



# General Assembly

Distr.: General  
..... 2015

Original: English

## ADVANCE UNEDITED VERSION

### Human Rights Council

Expert Mechanism on the Rights of Indigenous Peoples,  
Human Rights Bodies and Mechanisms

### **Draft Report of the Expert Mechanism on the Rights of Indigenous Peoples on its Eighth Session, Geneva, 20-24 July 2015**

Chairperson-Rapporteur: Alexey Tsykarev

#### *Summary*

The Expert Mechanism on the Rights of Indigenous Peoples held its eighth session from 20 to 24 July 2015. In addition to members of the Expert Mechanism, the participants in the session included representatives of States, indigenous peoples, United Nations bodies, programmes and specialized agencies, non-governmental organizations, national human rights institutions and academics.

The Expert Mechanism discussed follow-up to the World Conference on Indigenous Peoples, including the review of the Expert Mechanism's mandate, and held a panel discussion on indigenous peoples' human rights in relation to business enterprises. It discussed the Post-2015 Development Agenda before moving to a discussion of follow-up to thematic studies and advice.

The Expert Mechanism's study on the promotion and protection of the rights of indigenous peoples with respect to their cultural heritage was considered. Discussions on the United Nations Declaration on the Rights of Indigenous Peoples were also held, as well as a consultation on the United Nations System-wide Action Plan for a coherent approach to achieving the ends of the Declaration on the Rights of Indigenous Peoples.

The Expert Mechanism adopted the proposals to be submitted to the Human Rights Council at its thirtieth session. In particular, it adopted the study on the promotion and protection of the rights of indigenous peoples with respect to their cultural heritage, and the report on the summary of responses from the questionnaire seeking the views of States and of indigenous peoples on best practices with regard to possible appropriate measures and implementation strategies in order to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples.

## Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction.....		
II. Adoption of studies, reports and proposals.....		
A. Adoption of the follow-up study and Advice on access to justice in the promotion and protection of the rights of indigenous peoples.....		
B. Adoption of the report on the summary of responses from the questionnaire seeking the views of States and of indigenous peoples on best practices regarding possible appropriate measures and implementation strategies in order to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples.....		
C. Proposals		
III. Organization of the session.....		
A. Attendance.....		
B. Documentation.....		
C. Opening of the session.....		
D. Election of officers.....		
E. Adoption of the agenda.....		
IV. Follow-up to the World Conference on Indigenous Peoples, including the mandate review of the Expert Mechanism.....		
V. Panel discussion on indigenous peoples' human rights in relation to business enterprises.....		
VI. Post-2015 development agenda and indigenous peoples' rights.....		
VII. Follow-up to thematic studies and Advice.....		
VIII. Study and advice on the promotion and protection of the rights of indigenous peoples with respect to their cultural heritage		
IX. Declaration on the Rights of Indigenous Peoples.....		
X. Proposals to be submitted to the Human Rights Council.....		
XI. Consultation on the United Nations System-wide Action Plan for a coherent approach to achieving the ends of the Declaration on the Rights of Indigenous Peoples		
XII. Adoption of reports, studies and proposals.....		
Annexes		
I. List of participants.....		
II. Provisional agenda of the ninth session		

## I. Introduction

1. In its resolution 6/36, the Human Rights Council established the Expert Mechanism on the Rights of Indigenous Peoples as a subsidiary body to assist the Council in the implementation of its mandate by providing it with thematic expertise on the rights of indigenous peoples, as requested by the Council. In the resolution, the Council established that the thematic expertise would focus mainly on studies and research-based advice, and that the Expert Mechanism may suggest proposals to the Council for its consideration and approval.

## II. Adoption of studies, reports and proposals

2. The Expert Mechanism adopted its study and advice on the promotion and protection of the rights of indigenous peoples with respect to their cultural heritage and the report on the summary of responses from the questionnaire seeking the views of States and of indigenous peoples on best practices with regard to possible appropriate measures and implementation strategies in order to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples.

### A. **Adoption of the study and Advice on 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**

3. *The Expert Mechanism on the Rights of Indigenous Peoples:*

(a) Refers to paragraph 5 of Human Rights Council resolution 27/13, in which the Council requested the Expert Mechanism to prepare a study on 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, and to present it to the Council at its thirtieth session;

(b) Adopts the study and Advice on 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;<sup>1</sup>

(c) Authorizes the Chairperson-Rapporteur, in consultation with the other members of the Expert Mechanism, to make the necessary revisions to the study in the light of discussions carried out at its eighth session and to submit the final study to the Human Rights Council at its thirtieth session.

