

10th Expert Mechanism on the Rights of Indigenous Peoples
10 – 14 July 2017

Agenda Item no. 3: New mandate of the EMRIP: activities and methods of work
Statement of the Global Indigenous Peoples Caucus

The **Global Indigenous Caucus** recognizes the potentials of the newly expanded mandate of the Expert Mechanism in strengthening their work to effectively promote respect for the UN Declaration on the Rights of Indigenous Peoples through the Human Rights Council resolution 33/25. There remains, however, concerns on specific elements of the new mandate. With this, we present our observations and recommendations to the Expert Mechanism on their new mandate.

First, we note that the country visits continue to remain under the discretion of the States despite giving the opportunity for indigenous peoples to trigger the request (paragraph 2e). We recognize that this limitation is an overall concern in the UN system. As such, we recommend the Expert Mechanism be more proactive in encouraging States to invite them for country visits and technical advice to achieve full implementation of the Declaration.

As stated in Resolution 33/25, in providing technical advice regarding the development of domestic legislation and policies, including establishing contacts with other United Nations agencies, funds and programmes (paragraph 2c), we expect that the Expert Mechanism conduct this in consideration of the recommendations made at the universal periodic review and by treaty bodies, special procedures or other relevant mechanisms, that relate to the issues and concerns of indigenous peoples (paragraph 2d). In line with this, we recommend the Expert Mechanism to review national action plans of States and provide concrete technical advice for appropriate inclusion of indigenous peoples in concretising those plans and other appropriate legislative, policy and administrative structures with due regard to their right to self-determined development.

Furthermore, in relation to paragraph 2d of 33/25, we recommend that the Expert Mechanism correspondingly review and accommodate the recommendations of indigenous peoples that were rejected and ignored by States in the UPR, treaty bodies, special procedures or other relevant mechanisms.

In addition, the expansion of the members of the Expert Mechanism to seven representatives are duly noted. However, the division of indigenous peoples present around the world to these seven regions remains to be unrepresentative of all the indigenous groups who reside in these regions. This limitation tends to miss the specificity of issues and concerns of indigenous peoples in some areas. An example is Central Asia, which is lumped together with Central and Eastern Europe, the Russian Federation, and Transcaucasia. The conflict in these areas are often not studied and addressed within the specific context of indigenous peoples. Specifically, we recommend the Expert Mechanism to facilitate a dialogue in the subregion and include

concerned population such as indigenous Armenian, Assyrians, Yazidis, Chaldean, Kurds, Syriac among others, as a start in discussing their specific issues like the War situation in the area since 2011. We then encourage the regional representatives of the Expert Mechanism to develop respective strategies that will allow for improved access and inclusion of the indigenous peoples represented in the respective regions. Furthermore, we recommend the Expert Mechanism to include adequate analysis and perspectives from each region in consideration of the common critical condition in the sub-regions and provide comparable trends among States between subregions and regions, including analysis of issues of sexuality and gender identity.

To this end, we recommend the Expert Mechanism, with support from the OHCHR and EMRIP Secretariat, to provide work plan to help the indigenous peoples be more organised in giving inputs as needed by the EMRIP.

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