

SUMMARY NOTES ON THE 33rd SESSION OF THE HUMAN RIGHTS COUNCIL

Focus on the discussions related to the rights of indigenous peoples

13th-21st September 2016, 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 mail.



1. Background information

This 33rd session of the Human Rights Council (HRC) has been particularly important for the rights of indigenous peoples and the content of the resolutions submitted to the Council. The Permanent Missions of Mexico and Guatemala took the lead to formulate and present to the Council three resolutions:

- 1 on the mandate of the Special Rapporteur on the Rights of Indigenous Peoples;
- 1 on the EMRIP thematic studies presented to the HRC; and
- 1 on the revision of the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) mandate as defined by the World Conference on Indigenous Peoples (WCIP) Outcome Document in its paragraph 28.¹

Informal negotiations with the States and indigenous representatives were held the 13th, 15th, 16th, 19th and 21st of September 2016 at the UN Palais des Nations in Geneva. In accordance with the progress of the negotiations, several draft resolutions have been released. In order to provide clarity and to provide insight into the evolution of the negotiations, the first draft version and the final version of the resolution may be found in the Annexes to this document, as indicated below:

- for the SRRIP resolution²: Annex I, pg. 9;
- for the EMRIP thematic studies resolution³: Annex II, pg. 12; and
- for the revision of the EMRIP mandate resolution⁴: Annex III, pg. 17.

The methodology used to elaborate the various positions taken during these negotiations in the most coherent, comprehensive, and clearest way considers a general point of view expressed on the resolution, without going too much into the details of the wording on each intervention that has been realized on the General Principles (PP) or Operative Paragraphs (OP). **In order to see what has been deleted and what has been retained in the text, a comparative table of the resolutions for each resolution is available in the Annexes.**

This year, the topic of the panel held at the HRC on indigenous rights was the annual half-day panel discussion on violence against indigenous women and girls, with a particular focus on the situation of indigenous women with disabilities. The discussion of the panel was followed by the discussion between the SRRIP and the EMRIP Chair, who both presented their reports. The report of the SRRIP focused on international investment agreements⁵, and the report of the EMRIP was the study on the

¹ A/RES/69/2

² A/HRC/33/L.23

³ A/HRC/33/L.24

⁴ A/HRC/33/L.25

⁵ A/HRC/33/42

right to health and indigenous peoples, with a focus on children and youth⁶.

2. Details

Informal negotiations on the resolution to be submitted to the HRC on the SRRIP mandate, the thematic studies, and revision of the EMRIP mandate

- Draft resolution on the SRRIP mandate

In general, numerous States have been supportive of the submitted draft version for the resolution on the mandate of the SRRIP. The changes made between the first draft resolution and the Tabling resolution included the added mention of “abuses” of the rights of indigenous peoples in OP 1 (b) and (c); also, the mention of the implementation of the WCIP Outcome Document in OP 1 (e) has been deleted.

The **States** that expressed their support in this regard were New Zealand, the United States of America (USA), Canada, the European Union (EU), Costa Rica, Australia, the Philippines, the United Kingdom (UK), Norway, Russia, Peru, Chile, Bolivia, Paraguay, Denmark and Malaysia. The State that expressed not having further comments for this resolution was **Argentina**. **Guatemala** insisted on the need for the SRRIP to monitor the meetings and thus the need for them to have the resources required to do so, while **South Africa** asked for more clarifications on the meaning of the wording on the complementarity among the existing mechanisms on the rights of indigenous peoples. **Russia** stressed that the participation of the SRRIP to the United Nations Permanent Forum on Indigenous Issues (UNPFII) was out of her competency and suggested keeping the language of HRC resolution 14/15⁷. The **USA** raised the point that the mandate of the SRRIP should focus only on abuses of the rights of indigenous peoples. The **Philippines, Japan, Malaysia and Guatemala** expressed the same concerns on the financial implications of this resolution.

As for **indigenous representatives**, the **Foundation for Aboriginal and Islander Research Action** (FAIRA) supported the suggestion that the mandate of the SRRIP include a follow-up on the implementation of the WCIP Outcome Document.

- Draft resolution on EMRIP thematic studies

Summarized here are the changes undergone in this resolution from the first draft to the tabling version; the most important ones were the following: for the PP section, the reference to the United Nations Voluntary Fund for Indigenous Peoples (UNVFIP) has been deleted. However, principles now include references to the Organization of American States Declaration on the Rights of Indigenous Peoples, to the WCIP Outcome Document, to indigenous persons with disabilities and a special focus required for women, and to a recognition of traditional knowledge for health practices. In the OP section, the main changes involved (1) the reference to continuing to circulate the questionnaire on good practices to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), (2) the recognition of the adoption of the WCIP Outcome Document, and (3) the recognition of the Secretary-General report on the WCIP. The operative paragraphs, however, emphasized the need for greater recognition of the violence committed against indigenous women and girls as a high priority for the HRC and also the call upon States for the ratification of ILO Convention 169.

⁶ A/HRC/33/57

⁷ A/HRC/RES/14/15

Several **States** took the floor to express their views on this resolution, including the EU, Australia, USA, Norway, Canada, New Zealand, South Africa, the Russian Federation, Costa Rica, Paraguay, Chile, Peru, the Philippines, Bolivia, Bangladesh, Brazil and Greece. In general, the **EU** was rather supportive of the wording of the resolution, in that it requested the deletion of a PP on the recognition of indigenous traditional practices, which was subsequently replaced by a PP on the recognition of traditional knowledge related to health. **Australia was** also supportive in general of the resolution, supporting the inclusion of indigenous entrepreneurs in the PP and maintaining reference to the strengthening of National Human Rights Institutions (NHRIs). The **USA** agreed on most of the proposed language and also wished to include the word “individuals” after “indigenous” regarding the next topic of the EMRIP thematic study. **Norway** stressed some substantive changes, such as the need to emphasize more the adoption of the UNDRIP and the WCIP Outcome Document, suggestions supported by **Canada, Australia, New Zealand, and the USA**. **Canada** insisted on the importance of streamlining the topic of the panel on violence against indigenous women and girls, and also the focus on indigenous persons with disabilities. **New Zealand** did not wish to include any reference to ILO Convention 169; however, it was supportive of allowing EMRIP to choose the topic of their studies, with a focus on good practices. **South Africa** asked for more clarity in the PP portion, as well as further detailed language in the OP portion. The **Russian Federation opposed** any reference to ILO Convention 169, as well as the inclusion of a reference to “national programs, strategies and plans” with regard to the 2030 Agenda for Sustainable Development. **Costa Rica** advocated for including the reference to ILO Convention 169. **Paraguay, Chile, and Peru** supported this idea. In addition, **Paraguay** wanted to add a reference on the follow-up of the recommendations issues during the Universal Periodic Review (UPR) process and asked for the deletion of the reference to the access of health systems for indigenous women, youth, children and persons with disabilities in the latest version. **The Philippines** questioned the very narrow topic of the next EMRIP study and requested the Office for the High Commissioner on Human Rights (OHCHR) to carry out a report on the annual half-panel discussion on the rights of indigenous peoples that takes place each year during the HRC session in September. This last point was supported by **Bolivia**, which also expressed the need to refer to good practices for the next topic of the EMRIP thematic study. **Bangladesh** requested a mention of ECOSOC rules in the PP that refer to indigenous peoples' participation. **Brazil** required the inclusion of the new PP on the adoption of the OAS Declaration of the Rights on Indigenous Peoples. **Greece** inquired about references to the reconciliation process.