### B. **Adoption of the report on the summary of responses from the questionnaire seeking the views of States and of indigenous peoples on best practices with regard to possible appropriate measures and implementation strategies in order to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples.**

*The Expert Mechanism on the Rights of Indigenous Peoples:*

(a) Refers to paragraph 6 of Human Rights Council resolution 27/13, in which the Council requested the Expert Mechanism to continue to undertake, with the assistance of

<sup>1</sup> A/HRC/EMRIP/2015/2.

the Office of the High Commissioner, the questionnaire seeking the views of States and of indigenous peoples.

(b) Adopts the updated report on the summary of responses from the questionnaire seeking the views of States and of indigenous peoples on best practices regarding possible appropriate measures and implementation strategies in order to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples;<sup>2</sup>

(c) Authorizes the Chairperson-Rapporteur, in consultation with the other members of the Expert Mechanism, to make the necessary revisions to the report in the light of discussions carried out at its eighth session and to submit the report to the Human Rights Council at its thirtieth session.

## C. Proposals

### **Proposal 1: Theme of the Expert Mechanism's next study**

*The Expert Mechanism on the Rights of Indigenous Peoples:*

Proposes to the Human Rights Council that it authorizes the Expert Mechanism to undertake a study on one of the following themes:

- (a) Discrimination facing indigenous peoples in businesses and access to financial services, with specific reference to indigenous woman entrepreneurs.
- (b) The right of indigenous peoples to health, with a focus on children and youth
- (c) The role of Indigenous Peoples' organizations and civil society, including human rights defenders, in the promotion and protection on the rights of Indigenous Peoples.

### **Proposal 2: Half-day discussion at the 33rd session of the Human Rights Council**

*The Expert Mechanism on the Rights of Indigenous Peoples:*

(a) Proposes to the Human Rights Council that it organize a panel discussion on Violence against indigenous women and girls at its 33<sup>rd</sup> session, bearing in mind the importance attached to this theme in the Outcome Document of the World Conference on Indigenous Peoples (paragraphs 17-19).

### **Proposal 3: Follow up to the World Conference on Indigenous Peoples**

*The Expert Mechanism on the Rights of Indigenous Peoples:*

- (a) Proposes to the Human Rights Council that it include the Expert Mechanism and take into consideration its views during the review of the Expert Mechanism's mandate, and that the full and effective participation of indigenous peoples is ensured during the process to review the mandate of the Expert Mechanism, as requested in paragraph 28 of the World Conference on Indigenous Peoples Outcome Document.
- (b) Urges the Human Rights Council to take measures to ensure that the Expert Mechanism is provided with additional human and financial resources commensurate with its new mandate, including for inter-sessional activities.

---

<sup>2</sup> A/HRC/EMRIP/2015/CRP.1.

(c) Proposes to the Human Rights Council that it urge Member States to cooperate with indigenous peoples to develop and implement national action plans, strategies or other measures, where relevant, to achieve the ends of the Declaration, as requested in paragraph 7 of the World Conference on Indigenous Peoples Outcome Document.

(d) Proposes to the Human Rights Council that it encourage States to follow up to paragraph 10 of the WCIP Outcome Document, in which they committed themselves to working with indigenous peoples to disaggregate data as appropriate, or conduct surveys and to utilizing holistic indicators of indigenous peoples' well-being to address the situation and needs of indigenous peoples and individuals, in particular older persons, women, youth, children and persons with disabilities.

#### **Proposal 4: Reporting to the General Assembly**

*The Expert Mechanism on the Rights of Indigenous Peoples:*

(a) Proposes to the Human Rights Council that it request the Expert Mechanism to report to the General Assembly on a biennial basis, in addition to its annual reporting to the Council.

#### **Proposal 5: Business and human rights**

*The Expert Mechanism on the Rights of Indigenous Peoples:*

(a) Proposes to the Human Rights Council that it take measures to include the Expert Mechanism in the Council's ongoing initiatives relating to business and human rights.

#### **Proposal 6: Post-2015 UN Development Agenda**

*The Expert Mechanism on the Rights of Indigenous Peoples:*

(a) Proposes that the Human Rights Council urge States to take measures to ensure the participation of indigenous peoples, and in particular indigenous youth, in national processes for the implementation of the new development goals.

