanda Alves Dos Anjos, Consultant for the Inter-American Commission on Human Rights (IACHR)** noted that UNDRIP was a good basis for jurisprudence in indigenous peoples' rights, and took Bolivia, which reformed its Constitution to include the principles of this Declaration in its internal juridical order, as an example.

The second question of the Chair to the panelists concerned the challenges faced in the implementation of UNDRIP. **Ms. Mohna Ansari** raised the topic of natural resources, and the fact that even though having ratified ILO Convention n°169, the government of Nepal understands indigenous peoples' rights to natural resources, but challenges remain in the implementation of the national action plan that should include more indigenous peoples' participation in the process. **Ms. Norma Aguilar Inés León** underlined the lack of a binding effect of UNDRIP, which is used as an argument by the government to limit its effects on the implementation of national policies. In that sense, the NHR Commission of Mexico advocates recalling its international aspect. **Ms. Karen Johansen** pointed out the reticence of New Zealand to engage effectively with the implementation of UNDRIP, with a lack of official recognition of this declaration. **Ms. Soyata Maiga** underlined the lack of juridical recognition of indigenous peoples' land rights in their territories in Africa, which has serious consequences for them on the ground. So far, indigenous organizations do not have a focal point that could effectively perform a follow-up on the recommendations in-country. **Ms. Fernanda Alves Dos Anjos** stressed that most of the rights that figure in UNDRIP are not respected, especially with regard to the right to

Free, Prior and Informed Consent. The persons most at risk are the defenders of indigenous rights, who are fighting for their land rights.

The third question that the Chair asked the panelists was about the evolution of the situation of indigenous peoples' rights in the last 10 years in their respective areas. **Ms. Ansari, representing the NHRI of Nepal**, expressed the view that the public policies are not enough and that the government is not implementing the recommendations of the NHRI, but cooperation is in place to obtain more information. **Ms. Norma Aguilar Inés León, representing the NHRI of Mexico**, recognized the efforts made in the national legislation and the creation of mechanisms dedicated to indigenous peoples' issues such as the Viceministry on Indigenous Affairs. **Ms. Johansen, representing the NHRI of New Zealand**, stated that the first step would be to stop using a discriminatory language to designate the Maori people, and that there were efforts done by the government in terms of legislation on health, education and land ownership. **Ms Maiga, representing the RHRI of Africa**, noted the slow process and that indigenous peoples' rights violations should be the subject of particular attention for NHRIs in Africa. It is very important to enable indigenous peoples' participation in those processes. **Ms. Fernanda Alves Dos Anjos, representing the IACHR**, raised worries about the situation of indigenous women and the challenges they keep facing in their everyday lives.

The last question asked by the Chair concerned the opportunities given by the new EMRIP mandate, and the collaboration between their institutions and EMRIP. **Ms. Ansari** highlighted the importance of the possibility of receiving advice on national action plans and policies related to indigenous peoples' from EMRIP members to States and the collaboration that could occur. **Ms. Aguilar** expressed the opportunity to enhance the cooperation between NHRIs and EMRIP, through, for instance, the promotion of access to justice for indigenous peoples and capacity-building programs. **Ms. Johansen** thinks that the implementation of UNDRIP has to be done at the local level, and EMRIP members could help by providing a communication plan to help the NHRI in this effort. The NHRIs could furthermore be a gateway for EMRIP between international processes and national ones. **Ms Maiga** agreed with this idea, and further encouraged African States to engage with EMRIP members to conduct country visits. **Ms. Fernanda Alves Dos Anjos** spoke of the need to find complementarity between the three UN mechanisms on indigenous peoples' rights to make the work with NHRIs/RHRIs more efficient. **Ms. Samia Slimane, Human Rights Officer with the Office of the High Commissioner for Human Rights, Indigenous Peoples and minorities section**, presented a guide for NHRIs that was published in 2013⁵ and used at the national level, and which can be a good basis for providing some guidelines for a better cooperation with EMRIP.

The Chair opened the floor to give the opportunity to the audience to ask questions. **Mr. Alexey Tsykarev, EMRIP member**, explained that in Russia, there are NHRIs such as the office of the Ombudsman and that it might be possible in some regions to meet with the local Ombudsman. According to him, it would be interesting to think about such a possibility for indigenous peoples' rights, and the question to the panelists was: what are the channels used to inform indigenous peoples on cases about discrimination. **Representative from AIPP** wondered if any NHRIs in Asia have done collaborative work to bring their struggles to the attention of the governments, and how EMRIP could help in this effort. **Ms Mariam Wallet Aboubakrine** made a comment on the complementarity among UNPFII and the revised EMRIP mandate, and further elaborated on the strength it gives to really engage with States even though a lot remains to be done in terms of follow-up. **Mr. Albert Barumé, EMRIP Chair**, echoed Ms. Aboubakrines' comment by further discussing the collaboration at the regional level which is critical, and allows for the creation of a dynamic that can bring about even greater results. His question to the panelists was on how they work with the media? **L'Association**

⁵ [OHCHR, 2013, The United Nations Declaration on the Rights of Indigenous Peoples: A Manual for National Human Rights Institutions](#)

culturelle de Kabylie, Algeria, stressed the need to speak about governmental issues and establish a better dialogue. **Representative from Tin Hinan** pointed out that most of the activities were held in English speaking countries and this was creating a problem in terms of understanding for speakers of other languages. **Representative from the Alifuru Council** wanted to know what role NHRIs can play in relation to climate change, and if there would be any ways to deepen the impact of NHRIs to unmask problems regarding indigenous peoples and make them more visible. He further commented on the disconnection of international standards and concrete action, considering the lack of binding effect of UNDRIP. **Ms. Erika Yamada, EMRIP member**, took this opportunity to note that there was lots of space for collaboration between EMRIP and NHRIs, particularly with regard to UPR and the treaty bodies processes. **Ms. Megan Davis, EMRIP member**, recognized the importance, underlined previously, of the important role that NHRI together with EMRIP can play in the implementation of UNDRIP, as it should be regarded as moral and legal imperative without qualification.