As for indigenous representatives' participation, the **FAIRA** underlined the importance of the negotiations and how this resolution could be at the forefront of the work being done, in order to promote and achieve the right to self-determination. The **Indigenous Peoples and Nations Coalition** reminded the parties involved that the UNDRIP should be the basis for this resolution. **The Sami Parliament of Norway** also supported this idea by further adding that it was one of the requirements of the implementation of the UNDRIP on the ground. The **International Indian Treaty Council (IITC)** supported the reference to labour rights and supported including the reference to indigenous *persons* with disabilities instead of to indigenous *peoples* with disabilities.

Among the other participants that took the floor, the **International Labour Organization (ILO)** underlined the need for coherence regarding international law standards and welcomed the inclusion of the paragraph that makes reference to ILO Convention 169, which shows a close collaboration between the ILO and the OHCHR. **Chief Wilton Littlechild**, an independent expert, stressed that the EMRIP mandate is only based on research and that should be considered, and supported the specific reference of the violence committed against indigenous women and girls. **Mr. Albert Barumé, Chair of the EMRIP**, advocated for a reformulation of the OP 4.

- Draft resolution on the EMRIP mandate

This resolution underwent some changes from the first draft to the tabling version. The most important ones were the following: for the PP section, the creation of a PP 2A recalling all the resolutions of the HRC on indigenous peoples' rights and the establishment of the EMRIP; the inclusion of a reference to the workshop of the review of the mandate held in April; and the inclusion of a reference to the regional human rights systems. For the OP section, modifications have been made highlighting the following stipulations: EMRIP may provide assistance to Member States only upon their request and to achieve the ends of UNDRIP; EMRIP may realize an annual study on achieving the ends of UNDRIP with recommendations and not a report; and the assistance provided to Member States is limited to domestic legislation. Additional changes include: the deletion of references to collaboration with the NHRIs; the inclusion of the private sector in the context of facilitating the dialogue between the Member States and indigenous peoples; the inclusion of the stipulation that EMRIP shall keep the HRC fully informed of its activities; an indication that the number of members is being expanded to 7, representing the 7 socio-cultural regions as defined by the UNPFII; the inclusion of a mention of a close collaboration with the United Nations Voluntary Fund on Indigenous Peoples (UNVFIP); the inclusion of an enhanced cooperation, as a principle, between the EMRIP and the NHRIs; and the inclusion of reference to an inter-sessional meeting for the EMRIP members.

Numerous **States** took the floor to express their views on this resolution, including Costa Rica, New Zealand, Canada, the EU, USA, Australia, Brazil, the Russian Federation, Bolivia, Ecuador, South Africa, the Philippines, Peru, Guatemala, Norway, Denmark, Japan, India, Chile, and the UK. In general, **Costa Rica, New Zealand, Canada, the EU, the USA, Australia and Brazil** were quite supportive of this resolution and the changes made to the EMRIP mandate, while also requesting to address certain aspects of the text. **South Africa** asked for more clarity on the realization of the annual study to achieve the ends of UNDRIP and the cooperation between EMRIP and the other mechanisms, such as NHRIs, and advocated for EMRIP to fully report to the HRC on their activities. The **EU advocated for the following points:** the inclusion of a new PP on the resolutions of the HRC on indigenous peoples' rights and the establishment of EMRIP, general recommendations in the annual study to achieve the ends of UNDRIP, and maintaining the number of experts at 5. The **USA** mentioned the inclusion of a reference to the regional human rights systems, suggested giving EMRIP independence to choose their own methods and systems, supported the idea of having 7 expert members and insisted on the institutionalization of the relationship between EMRIP and the SRRIP in order to avoid duplication. The **Russian Federation** did not support having EMRIP edit recommendations; but the RF did support the collaboration of the experts with the NHRIs and the idea that they would determine their own methods of work. **Canada** was in general supportive of the resolution as such and added a PP on the EMRIP workshop that was held earlier this year, raising the point that EMRIP should decide on its own thematic studies, pushing for 7 experts and underlining the importance for EMRIP to have a sufficient budget for achieving its new mandate. **Australia** also supported the idea that EMRIP should be able to decide on its own topics and advocated for the inclusion of the language on the NHRIs and regional ones. **Bolivia and Ecuador** strongly supported the inclusion of a reference to ILO Convention 169. **New Zealand** called for EMRIP to keep its independence and asked that the annual study with focus on particular articles of UNDRIP be cancelled, but supported the idea that EMRIP could suggest recommendations for the treaty bodies and in the context of urgent cases. **Costa Rica** provided support for the idea to include a paragraph on the WCIP Outcome Document, also suggesting that EMRIP should adopt decisions ad hoc and questioning how EMRIP could provide input during the UPR mechanism. **South Africa** insisted on the inclusion of the word "fulfilment" with regard to the rights of indigenous peoples for achieving the ends of UNDRIP. **The Philippines** wanted to provide EMRIP with more liberty to conduct the annual study to achieve the ends of UNDRIP, accepted that EMRIP could carry out recommendations while respecting the sovereignty of the States, and supported the **Russian**

Federation in the idea of remembering that EMRIP is a subsidiary body of the HRC. **Peru** claimed that EMRIP should not become a treaty body, while emphasizing the need for UNDRIP to be implemented. **Guatemala** was supportive of EMRIP holding inter-sessional meetings. **Indonesia** stated that they do not recognize indigenous peoples within their territory as a specific group. **Norway** warned of the consequences of what this extra workload would represent for EMRIP and insisted on the importance of the background of the experts. **Denmark** wanted to increase its support and aligned its statement with the **EU**. **Japan** asked for more clarity in the resolution. **India** raised the need for more precision on the part of the stakeholders, and **Chile** asked for the deletion of the reference to an "annual" study. **Brazil expressed the desire** to have 8 independent experts, and the **UK** underlined the importance of the competencies of the EMRIP members.

As for indigenous representatives' participation, the **FAIRA** welcomed the draft resolution and warned about not losing track of its objective, which is to strengthen the mechanism and to have a better implementation of UNDRIP. **IITC** reminded those gathered of the importance for EMRIP to suggest recommendations for the UPR mechanism and other treaty bodies, and it asked for the inclusion of a reference to the cooperation between EMRIP and the UNPFII. The **Indigenous Peoples and Nations Coalition** supported the declaration made by South Africa. The **Sami Parliament of Finland** brought up the need for securing the independence of the mandate without restrictions. The **Sami Parliament of Norway** recalled the importance of UNDRIP as a vehicle for recognition of collective rights for indigenous peoples, and it stressed that today the independence of the mandate is crucial. The **National Congress of American Indians** supported in general the comments made by the USA and reminded the attendees that the meetings should be made accessible to indigenous persons with disabilities. The **Eastern Door Mohawk Nation** stressed that indigenous peoples and the States have to work closely in true good faith in order to achieve the goals of UNDRIP. The **Indian Resource Law Centre** underlined the importance for EMRIP to be able to make recommendations and to keep the HRC fully informed.

Turning to the other participants that took the floor, the **ILO** suggested adding an OP to invite the EMRIP members to provide views on ILO Convention 169. **Chief Wilton Littlechild** insisted on the importance to include again the wording on the private sector and also to give more accessibility to indigenous peoples with disabilities at the sessions. **Mr. Albert Barumé** supported the inter-sessional meetings and also asked for the expert seminars to be included in the resolution. **Ms. Claire Charters, from the UNVFIP**, stated that the UNVFIP has a role to play in the coordination among the existing mechanisms and that the revision of the EMRIP mandate would be an opportunity to expand the UNVFIP's capacity.