#### **Proposal 7: Implementation of the United Nations Declaration on the Rights of Indigenous Peoples**

*The Expert Mechanism on the Rights of Indigenous Peoples:*

(a) Proposes that the Human Rights Council urge States and indigenous peoples to report on the measures taken to implement the rights enshrined in the United Nations Declaration on the Rights of Indigenous Peoples, by reporting to the Expert Mechanism on actions they have taken to implement the Outcome Document of the World Conference on Indigenous Peoples, in particular operative paragraph 8, in which Member States commit themselves to cooperating with indigenous peoples to develop and implement national action plans, strategies or other measures to achieve the ends of the Declaration;

(b) Reiterates its proposal that the Human Rights Council review the language and terminology used in United Nations documents pertaining to the rights of indigenous peoples with a view to ensuring that they reflect the terminology contained in the United Nations Declaration on the Rights of Indigenous Peoples. It calls upon the United Nations and other international organizations to review their spelling rules with a view to using capital letters in spelling the term "Indigenous Peoples" (see A/HRC/24/49, proposal 3).

(c) Proposes that the Council urge member states to contribute to the United Nations Voluntary Fund on Indigenous Peoples and acknowledge the work of the fund in the 30 years since its establishment.

### **III. Organization of the session**

#### **A. Attendance**

The Expert Mechanism on the Rights of Indigenous Peoples held its eighth session in Geneva, from 20 to 24 July 2015. The members, Mr. Albert Kwokwo Barume (Democratic Republic of the Congo), Mr. Albert Deterville (Saint Lucia), International Chief Wilton Littlechild (Canada), Mr. Edtami Mansayagan (Philippines), and Mr. Alexey Tsykarev (Russian Federation) participated in the eighth session of the Expert Mechanism.

The participants of the eighth session of the Expert Mechanism included representatives of Member States, indigenous peoples, United Nations programmes, bodies and specialized agencies, national human rights institutions, non-governmental organizations and academic institutions (see Annex I for complete listing).

Ms. Victoria Tauli-Corpuz, the Special Rapporteur on the Rights of Indigenous Peoples, Ms. Megan Davis, Chairperson of the Permanent Forum on Indigenous Issues, and Ms. Claire Charters, a member of the Board of Trustees of the United Nations Voluntary Fund for Indigenous Peoples also participated in the session. Mr. Lenni Montiel, Assistant Secretary-General for Economic Development participated in the sessions on agenda item 3 (follow-up to the World Conference on Indigenous Peoples).

#### **B. Documentation**

The Expert Mechanism had before it the provisional agenda (A/HRC/EMRIP/2015/1); the annotated agenda (A/HRC/EMRIP/2015/1/Add.1) as prepared by the Office of the High Commissioner for Human Rights; and the study on the promotion and protection of the rights of indigenous peoples with respect to their cultural heritage (A/HRC/EMRIP/2015/2).

The Expert Mechanism also had before it the following Conference Room Papers: Draft Summary of responses from the questionnaire seeking the views of States and indigenous peoples on best practices regarding possible appropriate measures and implementation strategies in order to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples (A/HRC/EMRIP/2015/CRP.1); Report of the open-ended meeting of indigenous peoples on the follow-up to the World Conference on Indigenous Peoples (A/HRC/EMRIP/2015/CRP.2); Submission from the Monitoring Mechanism regarding the implementation of the United Nations Declaration on the Rights of Indigenous Peoples in Aotearoa/New Zealand (A/HRC/EMRIP/2015/CRP.3); Compilation of Calls to Action issued by the Truth and Reconciliation Commission of Canada relating to the United Nations Declaration on the Rights of Indigenous Peoples (A/HRC/EMRIP/CRP.4); and First World Indigenous Peoples' Games (A/HRC/EMRIP/2015/CRP.5).

#### **C. Opening of the session**

Albert Deterville, outgoing chairperson of the Expert Mechanism, opened the eighth session of the Expert Mechanism and introduced the United Nations High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, and the President of the Human Rights Council, Ambassador Joachim Rucker for opening remarks.

The High Commissioner for Human Rights welcomed all participants and highlighted some key recent and future events that will have a significant bearing on the rights of indigenous peoples, including the Special Summit on Sustainable Development. He touched upon several challenges affecting indigenous peoples, including the denial of their right to self-determination, discrimination in education and access to justice and exclusion from public life, all of which lead to chronic marginalization. He pointed out that extractive industry and industrial-scale agriculture have led to violations of indigenous peoples' rights to their lands, their right to a clean environment, and free, prior and informed consent.