The different representatives from NHRIs/RHRIs were given the floor for their answers. **Ms. Ansari, from the NHRI of Nepal**, explained that mechanisms were implemented in terms of awareness raising and capacity-building, with, furthermore, a human national inquiry guideline with focus on violence against women and girls. **Ms. Aguilar from the NHRI of Mexico** explained that when there are human rights violations, the notification to indigenous peoples go through different mechanisms such as general or individual recommendations from the NHRI put forward by the Mexican Ombudsmen, which conducts public or individual hearings and provides the local authorities with advice on how to comply with the recommendations. This is issued in a national newspaper, with an effort to translate it as much as possible into the different indigenous languages. She also replied to the question related to climate change, saying that a report will soon be issued on how climate change affects indigenous peoples' rights. **Ms. Johansen from the NHRI of New Zealand**, presented the ways this NHRI is informing the Maori people about their work. She commented on the lack of reports, but noted that advocacy is still being done at the legislative level and then reported back to Maori people. On the question related to media coverage, there is a team that works on communications plans to make sure to deliver the messages. **Ms Maida, from the RHRI of Africa**, highlighted the cooperation in course with the civil society to create a coordination network so they can complement each other's work, working together with interpreters who speak the local languages to facilitate this dialogue and make the information accessible, since it is an issue of development. It is very important to be able to institutionalize the dialogue among the African Commission on Human and Peoples' Rights, UNPFII and EMRIP. **Ms Fernanda Alves Dos Anjos, from the IACHR**, commented on the progress made in promoting the dissemination of information, and improved the presence of the Commission in the public space in Latin America to facilitate the dialogue with organizations. **Ms. Laila Vars, EMRIP member**, as a concluding comment, noted that the UNDRIP should not be seen as unbinding document, since it comprises a high level of international consensus.

Three **States** took the floor on this point. **Venezuela** stated that the country is putting a lot of effort into policy making for indigenous peoples and their rights, including the appointment of a special Ombudsmen in different regions of the country dedicated to indigenous peoples' claims. **Australia** underlined that the government is working together with the NHRI to implement UNDRIP and that an indigenous woman has been appointed as Social Justice Commissioner. **Canada** recalled the importance of the RHRIs, which are at the nexus of the necessary collaboration between all institutions, states and indigenous peoples' rights mechanisms to implement UNDRIP.

A few **indigenous organizations** made statements regarding this agenda item. **The Crimean Tatars Resources Centre** stated that Crimea was a territory under occupation, in which the Russian Federation fails to recognize the work done by human rights NGOs in Ukraine; they asked for more attention to this situation. **The Comuna San Jacinto del Pindo de Pastora 'Pinduk Ruinas'** denounced the violence committed against indigenous leaders who are defending their lands in the

face of the militarization. **The Assemblée Arménienne d'Arménie Occidentale** reminded the audience of the situation of the Armenian people, with no possible dialogue with the national institutions. **Myski local civic organization revival of Kazas and the Shor peoples** claimed that the situation of human rights defenders in Russia was very difficult, as the government is marking indigenous peoples and their organizations as 'foreign agents', which can provoke situations in which indigenous rights defenders have to seek asylum. **The Indigenous World Association and Indigenous Rights Centre** asked EMRIP members for advice on the particular case of M. Leonard Peltier. **The Saami Council** warned of the effects of a fishing treaty that grants new rights to tourists and will considerably reduce the traditional fishing rights of the Sami people living in this area.

The Structural Analysis of Cultural Systems insisted on the role that NHRIs can have on the promotion and protection of the different indigenous cultures.

The panelists made some concluding remarks. **Ms Aguilar** insisted on the importance of having a global summit of all stakeholders to establish a common program on how to achieve the ends of the UNDRIP. **Ms. Johansen** raised a concern about the lack of perspective of having a commissioner dedicated to indigenous peoples' issues in the National Human Rights Commission of New Zealand after her term. **Ms. Ansari** congratulated the panelists and the audience for the comprehensive dialogue. **Ms. Vars** closed this discussion by noting that awareness of indigenous peoples' rights is crucial and that the question regarding indigenous rights defenders is also crucial for EMRIP members.

- Study and advice on good practices and challenges in business and in access to financial services by indigenous peoples

Mr. Albert Barumé, EMRIP Chair, made an introductory statement presenting this draft study. Some questions underlined by the study concerned the means of knowing if economic activities undertaken by indigenous peoples could be grounded in UNDRIP and if those could be justified under a human rights approach. The method was to look into States practices as well as those of international financial institutions that are conducive to indigenous peoples' businesses, as well as tax incentives for indigenous peoples to engage businesses. One of the challenges comes from History, and the link between traditional indigenous trading and today's restorative justice would facilitate indigenous peoples' capacity to do businesses and would give them more access to empowerment. The study also more carefully studied indigenous women, indigenous youth and indigenous persons with disabilities.

