

**OPENING OF THE EIGHTH SESSION OF THE EXPERT MECHANISM
ON THE RIGHTS OF INDIGENOUS PEOPLES**

20 July 2015

10:00 a.m. - 11:00 a.m.

(Room XX, Palais des Nations)

Excellencies,
High Commissioner for Human Rights,
President of the Human Rights Council,
Indigenous peoples' representatives,
All Delegations,

Alexey Tsakarev

I would like to thank my colleagues of the Expert Mechanism for the trust they bestow upon me to serve as the Chairperson of the Expert Mechanism for this year. I would like to welcome our newest member, Mr. Albert Kwokwo Barume, representing the Africa region, and to acknowledge the work of continuing members: Wilton Littlechild, Edtami Mansayagan and Albert Deterville.

I would like to provide some updates on the work of the Expert Mechanism over the past year. Pursuant to Human Rights Council resolution 27/13, the Expert Mechanism on the Rights of Indigenous Peoples has undertaken:

- 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
- An updated version of its report on responses received to a questionnaire for 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.

In addition to our studies, we carried out several inter-sessional activities. Some of these were directed at deepening cooperation with the Special Rapporteur on the Rights of Indigenous Peoples and the Permanent Forum on Indigenous Issues. For example, in January 2015, the Expert Mechanism participated in the Permanent Forum's Expert Group Meeting on the theme "Dialogue on an optional protocol to the United Nations Declaration on the Rights of Indigenous Peoples". The Expert Mechanism was also represented by our outgoing chair at the 14th session of the UN Permanent Forum on Indigenous Issues. Our sessions are an example of cooperation between the mechanisms, and I am pleased to welcome Ms. Victoria Tauli Corpuz, the Special Rapporteur on the Rights of Indigenous Peoples; Ms. Megan Davis, the Chairperson of the Permanent Forum on Indigenous Issues; and Ms. Claire Charters, a member of the Board of Trustees of the UN Voluntary Fund for Indigenous Peoples.

In September 2014 we held our interactive dialogue with the Human Rights Council at its twenty-seventh session, which included the presentation of our follow-up study on access to justice and our study on the promotion and protection of the rights of indigenous peoples in disaster risk reduction initiatives. Our outgoing chairperson also participated in the half-day discussion on the rights of indigenous peoples at the Council, which focused on the promotion and protection of the rights of indigenous peoples in disaster risk reduction initiatives.

Also in September, the Expert Mechanism participated actively at the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples. In the lead-up to the World Conference, we advocated for the full and effective participation of indigenous peoples in the entire process, including the drafting of the outcome document. During the World Conference, the Expert Mechanism participated in the Panel Discussion for the Post-2015 Sustainable Development Agenda, emphasizing that indigenous peoples' participation in the post-2015 development process must be firmly rooted in the United Nations Declaration on the Rights of Indigenous Peoples.

In February 2015, OHCHR and the University of Lapland (Finland) co-organized an expert seminar on the promotion and protection of the rights of indigenous peoples

with respect to their cultural heritage. The main objective of the seminar was to obtain substantive input to the Expert Mechanism's study on this theme, which we will discuss and finalize with your contributions on Wednesday. The Seminar brought together approximately 40 participants, including members of the Expert Mechanism, the Special Rapporteur on the rights of indigenous peoples, Sámi experts on cultural heritage and human rights, and academics and practitioners working on cultural heritage issues throughout the world. The topics on the seminar's agenda included indigenous peoples' participation in the protection of their cultural heritage; links between lands, territories and the environment and cultural heritage; and redress and restitution where rights relating to cultural heritage have been violated. These are all themes that are addressed at length in the study.

In March 2015, the Expert Mechanism held its first ever inter-sessional meeting, which took place at the Canadian Museum for Human Rights in Winnipeg on 9 and 10 March. The meeting provided us with an opportunity to prepare for this session, and to carry out an in-depth discussion of the review of our mandate, as requested of the Human Rights Council in the outcome document of the World Conference on Indigenous Peoples. I would like to express our gratitude to the Government of Canada for its kind support in making this meeting possible.