The High-Commissioner reminded participants of the commitments made by States at the World Conference on Indigenous Peoples, highlighting some positive developments, but noting that few States have followed up on the commitment to develop action plans to implement the Declaration. He cited examples of his Office's work in advancing the rights of indigenous peoples, focusing on capacity building and protection and support to activists for the rights of indigenous peoples. He closed by referring to the review of the Expert Mechanism's mandate, emphasizing that the review must be coupled with commitment to follow up on recommendations, together with indigenous peoples

In his opening statement, the President of the Human Rights Council, Ambassador Joachim Rucker recognized the work of the Expert Mechanism and noted that its studies and advice have been well received by the Council and positively contributes to the efforts to further the protection of the rights of indigenous peoples. He expressed his gratitude to the Expert Mechanism for the study to be presented at the eighth session. He also noted that the Council attaches high importance to the United Nations Declaration on the Rights of Indigenous Peoples, including through the Universal Periodic Review. Ambassador Rucker emphasized that the Council is ready to undertake the review of the Expert Mechanism's mandate, as requested in the Outcome Document of the World Conference on Indigenous Peoples (A/RES/69/2) and expressed his hope that the process will result in a more robust mandate for the Expert Mechanism. He also emphasized the importance of indigenous peoples' participation in relevant UN processes and forums.

#### **D. Election of officers**

Mr. Deterville invited the members of the Expert Mechanism to nominate a Chairperson-Rapporteur and Vice-Chairperson-Rapporteur for its eighth session. Mr. Barume nominated Mr. Tsykarev as Chairperson-Rapporteur, and Chief Littlechild and Mr. Deterville as Vice-Chairpersons-Rapporteurs. All three were then appointed by acclamation.

The Chairperson-Rapporteur, Mr. Tsykarev, thanked the other members of the Expert Mechanism for his election. The Chairperson-Rapporteur welcomed the new member of the Expert Mechanism, Mr. Barume.

The Chair-Rapporteur highlighted the work of the Expert Mechanism since the last session. This included the study on the promotion and protection of the rights of indigenous peoples with respect to their cultural heritage. The study was informed by an expert seminar co-organized by the University of Lapland (Finland) and the OHCHR. The Chair-Rapporteur also discussed the Expert Mechanism's work on the questionnaire to States and indigenous peoples on best practices regarding possible appropriate measures and implementation strategies to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples.

The Chair-Rapporteur then outlined the Expert Mechanism's activities during the year, including its participation in the World Conference on Indigenous Peoples and the 14<sup>th</sup> session of the United Nations Permanent Forum on Indigenous Issues. He drew attention to the Expert Mechanism's first ever inter-sessional meeting, held in Winnipeg, Canada in March 2015, and thanked the Government of Canada for its support to this initiative. He provided an overview of the agenda for the session and invited participants to contribute actively to the deliberations.

#### **E. Adoption of the agenda**

The Expert Mechanism adopted the agenda and the programme of work of the eighth session.<sup>3</sup>

#### **IV. Follow-up to the World Conference on Indigenous Peoples, including the mandate review of the Expert Mechanism**

The agenda item on Follow-up to the World Conference on Indigenous Peoples, including the mandate review of the Expert Mechanism began with introductory remarks from Mr. Deterville.

Mr. Lennie Montiel, Assistant-Secretary-General for Economic Development/DESA reported on follow-up to the World Conference on Indigenous Peoples undertaken by the Office of the Secretary-General. Mr. Montiel indicated that the Secretary-General is developing a system-wide action plan, in collaboration with Indigenous peoples, to ensure a coherent approach to achieving the ends of the Declaration on the Rights of Indigenous Peoples. Another follow-up activity outlined is an evaluation of existing recommendations on implementation of the Declaration, based on reports and inputs from Members States, Indigenous peoples and the UN system. Highlighting that barriers to implementation do not relate to lack of coordination within the UN system, but rather to issues such as lack of political will to advance the rights of Indigenous peoples, including land rights; lack of common understanding of key terms, meaning and interpretation of rights contained in the Declaration; and lack of disaggregated data collection.

Finally, referring to paragraph 31 of the Outcome Document on reviewing the ways and means of promoting participation of indigenous peoples representation at the UN, Mr. Montiel identified that good practices are currently being reviewed and suggests that the President of the General Assembly appoint co-facilitators or advisers, including Indigenous representatives, to lead an open-ended consultation process.