Some **States** took the floor under this agenda item. **New Zealand** presented the actions undertaken by the government to facilitate Maori economic empowerment and their inclusion into local economies. **The European Union** explained that they have reached a new European consensus on development which aims at creating an enabling environment to respect the existing norms. **Australia** is trying as much as possible to support indigenous entrepreneurship, and encourages EMRIP to create an international network to that end. **Canada, Chile and Guatemala** pointed out the important role played by indigenous women who provide their strength in different domains, and wished to provide more financial opportunities to empower indigenous women. **The Russian Federation** stated that the only way to include indigenous peoples of the North was to develop entrepreneurship among those communities, through compensation in certain areas. **Indonesia** stated that the government is making a lot of effort to implement UNDRIP and protect traditional collective rights. **Malaysia** underlined that the government put in place an entrepreneur development program for indigenous peoples, which trains more than 30 indigenous persons per year. **Ecuador** noted that there is lack of access to the national economy due to the presence of multinational corporations, and the government issued a policy to end discrimination in that regard. **Bolivia** developed a patent system in which indigenous peoples can create their own brands, and also

recognizes the role played by traditional knowledge in economic growth. **South Africa** recognized that the growing number of indigenous businesses plays a crucial role in the national economy.

Indigenous organizations expressed their views on the draft study. **AWA associates** raised the issue of Maori women enterprises and the lack of equitable access to finances, with the need to strengthen research in that domain. **Tamaynut** stated that Morocco has launched a program against poverty but without follow-up or needs assessment for the local people. The **Australian Indigenous Chamber of Commerce** explained that businesses held by indigenous peoples were growing in Australia, and that the next challenge is to create an environment for sustainable economic participation and growth for indigenous people. The **Indigenous Leadership Development Institute**, from Canada, presented an international network on indigenous business negotiation that they started in 2014, which will evaluate the different options regarding the financial needs of indigenous entrepreneurship. **Red de mujeres Ixiles Nebaj**, Guatemala, pointed out the difficulties indigenous peoples in this country face regarding access to employment, and warned about the lack of data. **Wildlife conservation and social development organization Misgar Hunza**, from Pakistan, cited the need for compensation to be given to indigenous peoples in Pakistan in the face of a large-scale development project which is foreseen in the region. **Khmers Kampuchea Krom Federation** underlined the need to involve indigenous peoples in businesses that are related to climate change and for more empowerment from States. **Association Espoir pour les Jeunes BATWA** asked the government of Burundi to give back ancestral lands to the Battered people. **Representative of the Nenets People** explained that in the North of Russia, people were surviving with traditional activities and expressed concerns about how to involve indigenous youth in the teaching of traditional ways of life, while also adapting to climate change. The **Assemblée des Arméniens d'Arménie Occidentale** noted the cultural destruction that the people suffer in Armenia. The **Asia Indigenous Peoples Caucus** highlighted the limitation of economic empowerment of traditional activities, and a lack of access to financial services, which force indigenous peoples to revert to private providers. The **Asia Indigenous Peoples Pact** suggested that funds be provided to implement business plans in accordance with the needs of indigenous peoples, and micro-financing for projects led by indigenous peoples should be considered. **Mujeres Indígenas por CIARENA**, Mexico, explained that often indigenous women requested credit that they which responsibility of management is given to the man afterwards, which leaves them with few empowerment opportunities. **Proyecto Nasa** underlined that in Colombia the private sector is the main partner in post-conflict and peace building efforts and this is a good opportunity for indigenous entrepreneurship. **Indians California Association of Tribal Governments** recommended that States recognize, promote and protect the right to self-determination in order to enable indigenous businesses. **Indigenous Peoples Organization Australia believes** that accessing financing is an important means of redressing historical injustices.

The International Labour Organization (ILO) stated that indigenous peoples can play a crucial role in the economic growth of a country and that their traditional knowledge could contribute a great deal to the creation of a green economy. **Ms. Shelley Cable, an independent indigenous businesswoman from Australia**, expressed that there is a lack of economic knowledge among Aboriginal people which hinders them from fully exercising their right to FPIC.

In his concluding remarks, **Mr. Barumé** noted that in countries where there is a better protection of indigenous peoples' rights, particularly land rights, indigenous peoples realize more economic activities. If there is no recognition of their right to land, there are few development opportunities.

- Indigenous peoples' participation in the United Nations system

Ms. Claire Charters, from the University of Auckland, made an introductory statement for this agenda item. The process of indigenous peoples' participation in the UN system is still ongoing, with a requirement for the enhancement of indigenous peoples' participation in the meetings that affect them. There are some elements to consider, including the application process for indigenous participation in the UN meetings and the criteria to determine which institutions are representative of one or more indigenous peoples. She further stated the need for strengthening indigenous peoples' participation in the final document to be submitted, since recent developments have shown a negative tendency. The issue of the indigenous peoples' participation in the U.N. has raised issues: States determined to control those identified as indigenous, either through state control over the application process and/or the requirement of State recognition, with inclusion of a criteria to identify indigenous peoples. So far, no consensus has been found between the different positions.

