

Check against delivery

**Opening of the second session of the
Expert Mechanism on the Rights of Indigenous Peoples (10-14 August 2009)**

Statement by Jannie Lasimbang, Chairperson-Rapporteur

Monday 10 August 2009

High Commissioner for Human Rights
Vice-President of the Human Rights Council
Distinguished Representatives of Governments and Indigenous Peoples
Members of the Expert Mechanism
Ladies and Gentlemen

I want to take this opportunity to thank my colleagues for their trust in electing me as the Chairperson-Rapporteur of this second session of the Expert Mechanism on the Rights of Indigenous Peoples. I am deeply honoured to accept and I will look upon your collective support and wisdom to fulfill the responsibilities given to me.

I must thank Mr. John Henriksen, the former Chairperson-Rapporteur for his hard work and leadership up to now, and will appreciate his continued guidance.

I also want to express my deep appreciation to all of you who have supported the work of the Expert Mechanism since its establishment, without which, we would not have been able to carry out the work that has been mandated to us. I also would like to thank the technical support provided by the Office of the High Commissioner for Human Rights to the Expert Mechanism and I would like to express a special thank for the presence of the High Commissioner at the opening of this session.

In my view, the Expert Mechanism provides a unique space for focused multilateral discussions that can contribute towards a better understanding of the scope and contents of the rights affirmed to indigenous peoples, and how the implementation of these rights can be advanced. In this second session of the Expert Mechanism, we continue to be guided by resolution 6/36 and resolution 9/7 of the Human Rights Council, and the provisional agenda adopted at the first session of the Expert Mechanism in October 2008.

In the preamble of the Human Rights Council resolution 6/36, the founding document of the Expert Mechanism, the reference to the UN Declaration on the Rights of Indigenous Peoples highlights, in the view of the Expert Mechanism, the role of this instrument as an important normative framework to guide our work. Additionally, article 42 of the

Declaration which calls on the United Nations, its bodies, specialized agencies and States to promote the respect and effective implementation of the provisions contained in the Declaration, also applies to the mandate of the Expert Mechanism.

The request of the Council in its resolution 9/7 to conduct a study on lessons learned and challenges to achieve the implementation on the right of indigenous peoples to education forms another key basis for the agenda of this session.

These two agenda items on the study on education and the implementation of the Declaration of the Rights of Indigenous Peoples, along with the identification of other proposals to the Human Rights Council will therefore form the main tasks of the Expert Mechanism in this session, as requested by the Council in its resolution 9/7.

The Expert Mechanism will be presenting an advanced draft of the study on lessons learned and challenges to achieve the implementation on the right of indigenous peoples to education, which is, according to the requested by the Council, to be concluded in 2009. We would like to seek further comments from you on how to improve the study as well as proposals for concrete ways and means to achieve indigenous peoples' right to education. We faced many challenges in completing a draft study covering the diverse situations of indigenous peoples globally, but we hope that the resulting study will constitute an important contribution to the ongoing process with regard to achieving indigenous peoples' right to education. Indeed, the submission of a study to the Human Rights Council should not be seen as an end of a process. Rather, the study should serve as a catalyst for addition, concrete measures by the governments, indigenous peoples and other stakeholders. I want to thank all of you who have contributed towards the study, and look forward to further contributions this week.

With respect to our methods of work, we would like, as much as possible, to create an enabling atmosphere of dialogue between all the observers, in particular by conducting the general discussion based on a mixed list of speakers. We hope that this is acceptable for all of you, and I look forward to active contributions by both governmental and indigenous observes and other participants.

With regard to the Expert Mechanism's inter-sessional activities in the past year, I am pleased to say we were able to build collaboration with other UN mandates relevant to indigenous peoples, in particular with the Special Rapporteur on the situation of human rights and fundamental freedom of indigenous people, the Permanent Forum on Indigenous Issues, and the treaty bodies on Economic, Social and Cultural Rights, and Elimination of All Forms of Racial Discrimination. Building on the positive experience gained during the last year's session, the Special Rapporteur on Indigenous Peoples and his team will again be available for separate consultations on cases of human rights violations during this session week, as the Expert Mechanism itself is not mandated to address country situations or to deal with human rights complaints.

I would also like to note with great appreciation that the Board of Trustees of the UN Voluntary Fund for Indigenous Populations has approved travel grants for indigenous

representatives to participate in this session. I also would like to thank the Government of Norway for its additional contribution to support the work of the Expert Mechanism. The Expert Mechanism also would like to thank the Office of the High Commissioner for the technical assistance provided for the session and our inter-sessional activities, including for organizing a technical workshop on the study on education.

However I would like to re-iterate the call we made last year for increased funding for activities of the Expert Mechanism in order to carry its mandate effectively. Our experience during the last year in implementing the work required from us further demonstrated that there is a clear need for such additional support.

In conclusion, I would like to thank you all of you for your participation in this year's session. I look forward to your focused input and cooperation in ensuring a productive session. It is only by working together in a spirit of dialogue that we can provide substantial and constructive advice to the Human Rights Council and thereby make a solid contribution to the advancement of the rights of indigenous peoples.

Thank you.