

Eighth session of the Expert Mechanism on the Rights of Indigenous Peoples

Geneva, 20 – 24 July 2015

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

Statement by Dr. Claire Charters

on behalf of the

Board of Trustees of the

United Nations Voluntary Fund for Indigenous Peoples

E nga mana, e nga iwi, e nga reo, tena koutou, tena koutou, tena koutou katoa.

Congratulations, Chair, on your appointment.

Thank you for the opportunity to address the Eighth session of the Expert Mechanism on behalf of the Board of Trustees of the United Nations Voluntary Fund for Indigenous Peoples.

The Board of Trustees has new members this year namely Ms. Myrna Cunningham (Nicaragua), Ms. Anne Nuorgam (Finland), Mr. Binota Dhamai (Bangladesh) and Mr. Legborsi Saro Pyagbara (Nigeria). We carry our mandates until 2017. Having all contributed in various ways to the international Indigenous movement, we are committed, enthusiastic and unwavering in our hopes to continue the great work of the Fund.

I acknowledge also with sadness the passing in 2014 of two original members of the Board of Trustees of this Fund: Mr. Leif Dunfjed and Mr. Augusto Willemssen-Diaz.

I especially welcome the thirty-two beneficiaries of the Fund who are present with us. The Board is happy you have the opportunity to bring to advance the rights of your peoples on the international stage.

We congratulate Member States that contribute to the Fund to enable Indigenous peoples to play an important role in the protection of the rights of Indigenous peoples.

We celebrate the 30th anniversary of the Fund this year. That is, 30 years of enabling Indigenous peoples – approx. 2,000 representatives - to bring our claims to international fora to advance the protection of our rights.

Beneficiaries of the Fund have contributed to the incredible advances achieved at the international level for Indigenous peoples including:

1. the development of the Declaration on the Rights of Indigenous Peoples from the Working Group on Indigenous Populations to its adoption in the General Assembly;
2. the development of international human rights jurisprudence on the rights of Indigenous peoples by bodies ranging from the Commission on Human Rights to the international human rights treaty bodies to the Human Rights Council to the respective Special Rapporteurs on the rights of Indigenous peoples to the Expert Mechanism and the Permanent Forum on Indigenous Issues;
3. the exposure of the human rights issues, including rights' violations, that Indigenous peoples have faced;
4. the development of the Outcome Document of the 2014 World Conference on Indigenous Peoples;
5. increasing international awareness of the rights, status, and conditions of indigenous peoples worldwide. Over the years, the Fund has enabled indigenous women, men, youth, elders and indigenous persons with disabilities, many who have been historically excluded from decision making processes, to work together peacefully and in partnership with States to advance their issues and rights; and
6. finally, building networks, exchanging information with other indigenous peoples' representatives and creating partnerships with other indigenous peoples, governments, UN agencies, NGOs and experts.

Given financial constraints facing many Indigenous peoples it is questionable whether these advances would have been possible without the support of the Voluntary Fund.

By participating in international fora, Indigenous peoples have been able to use international processes to address human rights violations they face at home,

complementing action taken at the domestic level. In many cases, the international attention provides the much needed "push" towards change.

Beneficiaries of the Fund have also changed the international legal and political system so that it better embodies the human rights it espouses. Indigenous peoples have achieved unprecedented access to the international human rights system meaning that the beneficiaries of rights are able to advocate for them. As a result, the international legal system, which originally denied recognition to Indigenous peoples as peoples, has been able to adapt to recognise Indigenous peoples as beneficiaries of human rights and self-determination. The international community should be proud of these changes to the international system. It reflects a global maturity and commitment to the wellbeing of humankind and all its peoples. In turn, it also enhances the legitimacy of the international system.

We hope to see this evolution in the participation of Indigenous peoples in international fora continue in response to the Secretary General's reports on Indigenous peoples' participation in the United Nations and the work associated with follow-up to the World Conference on Indigenous Peoples' Outcome Document.

Since its establishment by the General Assembly in 1985, the mandate and scope of the Fund has significantly broadened.

The Fund now supports the participation of representatives of Indigenous Peoples not only in the sessions of the Permanent Forum on Indigenous Issues and the Expert Mechanism on the Rights of Indigenous Peoples but also in sessions of other human rights mechanisms that are of vital importance to Indigenous Peoples, namely: human rights treaty bodies and the Human Rights Council, including the Universal Periodic Review. As a result of these expansions in the Fund's scope, Indigenous peoples can now acquire funding to access many of the human rights avenues available to them at the international level. It also means that human rights concerns are channelled into the appropriate bodies that can address them. These developments contribute to the efficacy of the work of Indigenous peoples, improving their ability to make a concrete impact at home.