#### **SUMMARY OF PROCEEDINGS TO BE COMPLETED**

#### **V. Panel discussion on indigenous peoples' human rights in relation to business enterprises**

The panel discussion on indigenous peoples' rights in relation to business enterprises began with an introduction by Mr. Barume, who welcomed all participants, introduced the panellists, and drew attention to the Expert Mechanism's work on this subject, including the Follow-up report on indigenous peoples and the right to participate in decision-making, with a focus on extractive industries (A/HRC/21/55).

This was followed by a presentation by Ms. Lene Wendland, OHCHR's Adviser on Business and Human Rights, who provided an overview of the United Nations Guiding Principles on Business and Human Rights. She discussed the historical background of the Guiding Principles, as well as its key elements: the State duty to protect human rights, the corporate responsibility to respect human rights, and access to remedy for victims. She provided examples of how both States and enterprises have implemented the Guiding Principles, and ended by highlighting opportunities for indigenous peoples within this process, including the use of the framework for advocacy and policy development and indigenous peoples' participation in national action plan processes.

---

<sup>3</sup> A/HRC/EMRIP/2015/1 and A/HRC/EMRIP/2015/Add.1.



Pavel Sulyandziga, a member of the United Nations Working Group on the issue of human rights and transnational corporations and other business enterprises, emphasised the importance of dialogue between all stakeholders: indigenous peoples, businesses and States. He discussed the work of the Working Group in promoting the effective implementation of the Guiding Principles, including through the development of national action plans, and urged indigenous peoples to use this instrument as a tool for the protection of their rights at the international and national levels. He also drew attention to the fact that in its reports to the Human Rights Council and the General Assembly, the Working Group has addressed the impact of business enterprises on the rights of indigenous peoples. He emphasized the importance of free, prior and informed consent and stressed that the implementation of the Guiding Principles should be informed by the United Nations Declaration on the Rights of Indigenous Peoples. Finally, he encouraged indigenous peoples to participate in the Forum on Business and Human Rights, which will take place in Geneva from 16 to 18 November 2015.

#### **SUMMARY OF PRESENTATIONS AND PROCEEDINGS TO BE COMPLETED**

### **VI. Post-2015 development agenda and indigenous peoples' rights**

Mr. Edtami Mansayagan, who chaired this agenda item, welcomed all participants on behalf of the Expert Mechanism. He pointed some of the gaps in the Post-2015 Development Goals from the perspective of indigenous peoples. He stated that the post-2015 development agenda will constitute the international community's roadmap for development in the forthcoming years. Referring to the conclusion of the panel discussing during the 7th session of the Expert Mechanism, he outlined some key elements such as the need to fully integrate indigenous peoples' perspectives into the post-2015 development agenda; need for indicators of well-being and sustainability instead of purely on economic indicators; and the need to recognize free, prior and informed consent.

#### **SUMMARY OF PROCEEDINGS TO BE COMPLETED**

### **VII. Follow-up to thematic studies and Advice**

49. Mr. Mansayagan introduced the agenda item on follow-up to thematic studies and Advice by recalling the Expert Mechanism's mandate and listing the studies and advice previously issued by the Expert Mechanism. He added that the studies and advice are meant to provide a better understanding of the provisions of the Declaration and to propose concrete actions that States, indigenous peoples, civil society, international organizations, national human rights institutions and others can take in order to further its implementation. He noted that the studies of the Expert Mechanism place special emphasis on the participation of indigenous peoples themselves in decisions that affect them. He also highlighted the role that the Expert Mechanism's studies and advice can play in the preparation of the outcome document of the World Conference on Indigenous Peoples.

This was followed by a statement from the Global Caucus of Indigenous Persons with Disabilities, which acknowledge the usefulness of the Expert Mechanism's previous studies as guidance tools for advocacy and policy development. The caucus suggested that the Expert Mechanism consult indigenous persons with disabilities in the development of its future studies and advice.

Mr. Tsykarev urged States to ensure that initiatives that have been identified as good practices in previous studies of the Expert Mechanism not be weakened and encouraged both States and indigenous peoples to use the opportunity afforded by this agenda item to keep the Expert Mechanism abreast of recent developments regarding the themes of its previous studies.