Some **States** took the floor to express their views. **Peru, Mexico, Australia, on behalf of Canada and New Zealand, and Denmark, on behalf of the Nordic countries**, expressed their support for an enhanced participation of indigenous peoples in the UN meetings on issues that affect them. The **USA** is making indigenous peoples' participation a priority. However, they are having difficulties in finding consensus among the parties involved in the negotiations. **The European Union** underscored that the consultations held with indigenous organizations were fundamental to engagement with the WCIP outcome document.

Some indigenous Organizations made statements. The **Khmers Kampuchea Krom Federation** claimed that Vietnam was not recognizing indigenous peoples and it was important for the NHRI to work together with civil society. **The Confederacy of Treaty Six First Nations** warned that States should not re-negotiate what has been granted in international law with the consensus around UNDRIP. **The National Congress of American Indians** stressed that numerous UN meetings remained inaccessible to indigenous peoples and that some organizations are not allowed to attend, which is something that has to be fixed. **The Indian Law Resource Centre** explained that the existing rules do not permit indigenous peoples' representative institutions to participate in UN meetings that impact their interests, unless they're able to acquire consultant status as NGOs, and that a solution has to be found to implement the WCIP outcome document. **The Asia Indigenous Peoples Caucus** would like to see fair and equitable participation of indigenous peoples guaranteed in the relevant meetings, since in Asia, States do not recognize indigenous peoples. **Representative of the indigenous fellowship program of the OHCHR 2017** recognized the importance of the fellowship program and the opportunities to participate in international meetings. She recommended that meetings be held with former fellows to exchange experiences. **The Congrès Mondial Amazigh** recommended that indigenous peoples should have the right and opportunity to sit in on all UN meetings, not only those that are relevant to them. **The Arctic Caucus** raised worries concerning the current intergovernmental negotiations that do not reflect the discussions undertaken with indigenous representatives during the consultations.

Others organizations reacted to this agenda item. **The Leuphana University of Luneburg** spoke of the necessity of recognizing indigenous peoples' agriculture and their strategies. **Representative from the United Nations Voluntary Fund for Indigenous Peoples (UNVFIP)** noted that the mandate of the UNVFIP has been expanded to allow more participation of indigenous peoples' in some relevant meetings, with ninety-eight organizations that received funds in 2016.

A few **experts** made comments. **Ms. Mariam Wallet Aboubakrine, Chair of the UNPFII**, welcomed the decision of the General Assembly to take action for the follow-up of the outcome document of the WCIP with regard to enhancing indigenous peoples' participation in the UN system. **Ms Claire Charters** concluded by highlighting that the current negotiations being held should not push back what has been granted, which is grounded in UNDRIP regarding a consensus on what the rights of indigenous peoples are, including their right to participation.

- Ten years of the implementation of the UNDRIP: good practices and lessons learned

A panel provided an introduction for this agenda item. **Ms Erika Yamada, Chair of this session and EMRIP member**, made an introductory statement presenting EMRIP's draft study on the ten years of the implementation of UNDRIP. She outlined that the study was a basis that would be used by EMRIP members to see how UNDRIP can be used in UPR and the treaty bodies process, according to the new EMRIP mandate. **Ms. Victoria Tauli-Corpuz, SRRIP** made a statement. She first emphasized that the instrument had widespread use, with positive cases of implementation in the various regions. However, the lack of recognition of indigenous peoples by the States was an obstacle to the implementation of UNDRIP, with an imperative for adequate international norms along with national ones. On the ground, there is lack of data that would permit more concrete actions, particularly concerning the right to FPIC. This year's thematic report subject is on the impact of climate change investments and projects, to be submitted to the Human Rights Council in September, and the second thematic report, to the General Assembly, will contain an assessment of the implementation of UNDRIP from the perspective of its mandate. The theme of next year's thematic report will be on the growing threats faced by indigenous peoples when defending their fundamental rights. **Mr. Yuval Shany, Vice-Chair of the Human Rights Committee**, stated that in the future the Human Rights Committee will consider more UNDRIP in its work. He underlined that several recommendations related to indigenous peoples' rights have already been made by this Committee to Thailand, Colombia, Costa Rica, Argentina, Rwanda, Japan, South Africa, Canada, USA, Venezuela and Ecuador. The biggest issue remains identifying who decides who are members of an indigenous community, and therefore coordination with the existing indigenous peoples' rights mechanisms is required. **Ms Mariam Wallet Aboubakrine, Chair of UNPFII**, presented some outcomes of the last UNPFII that had as its topic the tenth anniversary of UNDRIP. In that sense and as already mentioned by Ms. Tauli-Corpuz, there has been positive engagement by some States for the implementation of the Declaration. She also regretted the hold-up of the negotiations on the resolution on enhancing the participation of indigenous peoples' in the UN system. The next topic of the UNPFII session will be on sustainable development in indigenous peoples' territories, and the session will take place in New York from 16-27 April 2018. **Ms Gladys Acosta, representative of the Committee on the Elimination of Discrimination Against Women (CEDAW)** stressed that CEDAW's ongoing work also included indigenous women, with regard to numerous fundamental rights such as right to education, access to justice, life, land rights, and traditional knowledge, just to name a few. This work entails a study on the killings of indigenous women in Canada, and recommendations on access to justice and on the rights of rural women, with the key issue of having more information translated into indigenous languages. The CEDAW is currently analyzing the possibility of a general recommendation on indigenous women's rights.