Annual half-day discussion on the rights of indigenous peoples, with the panel on the causes and consequences of violence against indigenous women and girls, including those with disabilities

The opening statement was made by **Mr. Adam Abdelmoula, Director of the HRC and Treaty Mechanisms Division, from the OHCHR**. He insisted on the importance that should be given to the topic by recalling that violence against indigenous women cannot be separated from the repeated violation of indigenous peoples' rights. They also face multiple forms of discrimination, particularly indigenous persons with disabilities. One of the solutions is to support access to justice and to create more engagement opportunities and partnerships in order to include indigenous women and girls as much as possible in the decision-making processes. **Ms. Aili Keskitalo, President of the Sami Parliament of Norway**, reminded the group that this issue was happening in many of the communities and that a balance has to be found between indigenous and non-indigenous communities. The loss of language, culture, territories and natural resources has put pressure on the communities, and this can lead to violence. The best way to solve it would be for the States to

implement UNDRIP and for the HRC to find a way to put forward paragraph 19 of the WCIP Outcome Document⁸, which deals with indigenous women and girls. **Ms. Olga Montúfar of the Fundación Paso a Paso** stated that there is an urgent need for the recognition of the rights of indigenous women and girls with disabilities, which would be achieved through the implementation of the SDGs. Empowerment and capacity-building are also key elements in order to provide them with more visibility. Another important element to consider is to work closely with all the relevant human rights mechanisms and to work with data compilation in order to have a broader picture of this issue. **Ms. Hannah McGlade, OHCHR Senior Indigenous Fellow**, presented the discrimination faced by indigenous women in Australia. The crucial lack of access to justice creates situations of extreme violence and human rights violations. One of the possible solutions would be the full participation of indigenous women in the administration of justice. **Ms. Victoria Tauli-Corpuz, current SRRIP**, reminded the group that the provisions of UNDRIP should apply equally to women and men, and this would be the first step towards less discrimination faced by indigenous women and girls, particularly those with disabilities. The situation of violations of their rights is historical and endemic, and the time has come to integrate more indigenous women and girls by facilitating their participation in the decision-making processes. One of the possible ways forward would be the application of the right to self-determination and for the indigenous peoples' leaders to advocate for the rights of indigenous women and girls.

The **States** that delivered a statement were the EU, Canada, South Africa, the Dominican Republic, Greece, Georgia, Ecuador, Guatemala, China, USA, Paraguay, Mexico, Colombia, France, Senegal, Australia, Fiji, Namibia, Albania, Algeria, Venezuela, Bolivia, Nigeria, Tunisia, Iran, Spain, Egypt, Honduras, the Maldives, and Congo. The **EU** stated that the highest political priority should be given to the topic while **South Africa, on behalf of the African Group**, claimed that joint efforts have to be made in order to eliminate violence against indigenous women and girls. **Canada and Greece** wanted to provide more space to the knowledge of indigenous women and girls and also stressed that justice systems should be made accessible. **The Dominican Republic, on behalf of the CELAC**, advocated for more emphasis on the role of indigenous women and girls within the communities, including the ones with disabilities. **Norway, on behalf of the Nordic countries**, underlined the need to understand better the cultures and traditions in order to be able to address this issue. **Georgia and Iran** stressed the need for indigenous women and girls to be taken into account in the 2030 Agenda for implementation of the SDGs. **Ecuador, Venezuela, Honduras, the Maldives and Congo** enumerated their national action plans for the inclusion of indigenous women and girls. **Guatemala** spoke about the realization of prevention measures in order to address gender-based violence. **China** called upon the implementation of all the UN frameworks in order to ensure equality for women. The **USA** provided some data on the violence experienced by indigenous women in Alaska, stating that more than 83% indigenous women experienced violence at least once in their lives. **Paraguay** flagged the need to protect the rights of indigenous peoples. **Australia, Colombia** and the **UK** reiterated their willingness to combat the violence against indigenous women and girls. **Mexico**, responding to the intervention realized by Ms. Montúfar, agreed to carry out specific measures to address this type of violence, notably in the access to justice. **Senegal** asked to have a global approach on the issue of violence against indigenous women and girls by incorporating the implementation of UNDRIP. **France** spoke on the need to eradicate all types of violence committed against women in general. **Fiji** reported on domestic and sexual violence committed against indigenous women and girls. **Albania, Namibia, Algeria** and **Spain** advocated for having an intersectional approach with respect to the violence against indigenous women and girls in the implementation of their rights. **Bolivia** recalled the necessity for indigenous women and girls to be empowered. **Nigeria** stressed the denial of the right to education for indigenous women and girls, while **Tunisia** called for the need to raise

⁸ A/RES/69/2

awareness about the rights of this group.

The **indigenous organizations** that took the floor were the Indian Resource Law Centre (IRLC) and the Conselho Indigenista Misionário (CIMI). The **IRLC** highlighted the fact that 90% of indigenous victims of sexual violence reported that said violence was committed by non-indigenous persons and that the UNDRIP and the WCIP Outcome Document must be implemented in order to address the issue. The **CIMI** emphasised the urgency of creating a national agenda in Brazil for indigenous women and to facilitate their participation in decision-making processes through consultations in order to strength the capabilities of indigenous peoples.

The **other organizations** that expressed their views were Women International, Americans for Democracy and Human Rights in Barheïn, the Council of Europe, FIAN International, the International Development Law Organization (IDLO), the Australian Human Rights Commission, Defence for Population and Development, Action Canada for Population and Development, and UNFPA. **Women International** stressed the importance of designing specific campaigns for those communities and reinforcing the value of their traditional culture. **Americans for Democracy and Human Rights in Bahrein brought up the point** that indigenous women are often not registered in their countries as indigenous and, thus, cannot access any of the public services. The **Council of Europe** condemned all violence committed against indigenous women and girls. With regard to the situation of indigenous women and girls in Brazil, **FIAN International stressed** the need to empower them and to build partnerships for the recognition of their rights. The **IDLO** underlined the need to sensitize the judicial systems on accessibility to justice for indigenous women and girls, as well as for a greater representation the professional context. The **Australia Human Rights Commission, Defence for Population and Development, Action Canada for population and development** and **UNFPA** emphasised the need to use UNDRIP in order to develop strategies and to prevent violence.

In her closing remarks, **Ms. Olga Montúfar** stressed the need to strengthen the participation of indigenous women and girls, including those with disabilities, in decision-making processes and public policies. **Ms. Aili Keskitalo** reflected on how to improve the partnerships between the governments and indigenous communities by first engaging concretely with the HRC. **Ms. Victoria Tauli-Corpuz** called for the examination of the root causes of violence and for the need to disaggregate the data on "ethnicity". **Ms. Hannah McGlade** expressed her support for the empowerment of indigenous peoples through multiple mechanisms, for example, education on Human Rights.

