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**ADDRESS TO THE OPENING OF FOURTH THE SESSION OF THE EXPERT
MECHANISM ON THE RIGHTS OF INDIGENOUS PEOPLES**

Geneva, 11 July 2011

High Commissioner for Human Rights
President of the Human Rights Council
Esteemed Chairperson of the Expert Mechanism on the Rights of Indigenous Peoples,
Distinguished members of the Expert Mechanism on the Rights of Indigenous Peoples,
Representatives of Indigenous Peoples and Members States,
Friends and colleagues

It is with great pleasure to address this fourth session of the UN Expert Mechanism on the Rights of Indigenous Peoples. As you might be aware, my fellow members of the Permanent Forum and myself are in a new three year period following our elections last year in 2010. Hence, attending this session as a Permanent Forum member is very new for me.

Let me say from the outset that the Expert Mechanism is a very important body in advocating for and protecting the rights of Indigenous Peoples.

The Expert Mechanism, together with the Special Rapporteur on the Rights of Indigenous Peoples and the UN Permanent Forum on Indigenous Issues have important and distinct,

but complementary, roles in the international movement to protect and advocate for the rights of indigenous peoples.

As part of our work, we need coordination between the three UN mechanisms on indigenous peoples so that we are strong and effective together and within in our respective mandates and roles, which includes implementing the UN Declaration on the Rights of Indigenous Peoples, making a real difference to all indigenous peoples, especially at the local and community levels, with a strong focus on our young people, who will be the next generation of leaders.

For this fourth session of EMRIP, I look forward to the discussions on the *Study on indigenous peoples and the right to participation in decision-making*. It is a comprehensive topic that relates to the many fundamental aspects of the way we organize and conduct our lives. This Study captures the important and key aspects of the discussions held over the years and in the sessions of the Permanent Forum.

The Permanent Forum held its tenth session this past May, at which EMRIP members attended. The report of this session is now available on the Permanent Forum's website. I want to highlight a couple of key issues.

- The Permanent Forum reviewed its recommendations, developed over the past nine years, on **economic and social development**, the **environment** and **free, prior and informed consent**. The Permanent Forum found that while there has been progress in terms of States and the United Nations system recognizing indigenous peoples' rights, how well such improved recognition has translated into effective change on the ground is an area which requires further assessment and analysis.
- It is also worth noting that the Permanent Forum made recommendations on the need for UN agencies to focus on increasing the understanding, recognition and implementation of indigenous peoples' underlying material rights to land. There

is an urgent need to give the recognition of material rights priority over process rights. As we well know, these rights are a source of serious tension between indigenous peoples and industrial development and often do not feature in decision-making by Governments on indigenous peoples.

- Given that the right of indigenous peoples to “free, prior and informed consent” is recognized and affirmed in the United Nations Declaration on the Rights of Indigenous Peoples, many questions have arisen concerning its implementation. In the light of such fundamental concerns, the Permanent Forum has decided to prioritize free, prior and informed consent in its work. In the context of its future work, the Permanent Forum will explore the development of guidelines on the implementation of free, prior and informed consent. The Permanent Forum will endeavour to do so in collaboration with the Expert Mechanism on the Rights of Indigenous Peoples and the Special Rapporteur on the rights of indigenous peoples, who are specifically mandated to address the human rights of indigenous peoples. This initiative is fully consistent with articles 38, 41 and 42 of the UN Declaration.
- In the discussions on the **World Conference on Indigenous Peoples**, to be held in 2014, it was stressed that there is a central role for indigenous peoples to provide input on the modalities for the Conference, and its outcome. In this regard, the Permanent Forum urged the President of the General Assembly to appoint a facilitator to conduct open-ended consultations with member states and indigenous peoples within the framework of the three indigenous mechanisms (UNPFII, EMRIP and the Special Rapporteur on the Rights of Indigenous Peoples). Also, the Permanent Forum members stressed the importance and relevance of the UN Declaration on the Rights of Indigenous Peoples as the primary guide for the World Conference.
- The Permanent Forum called upon Member States to ensure equal, direct, meaningful and substantive indigenous participation at Rio+20 next year in 2012

by including indigenous peoples' representatives in official delegations to the conference and in the preparatory regional implementation meetings.

I look forward to working with all of you during this week and I wish you all the best in these critical deliberations which will impact on the "survival, dignity and wellbeing" of the world's indigenous peoples.

In closing, I would like to express my gratitude to staff of the Indigenous Peoples and Minorities Section of the Office of the UN High Commissioner for Human Rights for all their assistance in getting me here.

Thank You.