Some comments were made by EMRIP members. **Mr. Albert Barumé** welcomed CEDAW's initiative for the recommendation on indigenous women's rights and recalled the importance of indigenous peoples' right to life. **Mr. Alexey Tsykarev** asked for an analysis of how the recommendations on UPR and treaty bodies are being carried out to reflect EMRIP's perspective on the national measures, which goes along with a stronger support that should be given to indigenous rights' defenders. **Ms. Laila Vars** expressed her support of the topic of the next thematic study that will be prepared by the SRRIP on the protection of indigenous peoples' rights defenders.

Numerous **States** took the floor under this agenda item. **Finland** insisted on the importance of empowering indigenous women to ground UNDRIP in their national policies. **Guatemala and Malaysia** emphasized its national policies that have been implemented to promote indigenous languages and indigenous customs. **Denmark** spoke of the case of Greenland as a self-governing territory and as a means to implement the right of indigenous peoples to self-determination. **New Zealand** focused its statement on the measures undertaken to strengthen the dialogue with indigenous communities. **Colombia** pointed out that the right to FPIC was implemented in the country and presented its national policy to empower indigenous women. **Indonesia, Australia, Venezuela and Ecuador** presented national policies that are designed to implement UNDRIP. **Norway** claimed that it is taking measures to preserve the rights of the Sami people so that they can preserve their traditional way of life. Indigenous parliamentarians of **Mexico** claimed that, thanks to cooperation with the government, UNDRIP could be implemented. **Peru** acknowledged that efforts remain to be taken to achieve the ends of UNDRIP in the country. **South Africa** expressed its willingness to establish dialogue with indigenous peoples to safeguard their rights and their cultures. The **Russian Federation** outlined that the government was ready to cooperate on the creation of a data base on best practices for achieving the ends of UNDRIP. **Canada** expressed that there is a ministry in charge of working on policy-making related to the rights of indigenous peoples. **USA** stated that progress has been made in the country to implement UNDRIP. **Estonia** insisted on the importance of enabling and enhancing indigenous peoples' participation in the relevant UN meetings, with an increased financial contribution from States.

Numerous **indigenous organizations** took the floor to express their views on this agenda item. The **Global Caucus of Indigenous Peoples** urged States to guarantee incorporation of the protection of the rights of indigenous to traditional knowledge and against land grabbing through national and international law. **The Congrès Mondial Amazigh** warned of the systematic repression that human rights defenders suffer. The **Comunidad ancestral indígena del territorio del lago Chteingora**, from Chile, raised concerns about the militarization of this traditional indigenous area, which is subject to land grabbing by extractive industries and where there is no respect of indigenous peoples' rights. The **Arctic Caucus** recommended that EMRIP members engage with Arctic States to commit them in the implementation of their national action plans and that EMRIP call upon States to work in partnership with indigenous peoples in resource development. The **Association Acal** asked to initiate dialogue between Morocco and the Amazigh people. The **Crimean Tatars Resource Centre** denounced the occupation of their territory by the Russian Federation and asked EMRIP to develop possible effective mechanisms for the protection of indigenous peoples in conditions of interstate conflicts. The **Comite de Derechos Humanos de Buse de Chiapas "Digna Ochoa"** requested that EMRIP asks Mexico how the country effectively implements the right to FPIC. The **Global Indigenous Youth Caucus emphasized** that it is important for indigenous peoples to exercise their rights, and to create among themselves an enabling environment to do so. The **National Congress of American Indians** underlined the need to grant more rights to the tribal governments in the USA. **The Foundation of the research and support of the Indigenous Peoples of Crimea** pointed out that the parties to an armed conflict lacked understanding of the difficult situation faced by the Crimean Tatars. **The Asia Indigenous Peoples Caucus** urged States to seek the assistance of EMRIP for their national action plans, and to include UNDRIP in the basis of the analysis of the UPR recommendations. The **Council of Indigenous Peoples in today's Vietnam** advised EMRIP members to collect data on indigenous peoples' types of suffering and to categorize them in order to find the best solutions possible. The **Sami Parliament of Norway, on behalf of the Sami Parliaments of Norway, Finland and Sweden**, underlined the importance of the WCIP outcome document and the attention that should be given to it, especially with regard to the implementation of the right to FPIC. The **Congrès Populaire Coutumier Kanak** claimed that this organization used UNDRIP articles to make concrete actions on

