

Human Rights Council
Expert Mechanism on the
Rights of Indigenous Peoples

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Human Rights
Commission
Te Kāhui Tika Tangata

Agenda Item 8: United Nations Declaration on the Rights of Indigenous Peoples

E ngā mana, e ngā reo, rau rangatira mā, tēnā anō koutou katoa. [*Translation: to all expert colleagues, voices, leaders, greetings again to all of you.*]

Thank you, Mr Chairperson for this opportunity to speak again as Commissioner representative of the New Zealand Human Rights Commission.

The New Zealand Government has expressed support for the UN Declaration on the Rights of Indigenous Peoples since 2010. In 2014 it accepted a number of recommendations through New Zealand's second Universal Periodic Review, including the recommendation to "take concrete measures to ensure the implementation and promotion of the Declaration". New Zealand's support for the Declaration has been further affirmed through its support for the Outcome Document of the World Conference on Indigenous Peoples (WCIP).

While New Zealand's commitment to the Declaration has been made clear by the government, it is crucial to ensure that this translates into meaningful and effective action, and to monitor how that is achieving improved outcomes for indigenous peoples.

Furthermore, in accordance with the commitments in the WCIP Outcome Document and the standards affirmed in the Declaration itself, it is crucial that implementation is carried out by states "in consultation and cooperation with indigenous peoples".

The New Zealand Human Rights Commission welcomes and supports the establishment of an independent monitoring mechanism for the Declaration, by the national forum of iwi leaders earlier this year. We note that the monitoring mechanism has provided its inaugural report to the Expert Mechanism and is represented here today. The establishment of this monitoring mechanism, its work to date and its proposed future activities represent a significant milestone for indigenous rights in New Zealand. It also provides an excellent opportunity for the New Zealand government to work collaboratively and cooperatively with the monitoring mechanism to promote and implement the Declaration, as it has committed to do.

The review of the mandate of the Expert Mechanism (discussed under agenda item 3 of this session) provides the opportunity to expand and strengthen its role in monitoring implementation of the Declaration. The New Zealand Human Rights Commission supports an enhanced role for the Expert Mechanism.

We also note the critical importance of promotion, awareness raising and capacity building activities alongside any monitoring processes. In this regard we welcome the observation made in the January 2105 Report on the expert group meeting on the theme "Dialogue on an optional protocol to the United Nations Declaration on the Rights of Indigenous Peoples", Section v Conclusions and recommendations, para 32: this paragraph noted that national human rights institutions have an important role to play in "awareness raising and technical assistance to governments" and "directly to indigenous peoples themselves".

The New Zealand Human Rights Commission has just released an interactive online monitoring tool, which it hopes will assist both government and civil society to monitor, report and advocate on progress in improving human rights outcomes. The *National Plan of Action* aims to increase the visibility of, and accountability for, the actions our government is taking in response to the Universal Periodic Review.

These three developments reflect different ways that national human rights institutions, indigenous peoples and the Expert Mechanism can contribute to monitoring of the implementation of the Declaration.

To conclude, the New Zealand Human Rights Commission:

1. Welcomes the establishment of an independent monitoring mechanism for the Declaration in New Zealand;
2. Welcomes the recognition of the critical role that national human rights institutions have to play in the promotion of the rights of indigenous peoples; and
3. Supports an enhanced role for the Expert Mechanism to monitor and evaluate progress on the Declaration, advise and engage with states and indigenous peoples.

Thank you for your attention, sisters and brothers.

Nō reira, tēnā koutou, tēnā koutou, tēnā koutou katoa. [*and finally, greetings to you all*]

Commissioner Karen Johansen,
New Zealand Human Rights Commission
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