I would now like to turn to this week's agenda. Over the course of the week, the Expert Mechanism and all participants will have the opportunity to discuss follow-up to the World Conference on Indigenous Peoples. Today we will in particular be addressing the review of the Expert Mechanism's mandate, as requested in paragraph 28 of the Outcome Document and on Friday morning, our session will provide the space for a broad consultation on the United Nations System-wide Action Plan for a coherent approach to achieving the ends of the Declaration, as requested in paragraph 31. In both cases, the input of indigenous peoples, States and other stakeholders is essential and we encourage all of you to contribute to these deliberations.

Tomorrow we will turn our attention to the issue of indigenous peoples' human rights in relation to business enterprises. We have assembled a panel that will provide perspectives from several regions, addressing both global processes and the direct impact that business enterprises often have on indigenous communities on the ground.

We will then devote part of the afternoon to a discussion of the Post-2015 development agenda and indigenous peoples' rights before addressing previously mandated thematic studies and advice conducted by the Expert Mechanism. We look forward to hearing from all delegations on the follow-up to Thematic Studies and Advice, including our Studies on the rights of Indigenous peoples in relation to education, languages and cultures, participation in decision making (including the follow-up report to this study focusing on extractive industries), access to justice, and disaster risk reduction. We invite all of you to contribute to this discussion by sharing good practices, lessons learned, and challenges to realizing the rights of Indigenous peoples in these thematic areas.

We will also discuss our draft 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. This agenda item will be provided a significant amount of time, as it will be our last opportunity to receive input from indigenous peoples, States and other stakeholders before we finalize the study for submission to the Human Rights Council at its 30th session. I encourage you to give us specific feedback and suggestions for the study during your interventions under this agenda item.

In this 8th session, we will continue to discuss the implementation of the UN Declaration on the Rights of Indigenous Peoples. The Declaration is an instrument for achieving justice and a foundational framework for the attainment of the human rights of Indigenous peoples. The Declaration informs every aspect of the Expert Mechanism's work. Each report, advice and study we have presented to the Human Rights Council is based on this normative framework. We will report once again on the responses received to our questionnaires to States and Indigenous peoples, which document both good practices and challenges in the implementation of the Declaration.

Finally, the Expert Mechanism will be considering its proposals during this week's deliberations to be made to the Human Rights Council for approval in September. We welcome the comments of participants, especially under agenda item 9. One of the

most important questions is that of the topic of the next study of the Expert Mechanism.

The Expert Mechanism sincerely appreciates the support of the Human Rights Council in considering its proposals and we look forward to working closely with the Council in selecting the topic of the next Expert Mechanism study.

Finally, I would like to take this opportunity to thank the many peoples, organizations, and individuals who have greatly contributed to the work of the Expert Mechanism in the past year. In particular, I would like to thank the University of Lapland for its invaluable assistance in hosting the Expert Seminar on the promotion and protection of the rights of indigenous peoples with respect to their cultural heritage, as well as all the experts that participated in the meeting. I would like to thank the University of Manitoba for its contributions to the preparation of the report on the results of the Questionnaires to States and to Indigenous peoples. Our gratitude also goes out to all the Member States, indigenous peoples' organizations and representative bodies, and national human rights institutions that provided submissions to our study on cultural heritage and responses to our survey on the implementation of the Declaration, as well as to those who have taken an active interest in the review of our mandate. Finally, I would like to acknowledge the work of the Indigenous Peoples and Minorities Section of the Office of the High Commissioner for Human Rights in supporting our mandate.

In closing, I would like to welcome all of you to the 8th Session of the Expert Mechanism. On behalf of my colleagues, I invite you to make your contributions knowing that we are very interested in what you have to share, and will work towards advancing the human rights of Indigenous peoples through applying what we hear from you. This session provides an opportunity for all of us – representatives of the UN, States, Indigenous peoples, civil society, academics and national human rights institutions – to hold substantive dialogues about how we can achieve our collective vision and purpose. After all, we do have a common purpose - to contribute to the full realization of the human rights of Indigenous peoples – that has brought us here from all corners of the world, to come together for this week of deliberations.

Thank you.