Collective interactive dialogue with the SRRIP and the EMRIP

First, **Ms. Victoria Tauli-Corpuz** presented her thematic report to the Human Rights Council⁹ on international investment policies and their impacts on indigenous peoples' rights. The report seeks to promote coherence in light of International Investment Law and International Human Rights Law and to ensure that State fulfilment of duties pertaining to the rights of indigenous peoples is not obstructed by protections afforded to investors. The lack of recognition or enforcement of indigenous peoples' land rights is facilitating arbitrary land expropriation for certain investment projects. According to **Ms. Tauli-Corpuz**, it is possible to develop a system of International Investment Law that reduces risk to indigenous peoples' rights and serves to benefit them and the State, while providing investment security to foreign investors. She then introduced to the United Nations General Assembly¹⁰ (UNGA) her report on conservation and indigenous peoples' rights, which explores how conservation measures affect indigenous people and recommends measures to increase respect for

⁹ A/HRC/33/42

¹⁰ A/71/229

indigenous peoples' rights. The report highlighted various violations of indigenous peoples' rights in the establishment of national parks and conservation areas. States and conservation organizations must actively promote the rights of indigenous peoples at the national and local level to ensure that indigenous peoples participate equitably in the management of protected areas. Third, **Ms. Tauli-Corpuz** presented her mission report to the Sápmi region¹¹ by calling on the governments of Norway, Sweden and Finland to provide more space for the protection of Sami peoples' rights, especially land rights when dealing with business enterprises. She then reported on her mission to Honduras¹², which underlined the extreme violence faced by indigenous peoples and where the indigenous rights defenders' lives are at risk. Finally, she spoke about her report on her mission to Brazil¹³, urging the State to implement and strengthen its national policies to better protect indigenous peoples' rights.

Mr. Albert Barumé then opened his remarks by first introducing this year's study on the right to health and indigenous peoples with a focus on children and youth¹⁴. The study focuses on certain aspects of health that are important to indigenous peoples, examining what it means from an indigenous perspective. It then provides a review of the international legal framework and regional frameworks in order to establish the link between indigenous peoples' right to self-determination and health before addressing States' obligations. Finally, the study looks into the health rights of key indigenous groups and current challenges relating to indigenous peoples and the right to health. One of the conclusions is that the recognition that indigenous peoples' right to health is inalienable from their rights to self-determination; development; culture; lands, territories and resources; language; and the natural environment. The States need to recognise indigenous peoples' right to control their own health, while ensuring that they seek their free, prior and informed consent (FPIC) for any policy that will affect them, as well as by facilitating the full and effective participation of indigenous peoples in the design and implementation of all healthcare policies and programmes. States should also provide sufficient resources to indigenous peoples to facilitate the establishment and operation of their own healthcare initiatives. Other recommendations are to ensure that Indigenous peoples have access to quality healthcare services and to make healthcare services culturally appropriate by making translation services available, by improving services to sensitise healthcare workers to the needs of indigenous peoples, and by integrating indigenous healthcare workers into healthcare systems. **Mr. Barumé** also reported briefly on the EMRIP 9th session¹⁵ and further described the work done by EMRIP, such as the organization of an expert seminar at McGill University in Canada on the right to health, as well as the holding of inter-sessional activities, for which he called for more financial resources. Most of the attention was given to the resolution on the review of the mandate and its implications.

The States that took the floor were Brazil, Honduras, Finland, Norway, Sweden, South Africa, the EU, the Dominican Republic, Australia, Iceland, Peru, Fiji, Mexico, Ecuador, Libya, the USA, Canada, Spain, Venezuela, the Russian Federation, Chile, Egypt, China, and Guatemala. **Brazil discussed** its national initiatives to protect and promote indigenous peoples' rights, such as the creation of a program to protect human rights defenders. **Honduras** underlined its commitment to indigenous peoples' rights through the ratification of ILO Convention 169 and UNDRIP, and further expressed its commitment for cooperation with indigenous peoples' rights mechanisms considering the ethnic diversity of the country. **Finland** recognized the ongoing challenges and noted having taken measures for better promotion of the Sámi language and enhanced cooperation with the Sámi Parliament of Finland. **Norway** referred to its commitment to the UNDRIP principles and the right to FPIC as defined by ILO Convention 169. **Sweden cited its** collaboration with the Sámi Parliament of Sweden and expressed its

¹¹ A/HRC/33/42/Add.3

¹² A/HRC/33/42/Add.2

¹³ A/HRC/42/Add.1

¹⁴ A/HRC/33/57

¹⁵ Docip Publication, Summary Notes no. 1 on the EMRIP 9th session

willingness to protect indigenous peoples' rights and ways of life. **South Africa** recognized the impacts of business on the human rights of indigenous peoples and voiced its commitment to furthering binding mechanisms in that regard. The **EU** claimed its willingness to develop policies in line with the UNDRIP, while the **Dominican Republic, on behalf of CELAC**, supported the review of the EMRIP mandate. **Australia, on a behalf of a group of countries**, asked for the inclusion of indigenous peoples in the economic growth of the country and called for making sure that indigenous entrepreneurs can participate in the economy. **Iceland, on behalf of the Nordic countries**, reiterated the need for EMRIP to assist States to achieve the implementation of UNDRIP. **Peru** stated that the conclusions of the SRRIP report on international investment policies were reductive. **Fiji** raised its willingness to take into account the cultural particularities of indigenous peoples. **Mexico** discussed the possibility of inviting the SRRIP to carry out a visit to the country. **Ecuador** invited the EMRIP to participate in the ongoing work on the elaboration of an international binding instrument on human rights and business enterprises. **Libya** warned about the consequences of having multiple different NGOs representing indigenous peoples, a situation that causes internal division within countries. **Australia**, now speaking independently, raised the point that indigenous peoples should be considered more in developing local economic policies. The **USA, Canada, Spain** and **Venezuela asserted** that the EMRIP mandate should be strengthened and reiterated their support for the resolution of the review of the mandate. The **Russian Federation** recognized the lack of access to medical services for indigenous peoples. **Chile** invited the SRRIP to carry out a country visit and expressed the desire to have her reports available in other languages. **Egypt** reminded those assembled that investment activities undertaken by corporations should not undermine human rights and that the right balance has to be found to protect indigenous peoples' rights. **China** called on the international responsibility to make efforts in the implementation of UNDRIP and stop the marginalization of indigenous peoples. **Guatemala** thanked the EMRIP for the study on the right to health and noted the advancements that can be made based on the information and recommendations the study provided.

ANNEX I - RESOLUTION ON THE SRRIP MANDATE

PP / OP	Draft resolution 01	Adopted version
PP1	<i>Bearing in mind</i> paragraph 6 of General Assembly resolution 60/251 of 15 March 2006	<i>Bearing in mind</i> paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,
PP2	<i>Recalling</i> resolution 5/1 on institution-building of the Human Rights Council and resolution 5/2 on the Code of Conduct for special procedures mandate holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with these resolutions and the annexes thereto	<i>Recalling</i> resolution 5/1 on institution-building of the Human Rights Council and resolution 5/2 on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with these resolutions and the annexes thereto,
PP3	<i>Recalling also</i> Commission on Human Rights resolutions 2001/57 of 24 April 2001, 2002/65 of 25 April 2002, 2003/56 of 24 April 2003, 2004/62 of 21 April 2004 and 2005/51 of 20 April 2005 on human rights and indigenous issues, and Human Rights Council resolutions 6/12 of 28 September 2007; and 15/14 of 30 September 2010 and 24/9 of 8 October 2013 on the mandate of	<i>Recalling also</i> Commission on Human Rights resolutions 2001/57 of 24 April 2001, 2002/65 of 25 April 2002, 2003/56 of 24 April 2003, 2004/62 of 21 April 2004 and 2005/51 of 20 April 2005 on human rights and indigenous issues, and Human Rights Council resolutions 6/12 of 28 September 2007, 15/14 of 30 September 2010 and 24/9 of 26 September 2013 on the mandate of