defense of its territory on the ground. The **Indigenous World Association and the Grand Council of the Crees** asked EMRIP to urge States to work in partnership with indigenous peoples for the implementation of UNDRIP. The **Association Culturelle ADRAR ATH Koushia de Kabylie** underlined the gap between principles and practice, and that the adoption of UNDRIP is a continuous fight on the ground. **Kirat Youth Society** stated that in this country indigenous peoples are setting up a national network to better coordinate their actions. **The North Aboriginal Justice Agency** called on the implementation of national action plans by giving priority to indigenous peoples in it. The **Endorois Welfare Council** denounced the lack of cooperation of the Kenyan government in giving back traditional lands to indigenous peoples after a case and recommendations issued by the African Commission on Human and Peoples' Rights. The **Griqua National Conference of South Africa** recommended to EMRIP that a policy on traditional leadership would meet the principles of the UNDRIP. The **Fédération d'ONG de Kanaky**, from New Caledonia, pointed out the endemic discrimination that indigenous peoples of New Caledonia face, with degradation of traditional lands due to mining activities. The **Action communautaire des femmes autochtones du Congo** asked for the implementation of a national law that protects indigenous peoples and to raise awareness of it in the indigenous languages. **Gotul Panchayat India** wanted EMRIP to recommend that the Indian government put an end to extractives industries in the country. **Aliansi Masyarakat Adat Nusantara** urged the State of Indonesia to recognize indigenous peoples in the country and to protect the defenders of indigenous rights. The **Indian Law Resource Centre** hoped that EMRIP would keep improving its methods of work, notably by asking all parties for relevant information. The **Centro de Estudios Multidisciplinarios Aymara** believed there should be more educational policies for indigenous peoples, which includes policies on traditional knowledge. **Adya Krantiver Dmaji Naik Sanghatana** requested that EMRIP facilitate the dialogue between the indigenous peoples of India and the government. **Tin Hinan supported by an African network of NGOs**, noted the gap between some regions in the world and what is the reality in Africa, with a crucial lack of data in the submitted reports. The **Confederación Campesina del Perú** hoped that the government will adopt a law that would protect indigenous lands and stop militarization and violence against them. **Jaringan Orang Asal SeMalaysia** stated that a lot remains to be done at the national legislative levels for indigenous peoples in Malaysia. **Maloca Internationale** denounced the fact that the use of traditional knowledge by indigenous peoples was submitted to limitations of international law. **Representative from autoridades ancestrales Region Ixil**, from Guatemala, highlighted the need to have an enhanced dialogue between indigenous peoples of Guatemala and the government. The **representative from the indigenous people Miskito** from Nicaragua raised concern over the States' reticence to implement UNDRIP. The **representative from the indigenous Nation Qhara Qhara**, from Bolivia, requested the UN mechanisms on indigenous peoples' rights to start a query with the government of Bolivia on the companies affecting the environment and which are not respecting indigenous peoples' right to self-determination. The **representative from the federación Nativa Del Rio Madre De Dios y Afluentes**, from Peru, outlined the lack of public policies to implement the current indigenous rights standards in the country. The **Comunidad de historia Mapuche** noted that some initiatives undertaken in Chile for the Mapuche people were done without consultation with them, creating unilateral policy. The **representative from the Consejo Permanente de los pueblos Awajun y Wampis**, from Peru, warned of the situation of indigenous peoples in the North of the country, where there is violence against indigenous leaders who are going against economic interests. The **representative from the indigenous community Ulwa**, from Nicaragua, stated that the biggest challenge in his country was the implementation of the right to FPIC. The **Assemblée des Arméniens d'Arménie Occidentale** talked about the destruction of their cultural heritage by the Turkish government. The **representative from the Comité de Derechos Humanos de la Guajira**, from Venezuela, asked for access to justice for indigenous communities. **The Khmers Kampuchea Krom Federation and Lelewal Foundation** recommended that the government of Vietnam provide them with the right to free association.

Others organizations also took the floor to celebrate this agenda item. **Greenpeace Russia** recalled the need to protect indigenous lands and territories in Russia, which are undermined by extractive industries projects. **UNDP, on behalf of the United Nations Indigenous Peoples Partnership (UNIPP)**, claimed that the UNIPP has created more than one hundred partnerships and that a lot of activity was realized for empowerment and capacity-building of indigenous peoples. The **ILO** spoke of the recognition made of indigenous peoples' rights, thanks to the ILO Convention n°169. However, the time has come for reflection about how indigenous peoples' contributions can be useful for national strategies and programs. The **Leuphana University of Luneburg** raised concerns over the lack of recognition of indigenous peoples' cultural rights, in particular in the case of cultural tourism. The representative of the **OHCHR / Department of Economic and Social Affairs** presented the work being done by these two offices on the follow-up of the implementation of the WCIP outcome document, notably through the development of a memo to the States. **The World Bank** presented the numerous initiatives undertaken by the institution, such as the reform of their operational policy on indigenous peoples to raise awareness of indigenous peoples among this professional environment. The **Centre for International Governance Innovation** asked for States to recognize juridical pluralism.

As concluding comments on this agenda item, **Ms. Tauli-Corpuz, SRRIP**, reminded the audience of the enhanced collaboration that was ongoing between the different UN mechanisms. **Mr. Yuval, from the Human Rights Committee**, echoed the previous statement made by the SRRIP and further stated the need to find the means to gather more information on UN mechanisms that have already worked on this theme. **Ms. Acosta, from the CEDAW**, underlined the great need to provide more attention to human rights defenders. **Mr. Wilton Littlechild, former EMRIP member**, gave the audience a brief historical pathway of UNDRIP.

Thursday, 13 July

- [Intersessional activities and follow-up to thematic studies and advice on the rights to cultural heritage and health](#)

Mr. Alexey Tsykarev presented the inter-sessional activities that took place earlier this year, such as the expert seminar held in Boulder on indigenous businesses. In Russia, EMRIP members met to further develop their new working methods due to the revised mandate. He also encouraged States to invite EMRIP members in the scope of those inter-sessional activities. In its eighteenth session, the HRC welcomed the practice of following up on previous EMRIP studies. For the follow-up on the study to cultural heritage, UNESCO took the lead in proclaiming 2019 the International Year on Indigenous Languages.