### **VIII. Study and advice on the promotion and protection of the rights of indigenous peoples with respect to their cultural heritage**

Mr. Tsykarev introduced the study on the promotion and protection of the rights of indigenous peoples with respect to their cultural heritage. Prior to providing a summary of the study, he expressed his thanks to all those who contributed to the study. SEMINAR

Several State and indigenous delegations made reference to both good practices and remaining challenges in addressing the promotion and protection of indigenous peoples in the context of cultural heritage

#### **SUMMARY OF PROCEEDINGS TO BE COMPLETED**

### **IX. United Nations Declaration on the Rights of Indigenous Peoples**

Prior to opening the discussion on the UN Declaration, International Chief Littlechild provided an overview of the Expert Mechanism's work in this area, including a review of the final summary of responses to the questionnaire seeking the views of States and indigenous peoples on best practices regarding possible appropriate measures and implementation strategies to attain the goals of the UN Declaration.

#### **SUMMARY OF STATEMENTS AND PROCEEDINGS TO BE COMPLETED**

### **X. Proposals to be submitted to the Human Rights Council**

The Chairperson-Rapporteur invited observers to share their recommendations regarding the Expert Mechanism's proposals to the Human Rights Council.

Some participants provided suggested themes for future studies of the Expert Mechanism, including links between militarization, development and the rights of indigenous peoples and a study focusing on mechanisms for redress, remedies, restitution and repatriation of cultural heritage. Other suggested study themes included a study on the ways and means in which national human rights institutions can aid in the promotion and protection of the rights of indigenous peoples; a study on the human rights violations impacting indigenous peoples in the field of tourism; and a study on genocide and indigenous peoples.

There were also some suggestions for general proposals, including that the Expert Mechanism, through the Human Rights Council, encourage treaty bodies and the Universal Periodic Review to scrutinize the reports and human rights records of States, so as to effectively address rights ritualism. This should include ensuring that State claims are systematically compared to the concerns raised by indigenous peoples and civil society.

The Chairperson-Rapporteur also highlighted as a possible issue for the Expert Mechanism to take up those actions and policies of financial institutions that have negative impacts on indigenous peoples' rights.

### **XI. Consultation on the United Nations System-wide Action Plan for a coherent approach to achieving the ends of the Declaration on the Rights of Indigenous Peoples**

#### **TO BE COMPLETED**

## **XII. Adoption of the reports, studies and proposals**

At the last meeting of its eighth session, the Expert Mechanism adopted its study and advice on 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, and the report on the summary of responses from the questionnaire seeking the views of States and of indigenous peoples on best practices with regard to possible appropriate measures and implementation strategies in order to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples. All proposals were adopted by consensus by the members of the Expert Mechanism.

The members of the Expert Mechanism also adopted a provisional agenda for the ninth session of the Expert Mechanism (see annex II).

## **Annexes**

### **Annex I**

#### **List of participants**

##### **States Members of the United Nations represented by observers**

Algeria, Armenia, Argentina, Australia, Austria, Bangladesh, Bolivia (Plurinational State of), Brazil, Canada, Chile, Costa Rica, Colombia, Cuba, Denmark, Egypt, Estonia, Finland, France, Germany, Ghana, Greece, Guatemala, Haiti, Honduras, India, Indonesia, Japan, Latvia, Luxembourg, Malaysia, Mauritius, Mexico, Morocco, Myanmar, New Zealand, Niger, Norway, Panama, Paraguay, Peru, Philippines, Republic of Moldova, Russian Federation, South Africa, Spain, Sri Lanka, Switzerland, Tunisia, Turkey, United Kingdom, United States of America, Venezuela.

##### **Non-member States represented by an observer**

Holy See

##### **United Nations mandates, mechanisms, bodies and specialized agencies, funds and programmes represented by observers**

International Labour Organization; Special Rapporteur on the rights of indigenous peoples; Permanent Forum on Indigenous Issues; United Nations Educational, Cultural and Scientific Organization; United Nations Population Fund; World Bank; World Intellectual Property Organization.

##### **Intergovernmental organizations, regional organizations and mechanisms in the field of human rights represented by observers**

Council of Europe, European Union,

##### **National human rights institutions represented by observers**

Australian Human Rights Commission, International Coordination Committee of National Human Rights Institutions, New Zealand Human Rights Commission,

##### **Academic and experts on indigenous issues represented by observers of the following institutions**

City Law School, City University of London; Leuphana University Lüneburg; Structural Analysis of Cultural Systems-Berlin; Te Putahi a Toi – Massey university; Universidade Federal de Sao Carlos; University of Deusto.