The Fund's work, facilitated by the Office of the High Commissioner for Human Rights, extends beyond Indigenous peoples' attendance in relevant United Nations fora. Working in partnership with Indigenous peoples, states, academic institutions and NGOs, we provide hands on training. This year especially we will be profiling the outstanding advances made by our beneficiaries in the form of published material and, with hope, an exhibition. We profile our work in various fora globally, reaching out to Indigenous peoples via our previous beneficiaries, our trustees, OHCHR and publish online written and video material.

Chair, Excellency (ies), Ladies and Gentlemen, I will update you on the activities of the Board in 2014-2015.

Last year was of particular significance with the World Conference on Indigenous Peoples. As mentioned, the Fund played a crucial role in supporting the participation of 105 Indigenous Peoples' representatives in the World Conference and its preparatory process, thereby contributing to the robust participation by indigenous peoples in this landmark event for the advancement of indigenous peoples' rights.

In addition, the Fund supported in 2014 the participation of 66 representatives of Indigenous Peoples' organisations and communities in the 13th session of the Permanent Forum on Indigenous Issues, the 7th session of the Expert Mechanism on the Rights of Indigenous Peoples, sessions of the Human Rights Council, the UPR Working Group and human rights treaty bodies.

For 2015, the Fund has so far supported 86 indigenous peoples' representatives to attend the 14th session of the Permanent Forum on Indigenous Issues, this 8th session of Expert Mechanism on the Rights of Indigenous Peoples and sessions of the Human Rights Council, the UPR Working Group, the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child, the Committee on the Rights of Persons with Disabilities, the Committee Against Torture and the Committee on the Elimination of Racial Discrimination.

The Board further recommended that a budget be set aside to allow for the attendance of indigenous peoples' representatives in sessions of the human rights mechanisms that will take place between July 2015 and March 2016.

The Fund currently has an open call for applications to the 30th session of the Human Rights Council, the 23rd session of the UPR Working Group and the sessions of the treaty bodies taking place between September and December 2015. I would strongly encourage Indigenous peoples' representatives who meet the admissibility criteria to apply.

The follow-up to the Outcome Document of the World Conference on Indigenous Peoples is of particular importance this year. The following areas of the Outcome Document may have an impact on the work of the Fund and, thus, are an important priority for the Board of Trustees:

- the review of the mandate of EMRIP;
- the follow-up report of the Secretary-General on ways and means of promoting participation at the United Nations of indigenous peoples' representatives on the issues affecting them; and
- supporting indigenous peoples' participation in the development of a United Nations system-wide action plan to achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples.

In that context, for example, the Board increased the number of grants usually allocated for Expert Mechanism's sessions to support participation of indigenous peoples in the discussion on the mandate review that is taking place during this session. And, in the immediate and longer term future, changes to the system will only require more need for the Fund.

Chair, Excellencies, Ladies and Gentlemen, as you know, the Fund is exclusively supported by means of voluntary contributions, that is, the Fund would not be in a position to carry out its duties without financial support. In this regard and on behalf of the Board of Trustees, I would like to express our deepest and sincerest gratitude and appreciation to the governments of Argentina, Australia, Chile, Denmark, Estonia, Finland, the Holy See, Mexico,

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Mongolia, New Zealand, Norway, Peru and Turkey for their generous contributions to the Voluntary Fund in 2014-2015.

Uncertainty about future contributions continues to impact the delivery of our mandate. The numerous expansions of the mandate of the Fund created new opportunities for indigenous peoples to voice their concerns at the international level, which is extremely positive; but it also means increasing demands for support. We only fund a third of applicants.

At the same time, as outlined earlier, enabling the participation of indigenous peoples in meetings that directly affect their lives is essential to ensuring that resulting decisions carry legitimacy and yield positive results. To respond to increasing demands for Indigenous participation and to fulfil its mandate in a satisfactory manner, it is imperative that the Fund receives sustained and increasing support from governments and other donors.

To conclude, we must strive to achieve full participation of Indigenous peoples in the realisation of their rights. With particular reference to paragraph 38 of the Outcome Document of the World Conference, I would like to appeal to all Governments to consider supporting the vital work of the Voluntary Fund for Indigenous Peoples.

Thank you.