	Special Rapporteur on the rights of indigenous peoples	Special Rapporteur on the rights of indigenous peoples,
OP1	<p><i>Decides</i> to extend the mandate of the Special Rapporteur on the rights of indigenous peoples for a period of three years:</p> <p>(a) To examine ways and means of overcoming existing obstacles to the full and effective protection of the rights of indigenous peoples, in conformity with his/her mandate, and to identify, exchange and promote best practices;</p> <p>(b) To gather, request, receive and exchange information and communications from all relevant sources, including Governments, indigenous peoples and their communities and organizations, on alleged violations of the rights of indigenous peoples;</p> <p>(c) To formulate recommendations and proposals on appropriate measures and activities to prevent and remedy violations of the rights of indigenous peoples;</p> <p>(d) To work in close cooperation and coordination with other special procedures and subsidiary organs of the Council, in particular with the Expert Mechanism on the Rights of Indigenous Peoples, relevant United Nations bodies, the treaty bodies and regional human rights organizations;</p> <p>(e) To participate in the annual session of the Permanent Forum on Indigenous Issues and enhance engagement with the Forum in order to further strengthen the implementation of the commitments contained in the Outcome Document of the World Conference on Indigenous Peoples (2014) through related thematic engagement and research;</p> <p>(f) To develop a regular cooperative dialogue with all relevant actors, including Governments, relevant United Nations bodies, specialized agencies and programmes, as well as indigenous peoples, national human rights institutions, non-governmental organizations and other regional or sub-regional international institutions, including on possibilities for technical cooperation at the request of</p>	<p><i>Decides</i> to extend the mandate of the Special Rapporteur on the rights of indigenous peoples for a period of three years:</p> <p>(a) To examine ways and means of overcoming existing obstacles to the full and effective protection of the rights of indigenous peoples, in conformity with the mandate, and to identify, exchange and promote best practices;</p> <p>(b) To gather, request, receive and exchange information and communications from all relevant sources, including Governments, indigenous peoples and their communities and organizations, on alleged violations and abuses of the rights of indigenous peoples;</p> <p>(c) To formulate recommendations and proposals on appropriate measures and activities to prevent and remedy violations and abuses of the rights of indigenous peoples;</p> <p>(d) To work in close cooperation and coordination with other special procedures and subsidiary organs of the Council, in particular with the Expert Mechanism on the Rights of Indigenous Peoples, relevant United Nations bodies, the treaty bodies and regional human rights organizations;</p> <p>(e) To enhance engagement with and to participate in the annual sessions of the Permanent Forum on Indigenous Issues and of the Expert Mechanism on the Rights of Indigenous Peoples to ensure complementarity between their work;</p> <p>(f) To develop a regular cooperative dialogue with all relevant actors, including Governments, relevant United Nations bodies, specialized agencies and programmes, as well as indigenous peoples, national human rights institutions, non-governmental organizations and other regional or sub-regional international institutions, including on possibilities for technical cooperation at the request of Governments;</p> <p>(g) To promote the United Nations Declaration on the Rights of Indigenous Peoples and international instruments</p>

	<p>Governments;</p> <p>(g) To promote the United Nations Declaration on the Rights of Indigenous Peoples and international instruments relevant to the advancement of the rights of indigenous peoples, where appropriate;</p> <p>(h) To pay special attention to the human rights and fundamental freedoms of indigenous children and women, and to take into account a gender perspective in the performance of his/her mandate;</p> <p>(i) To consider relevant recommendations of the world conferences, summits and other United Nations meetings, as well as the recommendations, observations and conclusions of the treaty bodies on matters regarding his/her mandate;</p> <p>(j) To submit reports on the implementation of his/her mandate to the Council and the General Assembly in accordance with their respective annual programme of work;</p>	<p>relevant to the advancement of the rights of indigenous peoples, where appropriate;</p> <p>(h) To pay special attention to the human rights and fundamental freedoms of indigenous children and women, and to take into account a gender perspective in the performance of his/her mandate;</p> <p>(i) To consider relevant recommendations of the world conferences, summits and other United Nations meetings, as well as the recommendations, observations and conclusions of the treaty bodies on matters regarding his/her mandate;</p> <p>(j) To submit a report on the implementation of the mandate to the Council and to the General Assembly in accordance with their annual programme of work</p>
OP2	<i>Requests</i> all Governments to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, to furnish all available information requested in his or her communications, and to react promptly to his or her urgent appeals;	<i>Requests</i> all Governments to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, to furnish all available information requested in his or her communications, and to react promptly to his or her urgent appeals;
OP3	<i>Encourages</i> the United Nations, including its specialized agencies, regional intergovernmental organizations, Governments, independent experts, interested institutions, national human rights institutions, non-governmental organizations and, in particular, indigenous peoples to cooperate to the fullest extent possible with the Special Rapporteur in the fulfilment of his or her mandate;	<i>Encourages</i> the United Nations, including its specialized agencies, regional intergovernmental organizations, Governments, independent experts, interested institutions, national human rights institutions, non-governmental organizations and, in particular, indigenous peoples to cooperate to the fullest extent possible with the Special Rapporteur in the fulfilment of his or her mandate;
OP4	<i>Encourages</i> all Governments to give serious consideration to responding favourably to the requests by the Special Rapporteur to visit their countries to enable him or her to fulfil the mandate effectively;	<i>Strongly encourages</i> all Governments to give serious consideration to responding favourably to the requests by the Special Rapporteur to visit their countries to enable him or her to fulfil the mandate effectively;
OP5	<i>Requests</i> the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the necessary human, technical and financial assistance	<i>Requests</i> the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the necessary human, technical and financial assistance to

	to the Special Rapporteur for the effective fulfilment of his or her mandate	the Special Rapporteur for the effective fulfilment of the mandate;
OP 6	<i>Decides</i> to continue consideration of this question in conformity with its programme of work.	<i>Decides</i> to continue consideration of this question in conformity with its programme of work.

ANNEX II – RESOLUTION ON THE EMRIP THEMATIC STUDIES

PP / OP	Draft resolution 01	Adopted version
PP1	<i>Recalling</i> all Commission on Human Rights and Human Rights Council resolutions on human rights and indigenous peoples,	<i>Recalling</i> all relevant General Assembly, Commission on Human Rights and Human Rights Council resolutions on human rights and indigenous peoples,
PP2	<i>Recalling also</i> the adoption by the General Assembly of the United Nations Declaration on the Rights of Indigenous Peoples in its resolution 61/295 of 13 September 2007,	<i>Reaffirming</i> its support for the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly in its resolution 61/295 of 13 September 2007
PP3	Welcoming the thirtieth anniversary of the United Nations Voluntary Fund for Indigenous Peoples in 2015, and acknowledging the decades of its substantive work to facilitate the direct and meaningful participation of indigenous peoples within the United Nations, the Human Rights Council and the human rights treaty bodies, also in the light of this important anniversary,	<i>Recognizing</i> current efforts towards the promotion, protection and fulfilment of the rights of indigenous peoples, including the adoption of the American Declaration on the Rights of Indigenous Peoples
PP4	<i>Recognizing</i> the importance to indigenous peoples of revitalizing, using, developing and transmitting their histories, languages, oral traditions, philosophies, writing systems and literatures to future generations, and designating and retaining their own names for communities, places and persons,	<i>Recalling</i> the adoption of the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples,
PP5	Welcoming the study by the Expert Mechanism on the Rights of Indigenous Peoples on the right to health and indigenous peoples with a focus on children and youth the promotion and protection of the rights of indigenous peoples with respect to their cultural heritage, including through their participation in political and public life, submitted to the Human Rights Council at its thirty-third tieth session, and encouraging all parties to consider the examples of good practices and recommendations included in the study as	<i>Recognizing</i> that indigenous women, youth, children and persons with disabilities face particular challenges and face multi-faceted and intersecting forms of discrimination regarding the access to health services,