A few **States** took the floor under this agenda item. **Malaysia** expressed that indigenous peoples' land rights are recognized in the country. **Australia** acknowledged cultural heritage and there is an active ongoing work to promote indigenous rights to protect it. **Canada** highlighted the fact that the government is planning soon to proclaim a law that would acknowledge indigenous languages. **Guatemala** claimed that its health services were taking into account the cultural diversity of the country.

Some **indigenous organizations** took the floor under this agenda item. **L'Association de la communauté Manga du Nord du Brésil** recommended that States should prioritize educational initiatives for indigenous peoples, with a greater focus on suicide rates among indigenous communities. **Edfu Foundation** outlined some positive examples on restorative justice during a visit made to New Zealand. The **Khmers Kampuchea Krom Federation** asked for a better access to health

and more resources for education. **Tamaynut** warned of the situation of the Amazigh people in Morocco, among which, lack of access to basic health services. The **Continental Network of Indigenous Women** raised worries over the health of the Apache Mountain people, who are facing the highest suicide rate in many years. The **Maya Leaders Alliance and Toledo Alcaldes Association** asked for protection of sacred Maya sites, in consultation with indigenous peoples. The **Association des femmes Peules et peuples autochtones du Tchad** expressed that there is a lack of recognition of the traditional practices in the national health policy and that women do not have proper access to health care. The **Confederacy of Treaty Six First Nations** updated the audience on the second World Indigenous Games that were held in Edmonton, Canada, which was a good opportunity to promote indigenous health and cultural heritage. The **Assembly of Nova Scotia Mikmaq Chiefs** denounced the lack of recognition of treaty rights in Canada. The **Global Indigenous Youth Caucus** asked that the plan of the Pan-American Health Organization (PAHO) dedicated to indigenous youth be implemented in all countries of Latin America. The **International Indian Treaty Council** urged the development of mechanisms for the repatriation of the cultural heritage of indigenous peoples, by preparing a seminar organized by UNESCO. The **Arctic Caucus** also insisted on the importance of protecting cultural heritage, through the concrete implementation of the right to FPIC.

Three **others organizations** took the floor. The **New Zealand Human Rights Commission** commented on the studies regarding the right to health and access to justice, and noted that it is important to be reminded of the principles grounded in international law, including UNDRIP, for those rights. The **PAHO** introduced a program dedicated to indigenous health and youth, since there is lack of intercultural perspective in that realm. The **Leuphana University of Luneburg** said that it was important to consider indigenous women's health.

- Future work of the Expert Mechanism, including focus on next annual study

A few **States** took the floor to express their views. **Australia, on behalf of Canada, New Zealand, Finland, Denmark and Greenland**, stated that all States do not have the resources to comply with the requirements of the implementation of the Sustainable Development Goals (SDGs), and recommended that EMRIP conduct a study on the operations of the international development cooperation. **Guatemala**, in the context of the national development plans to meet the SDGs, expressed that the respect of indigenous peoples' rights is fundamental, but the creation of disaggregated data remains a challenge. **Mexico** advised EMRIP to undertake a study on some elements contained in UNDRIP to provide guidance to States to implement them.

A few **indigenous organizations** reacted to this agenda item. **Indigenous Persons with Disabilities Global Network** wanted to draw attention to the difficult situation faced by indigenous persons with disabilities. The **National Congress of Australia's First Peoples** urged EMRIP to examine systemic problems, including how cycles of governments and policies can provoke a sustainable change for the aboriginal people in Australia. The **National Indigenous Survivors of Child Welfare Network** warned that there were less indigenous children in school, with high rates of discrimination. The **Asociación Americana de juristas y asociación de abogados de derecho indígena** stated that there was no access to justice, nor either dialogue or consultation with the Mapuche people in Argentina who are suffering genocide. **Maloca Internationale** asked for the ratification of the ILO Convention nº169 by countries such as the USA, Canada and China. **Khmers Kampuchea Krom Federation and Tuvalu climate action network** recommended that EMRIP undertakes a study on human rights and climate change to claim the right to life of indigenous peoples of the Pacific. The **Caucus of Indigenous Languages** expressed that there are existing methods to revitalize indigenous languages, and asked for the creation of a special Fund for this purpose. The representative from the **Comuna San Jacinto del Pindo de Pastora 'Pinduk Ruinas'**, from Ecuador, raised the issue of homosexuality and the

double discrimination that exists in that regard, which should be the topic of a future thematic study. The **Congrès Mondial Amazigh, the Alifuru Council and the Asia Indigenous Peoples Caucus** asked EMRIP to conduct a future study on the issue of human rights defenders. **Maya leader Alliance and Toledo alcaldes association** underlined the need to create a tool that would give guidance for the implementation of the recommendations given by EMRIP or others mechanisms to States. **Representative of the Proyecto Nasa**, from Colombia, reiterated the need to go from theory to practice and in that sense offered an idea about the implementation of UNDRIP as a 2018 theme. The **Consejo regional indígena del Tolima** warned of the militarization and higher rates of violence committed against indigenous peoples in Colombia. The **Fédération d'ONG de Kanaky**, from New Caledonia, suggested that the WCIP outcome document be introduced into UNDRIP principles.

