

EU Statement

July 2019

Interactive dialogue on ways to enhance the participation of indigenous peoples' representatives and institutions in meetings of the Human Rights Council on issues affecting them (HRC res. 39/13)

Madame President (PGA), thank you for inviting us to this important consultation and for you and your co-facilitators' personal commitment to this important topic on the participation of indigenous peoples' representatives and institutions.

As an active participant in the consultations and negotiations on the participation of indigenous peoples in relevant UN meetings, the EU would like to reiterate its support for holding this inter-sessional interactive dialogue pursuant for HRC resolution 39/14 on ways to enhance the participation of indigenous peoples' representatives and institutions in meetings of the UN Human Rights Council in conjunction with this 12th session of EMRIP. Our consultation today follows the consultation lead by the PGA on 25 April in conjunction with the 18th session of the UN Permanent Forum on Indigenous Issues.

As you all will remember this process was mandated by the UNGA Resolution A/RES/71/321 that also foresaw that decisions would be taken at the 75th session the General Assembly which will be on from September 2020 to September 2021.

Though the most recent consultation in conjunction with the 18th session of the Permanent Forum was useful, especially for newcomers to the process, the EU believes that we need to make tangible progress.

But this is easier said than done as the task that was given to us all by the aforementioned resolution was quite complex and entails a number of multi-layered and mutually inter-dependent aspects. However, for today's discussion where we are focussing on the participation in meetings of the Human Rights Council, we see a real opportunity for progress. This is related to the fact that the rules of procedures of the Human Rights Council allow it (the HRC) to take its own decisions on the issue of participation.

In this regard the EU is ready to support that indigenous peoples' representatives and institutions take part in meetings of the Human Rights Council. Such participation should include opportunities for speaking at relevant meetings and to provide written information relevant to the agenda of the Human Rights Council. We are also open to the idea that indigenous peoples' representatives and institutions, like the National Human Rights Institutions, be enabled to propose candidates for the Special procedures mandates. Such a feature would be highly appropriate when it

comes to mandate holders that directly affect their rights and situations such as the Special Rapporteur on the Rights of Indigenous peoples.

We are also aware that we will need to decide on "selection criteria". In this regard, the EU has always advocated for a flexible approach due to the diversity of indigenous peoples in the world and their different ways of self-identifying and self-determining. This diversity of contexts and environments in which indigenous peoples live has to be taken into account. We also believe that the principles of article 18 of the UNDRIP (*on the right to participation, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions*) should apply without discrimination of any kind. We also would like to emphasise the importance of open and transparent selection processes while respecting the intergovernmental nature of the Human Rights Council.

Madame President, the EU genuinely believes that a strong message of support for opening up for participation of indigenous peoples' representatives and institutions at the Human Rights Council from today's consultation will constitute the much needed progress on this issue, while also contributing effectively to strengthening the Human Rights Council and its principles and objectives of constructive international dialogue and cooperation in promoting universal respect and protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner.

Thank you.