	practical advice on how to attain the end goals of the United Nations Declaration on the Rights of Indigenous Peoples,	
PP6	<i>Stressing</i> the need to pay particular attention to the rights and special needs of indigenous women, children, youth, elders and persons with disabilities, as set out in the United Nations Declaration on the Rights of Indigenous Peoples,	<i>Stressing</i> the need to acknowledge traditional knowledge and practices on health and for intercultural approaches that are sensitive to the health needs of indigenous peoples,
PP7	<i>Recalling</i> the commitment to consider, at the seventieth session of the General Assembly, ways to enable the participation of indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies on issues affecting them, including any specific proposals made by the Secretary General in his report, and, building on the compilation prepared by the advisors of the President of the General Assembly, looks forward to the outcome of its consideration by the General Assembly during its seventy-first session	<i>Welcoming</i> the study by the Expert Mechanism on the Rights of Indigenous Peoples on "The right to health and indigenous peoples with a focus on children and youth", submitted to the Human Rights Council at its thirty-third session, and encouraging all parties to consider the examples of good practices and recommendations included in the study as practical advice on how to attain the end goals of the United Nations Declaration on the Rights of Indigenous Peoples,
PP8	Recognizing the twenty-sixth anniversary of the adoption by the International Labour Organization of the Indigenous and Tribal Peoples Convention, 1989 (No.169) and its contribution to the promotion and protection of the rights of indigenous peoples;	<i>Stressing</i> the need to pay particular attention to the rights and special needs of indigenous women, children, youth, elders and persons with disabilities, and to intensify efforts to prevent and eliminate violence and discrimination against indigenous women and girls as set out in the United Nations Declaration on the Rights of Indigenous Peoples, and the Outcome Document of the World Conference on Indigenous Peoples,
PP9	(none)	<i>Recalling</i> the commitment made by the General Assembly of the World Conference, to consider ways to enable the participation of indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies on issues affecting them, and looks forward to the outcome of the process initiated by the President of the General Assembly and its consideration by the General Assembly,
PP10	(none)	<i>Recalling</i> the adoption of the Indigenous and Tribal Peoples Convention, 1989 (No.169), by the International Labour Organization, and its important contribution to the promotion and protection of the rights of indigenous peoples;
OP1	<i>Welcomes</i> the report of the United Nations High Commissioner for Human Rights on	<i>Welcomes</i> the report of the United Nations High Commissioner for Human Rights on the

	the rights of indigenous peoples, and requests the High Commissioner to continue to submit to the Human Rights Council an annual report on the rights of indigenous peoples containing information on relevant developments in human rights bodies and mechanisms and the activities undertaken by the Office of the High Commissioner at Headquarters and in the field that contribute to the promotion of, respect for and the full application of the provisions of the United Nations Declaration on the Rights of Indigenous Peoples, and follow-up on the effectiveness of the Declaration;	rights of indigenous peoples, and requests the High Commissioner to continue to submit to the Human Rights Council an annual report on the rights of indigenous peoples containing information on relevant developments in human rights bodies and mechanisms and the activities undertaken by the Office of the High Commissioner at Headquarters and in the field that contribute to the promotion of, respect for and the full application of the provisions of the United Nations Declaration on the Rights of Indigenous Peoples, and follow-up on the effectiveness of the Declaration;
OP2	<i>Also welcomes</i> the work of the Special Rapporteur on the rights of indigenous peoples, including the official visits made and her reports, and encourages all Governments to respond favourably to her requests for visits;	<i>Also welcomes</i> the work of the Special Rapporteur on the rights of indigenous peoples, including the official visits made and her reports, and encourages all Governments to respond favourably to her requests for visits;
OP3	<i>Requests</i> the Special Rapporteur to report on the implementation of her mandate to the General Assembly at its seventy-first tieth session;	<i>Welcomes</i> the work of the Expert Mechanism on the Rights of Indigenous Peoples, takes note with appreciation of the report on its ninth session, and encourages States to continue to participate in and contribute to its discussions, including by their national specialized bodies and institutions
OP4	<i>Welcomes</i> the work of the Expert Mechanism on the Rights of Indigenous Peoples, takes note with appreciation of the report on its ninth eighth session, and encourages States to continue to participate in and contribute to its discussions, including by their national specialized bodies and institutions;	<i>Requests</i> the Expert Mechanism to prepare a study, to be finalized by its tenth session, on good practices and challenges, including discrimination, in business and in access to financial services by indigenous peoples, in particular indigenous women and indigenous persons with disabilities, and to present it to the Human Rights Council at its thirty-sixth session
OP5	<i>Requests</i> the Expert Mechanism to prepare a study, to be finalized by its tenth ninth session, on discrimination faced by indigenous peoples in business and access to financial services, in particular indigenous women entrepreneurs the right to health and indigenous peoples with a focus on children and youth , and to present it to the Human Rights Council at its thirty-sixth third session;	<i>Decides</i> to hold, at its thirty-sixth session, its half-day panel discussion on the commemoration of the tenth anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, with a special focus on challenges and good practices in achieving the ends of the Declaration, and requests the Office of the High Commissioner to make the discussions fully accessible to persons with disabilities and to prepare a summary report of the discussion, to be submitted to the Human Rights Council prior to its thirty-eighth

		session
OP6	Also requests the Expert Mechanism to continue to undertake, with the assistance of the Office of the High Commissioner, the questionnaire survey to seek the views of States and indigenous peoples on best practices regarding possible appropriate measures and implementation strategies in order to attain the end goals of the United Nations Declaration on the Rights of Indigenous Peoples with a view to completing a final summary of responses for presentation to the Human Rights Council at its thirty-third session, and encourages States and indigenous peoples that have not yet provided their responses to do so, as well as those States and indigenous peoples that have already responded to the questionnaire survey to update their responses as appropriate;	<i>Reaffirms</i> its decision to continue its consideration of the issue of the elimination of all forms of violence against women and girls, its causes and consequences, including violence against indigenous women and girls, as a matter of high priority, in conformity with its annual programme of work
OP7	Welcomes the adoption by the General Assembly on 22 September 2014 of its resolution 69/2, containing the outcome document of the high-level plenary meeting of the Assembly known as the World Conference on Indigenous Peoples;	<i>Welcomes</i> the ongoing cooperation and coordination among the Special Rapporteur, the Permanent Forum on Indigenous Issues and the Expert Mechanism, and their ongoing efforts to promote the rights of indigenous peoples, the United Nations Declaration on the Rights of Indigenous Peoples, including the follow-up to the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, and invites them to continue to work in close cooperation with all Human Rights Council mechanisms within their respective mandates
OP8	Also welcomes the report of the Secretary-General on the progress made in the implementation of the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples;	<i>Reaffirms</i> that the United Nations treaty bodies are important mechanisms for the promotion and protection of human rights, and encourages States to give serious consideration to their recommendations regarding indigenous peoples
OP9	Decides to hold, at its thirty-sixth third session, a half-day panel discussion on the commemoration of the 10th anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous People the causes and consequences of violence against indigenous women and girls, including those with disabilities, and requests the Office of the High	<i>Welcomes</i> the contribution of the universal periodic review to the realization of the rights of indigenous peoples, encourages effective follow-up to accepted review recommendations concerning indigenous peoples, and invites States to include, as appropriate, information on the situation of the rights of indigenous peoples, including measures taken to pursue the