- Proposals to be submitted to the Human Rights Council for its consideration and approval

Mr. Albert Barumé, Chair of this session, made an introductory statement in which he reminded the audience that the new EMRIP mandate's aim was to make it participatory for all indigenous representatives.

Ukraine reacted to the situation of the Crimean Tatars living under Russian occupation, and recommended that this issue be brought to the attention of the HRC.

A few **indigenous organizations** took the floor under this agenda item. The **Central council of Tlingit and Haida Indian Tribes** urged all UN mechanisms to enhance indigenous peoples' participation in the UN meetings on issues that affect them. **Greenpeace Russia** asked EMRIP members to advocate within the other UN mechanisms to raise awareness of the situation of indigenous peoples, particularly related to extractive industries and land rights. The **Indigenous Navigator Initiative** recommended that the mechanism turn its attention to the Human Rights Council of knowledge and the progress made in the development of community based monitoring tools to monitor the 2030 Agenda, including the implementation of UNDRIP. The **Meilis of Crimean Tatars People** raised the possibility of having a Special Envoy dedicated to the issue of Crimean Tatars, and that the HRC should establish a special platform to monitor human rights violations in Crimea. The **Agencia Internacional de Prensa Indígena** recommended that EMRIP conduct a study with a focus on the impacts of the killing of indigenous journalists. **The Association Culturelle ADRAR ATH Koushia de Kabylie** asked for recognition of the Kabyle people's cultural rights. The **Congrès Populaire Coutumier Kanak** would like to see a follow-up and more engagement with the recommendations made in the realm of the UPR. The **World Indigenous Business Network** outlined the need to gather and mobilize organizations for the sustainable development of indigenous businesses. **Khmer Kampuchea Krom Federation** highlighted that it is important to have a follow-up on the work of previous expert members in order to go forward with it.

The Leuphana University of Luneburg wondered how to get to an economical model that would not be neoliberal but a model that would respect indigenous peoples.

Several **expert members** made comments at the conclusion of this session. **Mr. Alexey Tsykarev** thanked the participants that raised the issue of human rights defenders, which has to be seriously considered, and EMRIP members will actively collaborate in the SRRIP study on that theme. Also, regarding the 2019 International Year of Indigenous Languages, the HRC will participate in the development of the action plan. **Ms Laila Vars** commented on the resolution on enhancing indigenous peoples' participation in the UN system, and acknowledging its challenging nature, pointed out the necessity for the process to continue in the sense of giving a stronger asset to UNDRIP within the General Assembly. **Ms Erika Yamada** made two proposals, the first one being to urge States

to investigate in the case of human rights violations committed against human rights defenders, and the second one being the creation of tools to promote the implementation of UPR and the treaty bodies recommendations. **Mr. Albert Barumé**, as a concluding remark, insisted on the importance of the involvement of the communities to create disaggregated data, since some crimes under international law are quantified, such as the genocide. Without this data, it is harder to provide protection. He also made comments on the active role that the HRC should play in the implementation of national action plans, with particular focus on the implementation of the rights of indigenous peoples.

Friday, 14 July

This session adopted the report on the two studies conducted by EMRIP. This report contains a list of proposals, as follows:

1. The HRC should make further efforts to facilitate the participation of indigenous peoples in the HRC
2. The theme of the next HRC's annual half-day discussion of the rights of indigenous peoples, in its thirty-ninth session, will be on the protection of indigenous human rights defenders
3. The HRC should urge States to engage more actively with EMRIP activities
4. The HRC should request States to ensure that all human rights violations against indigenous communities, and human rights defenders, including indigenous women, are investigated and brought to justice
5. The HRC should urge States to support indigenous community-based monitoring towards the implementation of the SDGs
6. EMRIP requests to the HRC to be able to report directly to the General Assembly on a biennial basis, in addition to its annual reporting to the HRC
7. The HRC should remind States of the commitment, undertaken in the WCIP outcome document, to cooperate with indigenous peoples to develop and to implement national action plans, strategies or other measures to achieve the ends of UNDRIP
8. The HRC should urge States to contribute to the UNVFIP
9. EMRIP proposes that the HRC and States draw increasingly on the UNDRIP for the UPR process and explicitly include UNDRIP in the list of standards for future review
10. EMRIP proposes that the HRC participates in the action plan lead by UNESCO to ensure a human-rights based approach to the programmes and events which will be organized for the International Year of Indigenous Languages in 2019.

Mr. Wilton Littlechild closed the session by conveying a spiritual message.

ANNEX I – LIST OF ABBREVIATIONS

CEDAW	Committee on the Elimination of Discrimination Against Women
EMRIP	Expert Mechanism on the Rights of Indigenous Peoples
EU	European Union
HRC	Human Rights Council
IACHR	Inter-American Commission on Human Rights
ILO	International Labour Organization
NGO	Non-Governmental Organization
NHRIs	National Human Rights Institutions
OHCHR	Office for the High Commissioner for Human Rights
PAHO	Pan-American Health Organization
RHRIs	Regional Human Rights Institutions
SDGs	Sustainable Development Goals
SRRIP	Special Rapporteur on the Rights of Indigenous Peoples

UNFCCC	United Nations Framework Convention on Climate Change
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNPFII	United Nations Permanent Forum on Indigenous Issues
UPR	Universal Periodic Review
UNVFIP	United Nations Voluntary Fund on Indigenous Peoples
WCIP	World Conference on Indigenous Peoples

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