##### **Non-governmental organizations as well as indigenous nations, peoples, organizations and parliamentarians**

Africa Culture International (Human Rights), African Commission on Health Promoters and Human Rights (CAPSDH), Aliansi Masyarakat Adat Nusantara, Alifuru Council, Articulación de los Pueblos Indígenas de

Brasil – APIB, Asia Indigenous Peoples Pact , Assembly of Armenians of Western Armenia, Assembly of First Nations, Association Culturelle ATH Koudia de Kabylie Algérie, Association Espoir pour les Batwa, Association for Human Rights of Nepalese Indigenous Peoples, Association of Russian-language indigenous people of Latvia, Association on American Indian Affairs, Association Oyiwane, Bureau of Consultation for West Papua Indigenous Community Development, Canadian Friend Services, Centre for Support of Indigenous Peoples of the North (CSIPN), Chippewas of the Thames First Nation, Comisión de Juristas Indígenas en la República Argentina C.J.I.R.A, Congrès Populaire Coutumier Ilanail, Congrès populaire Coutumier, Kanak – Nouvelle-Calédonie, Comisión de Asuntos Indígenas - Congreso de la Unión de México, Consejo de todas las Tierras Mapuche – Chile, Consejo Indio de Sud America CISA, Cultura de Solidaridad Afro-Indígena, Cultural and Development Society (CDS), Cultural Survival, Dewan Adat Papua, Docip, Endorois Welfare Council, Enlace Continental de Mujeres Indígenas, Federación Indígena Empresarial y Comunidades Locales de Mexico CIELO , First Nations Summit, Grand Council of the Crees, Human Rights Advocates, Human Rights Institute, IDU Mishmi Cultural and Literary Society (IMCLS), Indian Law Resource Center, Indigenous Peoples and Nations Coalition, Indigenous Women and Children Foundation, Indigenous World Association, International Indian Treaty Council, International Work Group for Indigenous Affairs (IWGIA), Internationale Touarégue, Inuit Circumpolar Council, Inuit Tapirut Kanatami, Kappaeng Foundation, Kariros, Kera-A Initiatives for Cultural and Ecological Security (KICES), Khmers Kampuchea Krom Federation, Laguna-Acuma Coalition for a Safe Environment, Maloca Internationale (MAIN), Monitoring Mechanism of the National Iwi Chairs Forum, Mujeres Mayas Majawil Q’ij, Naga Peoples Movement for Human Rights, National Alliance of Indigenous Peoples in the Philippines (KATRIBU Kalipunan Ng Katutubong Mamamayan Ng Pilipinas), National Congress of America Indians, National Congress of Australia’s First Peoples, National Indian Youth Council, Native American Rights Fund, Nepal Thami Society, Ochapowace Nation, Organisation des Nations Autochtones de Guyane, Organizacion Nacion Purhepecha Zapatista Michoacan, Organization Herri-Topa (Rencontre entre les peuples), Organization Social Ngäbé para el Desarrollo Integral Humano, Programme Integre pour le Développement du peuple Pygmée – PIDP, Rehoboth Community of Namibia, Réseau de peuples autochtones d’Afrique, Saami Council, Sami Parliament of Norway, Saniri Alifuru Council, Social Economic and Governance Promotion Committee, Tebtebba Foundation, Inc, Tehue Manu Community – Maori Rapa Nui, The Hopi Tribe Nation, Tin Hinane, Union of British Columbia Chiefs , Voices for Peace, World Barua Organization, World Uyghur Congress, World Indigenous Tourism Alliance, Youth Movement of Mordovian People (Russian Federation)

**Annex II**

Provisional agenda of the ninth session

1. Election of officers
2. Adoption of the agenda and organization of work
3. Follow-up to the World Conference on Indigenous Peoples, including the review of the Expert Mechanism's mandate.
4. Panel discussion on the promotion and protection of the rights of indigenous persons with disabilities.
5. The human rights of indigenous peoples in relation to business enterprises
6. Thematic study and advice in accordance with the forthcoming resolution of the Human Rights Council Follow-up on thematic studies and Advice
7. United Nations Declaration on the Rights of Indigenous Peoples
8. Follow-up on thematic studies and advice
9. Proposals to be submitted to the Human Rights Council for its consideration and approval
10. Adoption of the report