	Commissioner to make the discussions fully accessible to persons with disabilities;	objectives of the United Nations Declaration on the Rights of Indigenous Peoples during the review
OP10	<i>Welcomes</i> the ongoing cooperation and coordination among the Special Rapporteur, the Permanent Forum on Indigenous Issues and the Expert Mechanism, and their permanent effort to promote the United Nations Declaration on the Rights of Indigenous Peoples, including the follow-up to the World Conference of Indigenous Peoples, and invites them to continue to work in close cooperation with all Human Rights Council mechanisms within their respective mandates;	<i>Encourages</i> States that have endorsed the United Nations Declaration on the Rights of Indigenous Peoples to adopt measures to pursue its objectives in consultations and cooperation with indigenous peoples
OP11	<i>Reaffirms</i> that the United Nations treaty bodies are important mechanisms for the promotion and protection of human rights, and encourages States to give serious consideration to their recommendations regarding indigenous peoples;	<i>Calls upon</i> States that have not yet ratified or acceded to the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization to consider doing so
OP12	<i>Welcomes</i> the contribution of the universal periodic review to the realization of the rights of indigenous peoples, encourages effective follow-up to accepted review recommendations concerning indigenous peoples, and invites States to include, as appropriate, information on the situation of the rights of indigenous peoples, including measures taken to pursue the objectives of the United Nations Declaration on the Rights of Indigenous Peoples during the review;	<i>Encourages</i> States to give due consideration to all the rights of indigenous peoples in fulfilling the commitments undertaken in the 2030 Agenda for Sustainable Development and in the elaboration of relevant national programmes, strategies and plans
OP13	<i>Encourages</i> those States that have not yet ratified or acceded to the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization or that have not yet supported the United Nations Declaration on the Rights of Indigenous Peoples to consider doing so;	<i>Welcomes</i> the role of national human rights institutions established in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) in advancing indigenous issues, and recognizes the importance for such institutions of developing and strengthening their capacities, as appropriate, to fulfil that role effectively
OP14	<i>Welcomes</i> the increased support by States for the United Nations Declaration on the Rights of Indigenous Peoples, and encourages States that have endorsed it to adopt measures to pursue its objectives in consultations and cooperation with indigenous peoples;	<i>Takes note</i> of the activity of the United Nations Indigenous Peoples Partnership and the system-wide action plan for ensuring a coherent approach to achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples, and invites States and other potential donors to support it

OP15	<i>Encourages</i> States to give due consideration to all the rights of indigenous peoples in fulfilling the commitments undertaken in the 2030 Agenda for Sustainable Development and in the elaboration of national programmes;	<i>Urges</i> States and invites other public and/or private actors or institutions to contribute to the United Nations Voluntary Fund for Indigenous Peoples as an important means of promoting the rights of indigenous peoples worldwide and within the United Nations system
OP16	<i>Welcomes</i> the role of national human rights institutions established in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) in advancing indigenous issues, and encourages such institutions to develop and strengthen their capacities to fulfil that role effectively, including with the support of the Office of the High Commissioner;	<i>Decides</i> to continue its consideration of this question at a future session in conformity with its annual programme of work.
OP17	<i>Takes note</i> of the activity of the United Nations Indigenous Peoples Partnership and invites States and other potential donors to support it;	(none)
OP18	<i>Urges States</i> and invites other public or private actors or institutions to contribute to the United Nations Voluntary Fund for Indigenous Peoples as an important means of promoting the rights of indigenous peoples worldwide and within the United Nations system;	(none)
OP19	<i>Decides</i> to continue its consideration of this question at a future session in conformity with its annual programme of work.	(none)

ANNEX III – RESOLUTION ON THE EMRIP MANDATE

PP / OP	Draft resolution 01	Adopted version
PP1	<i>Guided</i> by the purposes and principles of the Charter of the United Nations,	<i>Guided</i> by the purposes and principles of the Charter of the United Nations
PP2	<i>Reaffirming</i> its support for resolution 61/295 of 13 September of 2007 of the General Assembly which adopted the United Nations Declaration on the Rights of Indigenous Peoples,	<i>Reaffirming</i> its support for the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly in its resolution 61/295 of 13 September 2007
PP3	<i>Reaffirming</i> resolution 69/2 of 22 September 2014 of the General Assembly which adopted the outcome document of the World Conference on Indigenous	<i>Recalling</i> all Commission on Human Rights and Human Rights Council resolutions on human rights and indigenous peoples, in particular Council resolution 6/36 of 14

	Peoples, and taking note of the report of the Secretary-General on the progress made in its implementation,	December 2007, in which the Council decided to establish the Expert Mechanism on the Rights of Indigenous Peoples
PP4	<i>Bearing in mind</i> resolutions 6/36 of 14 December of 2007 and 30/11 of 9 October 2015 of the Human Rights Council,	<i>Reaffirming</i> General Assembly resolution 69/2 of 22 September 2014, in which the Assembly adopted the outcome document of the high-level plenary meeting of the Assembly known as the World Conference on Indigenous Peoples, and taking note of the report of the Secretary-General on the progress made in the implementation of the outcome document
PP5	<i>Recalling</i> that the Human Rights Council should be cognizant of the work being undertaken on indigenous issues by other bodies in the United Nations system,	<i>Bearing in mind</i> Human Rights Council resolution 30/11 of 1 October 2015, in which the Council requested the Office of the United Nations High Commissioner for Human Rights to convene an expert workshop to review the mandate of the Expert Mechanism, and welcoming the productive discussions held at workshop on 4 and 5 April 2016, as reflected in the report of the Office of the High Commissioner
PP6	(none)	<i>Mindful</i> of the work being undertaken on indigenous issues by other bodies in the United Nations system and regional human rights systems
OP1	<i>Decides</i> to modify the mandate of the Expert Mechanism on the Rights of Indigenous Peoples, which shall provide the Human Rights Council with expertise on the rights of indigenous peoples as set out in the United Nations Declaration on the Rights of Indigenous Peoples and assist Member States to monitor, evaluate and improve the achievement of the ends of the Declaration, with a view to promote and protect the rights of indigenous peoples;	<i>Decides to amend</i> the mandate of the Expert Mechanism on the Rights of Indigenous Peoples, which shall provide the Human Rights Council with expertise and advice on the rights of indigenous peoples as set out in the United Nations Declaration on the Rights of Indigenous Peoples, and assist Member States upon request, to achieve the ends of the Declaration through the promotion, protection and fulfilment of the rights of indigenous peoples;
OP2	<i>Decides</i> that the Expert Mechanism shall: (a) Prepare an annual report on the worldwide status for the achievement of the objectives of the Declaration with a yearly theme or themes focused on particular articles of the Declaration and selected by the Expert Mechanism, taking into consideration suggestions received from Member States and indigenous peoples, and with a special focus on challenges and good practices from Member States; (b) Identify, disseminate and promote good practices and lessons learned regarding the	<i>Decides</i> that the Expert Mechanism shall: (a) Prepare an annual study on the status on the rights of indigenous peoples worldwide in the achievement of the ends of the Declaration, focusing on one or more interrelated articles of the Declaration, decided by the Expert Mechanism, taking into consideration suggestions received from Member States and indigenous peoples, including challenges, good practices and recommendations; (b) Identify, disseminate and promote good practices and lessons learned regarding the

	<p>implementation of the Declaration, and offer general guidance concerning the provisions of the Declaration through its studies and research;</p> <p>(c) Upon their request, assist Member States and indigenous peoples, through the provision of technical advice and facilitation of assistance regarding domestic action plans, strategies, legislative frameworks and policies relating to the rights of indigenous peoples, including by establishing contacts with other United Nations actors and other relevant stakeholders;</p> <p>(d) Provide States, upon their request, support for the implementation of voluntarily accepted recommendations through the Universal Periodic Review and treaty bodies, Special Procedures and other relevant mechanisms, in close collaboration with National Human Rights Institutions;</p> <p>(e) Upon their request, engage with Member States, indigenous peoples, and other relevant stakeholders in order to assist them in facilitating dialogue in cases where specific challenges exist to achieving the ends of the Declaration.</p> <p>(f) Coordinate its work and further strengthen its participation, engagement and cooperation, as appropriate, with the United Nations Permanent Forum on Indigenous Issues, the United Nations Special Rapporteur on the Rights of Indigenous Peoples and other United Nations bodies and processes;</p>	<p>efforts to achieve the ends of the Declaration, including through reports to the Human Rights Council on this matter;</p> <p>(c) Upon request, assist Member States and/or indigenous peoples in identifying the need for and providing technical advice regarding the development of domestic legislation and policies relating to the rights of indigenous peoples, as relevant, which may include establishing contacts with other United Nations agencies, funds and programmes;</p> <p>(d) Provide Member States, upon their request, with assistance and advice for the implementation of recommendations made at the universal periodic review and by treaty bodies, special procedures or other relevant mechanisms;</p> <p>(e) Upon the request of Member States, indigenous peoples and/or the private sector, engage and assist them by facilitating dialogue, when agreeable to all parties, in order to achieve the ends of the Declaration;</p>
OP3	<i>Decides also</i> that the Expert Mechanism shall report annually to the Council on its work and keep the Council fully informed of developments on indigenous peoples' rights, through meetings with its bureau and regional groups;	<i>Also decides</i> that the Expert Mechanism shall report at least once a year to the Human Rights Council on its work, and keep the Council fully informed of developments on the rights of indigenous peoples;
OP4	<i>Further decides</i> that the Expert Mechanism shall consist of seven independent experts reflecting each of the seven indigenous socio-cultural regions, the selection of which shall be carried out in accordance with the procedure established in paragraphs 39 to 53 of the annex to Council resolution 5/1 of 18 June 2007;	<i>Further decides</i> that the Expert Mechanism shall consist of seven independent experts, one from each of the seven indigenous sociocultural regions, the selection of which shall be carried out in accordance with the procedure and criteria for nominating, selecting and appointing mandate holders established by the Human Rights Council in paragraphs 39 to 53 of the annex to its resolution 5/1 of 18 June 2007
OP5	<i>Strongly recommends</i> that, in the selection	<i>Decides</i> to introduce staggered terms for the

	and appointment process, the Human Rights Council gives due regard to the recognized competence and experience on indigenous issues, experts of indigenous origin, and gender balance;	membership of the Expert Mechanism, considering the need to secure continuity in its functioning
OP6	<i>Also decides</i> that the members of the Expert Mechanism shall serve for a three-year period and may be re-elected for one additional period;	<i>Strongly recommends</i> that, in the selection and appointment process, the Human Rights Council give due regard to the recognized competence and experience in the rights of indigenous peoples, experts of indigenous origin, and gender balance
OP7	<i>Decides</i> that, within its mandate, the Expert Mechanism shall determine its own methods of work and gather information from all reliable sources, although the Expert Mechanism shall not adopt resolutions or decisions;	<i>Decides</i> that the members of the Expert Mechanism shall serve for a three-year term, and may be reappointed for one additional term
OP8	<i>Decides</i> that the Expert Mechanism shall meet annually for up to five days, and that the sessions may be a combination of open and private meetings, as deemed required;	<i>Also decides</i> that, within its mandate, the Expert Mechanism shall determine its own methods of work, although the Expert Mechanism may not adopt resolutions or decisions;
OP9	<i>Also decides</i> that the annual meeting of the Expert Mechanism shall be open to the participation, as observers, of States, United Nations mechanisms, bodies and specialized agencies, funds and programs, intergovernmental organizations, regional organizations and mechanisms in the field of human rights, national human rights institutions and other relevant national bodies, academics and experts on indigenous issues, non-governmental organizations in consultative status with the Economic and Social Council; the meeting shall also be accessible to indigenous persons with disabilities and open to indigenous peoples' organizations and non-governmental organizations, whose aims and purposes are in conformity with the spirit, purposes and principles of the Charter of the United Nations, based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996, and practices observed by the Commission on Human Rights, through an open and transparent accreditation procedure in accordance with the rules of procedure of the Human Rights Council, which will provide for the timely information on participation and	<i>Further decides</i> that, within its mandate, the Expert Mechanism may seek and receive information from all relevant sources as necessary to fulfil its mandate;

	consultation with States concerned;	
OP10	<i>Decides</i> that the Expert Mechanism may also hold inter-sessional activities, as deemed required;	<i>Decides</i> that, within its mandate, the Expert Mechanism shall coordinate its work and further strengthen its participation, engagement and cooperation, as appropriate, with the Permanent Forum on Indigenous Issues, the Special Rapporteur on the rights of indigenous peoples, the United Nations Voluntary Fund for Indigenous Peoples, and other United Nations bodies and processes;
OP11	<i>Decides</i> , in order for the expert mechanism to enhance cooperation and avoid duplicating the work of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people and the Permanent Forum, that it shall participate in the activities of the Permanent Forum, invite the Special Rapporteur and a member of the Permanent Forum to attend and contribute to its annual meeting, and participate in the annual meeting of special procedures;	<i>Encourages</i> the Expert Mechanism to enhance its engagement with national human rights institutions, which should be in accordance with the mandates of each national human rights institution
OP12	<i>Recommends</i> to the Special procedures of the Human Rights Council to coordinate with the Expert Mechanism their work with regard to the rights of indigenous peoples;	<i>Decides</i> that the Expert Mechanism shall meet annually for up to five days, and that the sessions may be a combination of open and private meetings, as deemed necessary;
OP13	<i>Requests</i> the Secretary-General and the United Nations High Commissioner for Human Rights to provide all necessary human, technical and financial assistance to the Expert Mechanism for the full and effective fulfilment of its mandate.	<i>Also decides</i> that the annual meeting of the Expert Mechanism shall be open to the participation, as observers, of States, United Nations mechanisms, bodies and specialized agencies, funds and programmes, intergovernmental organizations, regional organizations and mechanisms in the field of human rights, national human rights institutions and other relevant national bodies, academics and experts on indigenous issues, and non-governmental organizations in consultative status with the Economic and Social Council; the meeting shall also be accessible to indigenous persons with disabilities and open to indigenous peoples' organizations and non-governmental organizations whose aims and purposes are in conformity with the spirit, purposes and principles of the Charter of the United Nations, based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996, through an open and transparent accreditation procedure

		in accordance with the rules of procedure of the Human Rights Council, which will provide for timely information on participation and consultation with the States concerned
OP14	<i>(none)</i>	<i>Further decides</i> that the Expert Mechanism may also hold intersessional meetings and activities for five days a year, and invites it to use information and communication technologies to advance its work
OP15	<i>(none)</i>	<i>Decides</i> , in order for the Expert Mechanism to enhance cooperation and avoid duplicating the work of the Special Rapporteur on the rights of indigenous people and the Permanent Forum, that it shall participate in the activities of the Permanent Forum, and invite the Special Rapporteur and a member of the Permanent Forum to attend and contribute to its annual meeting
OP16	<i>(none)</i>	<i>Invites</i> the special procedures of the Human Rights Council to explore concrete ways to coordinate their work with the Expert Mechanism with regard to the rights of indigenous peoples
OP17	<i>(none)</i>	<i>Requests</i> the Secretary-General and the United Nations High Commissioner for Human Rights to provide all human, technical and financial assistance necessary for the Expert Mechanism to fulfil its mandate fully and effectively

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