

EMRIP A.I. 3, “New Mandate of the Expert Mechanism on the Rights of Indigenous Peoples: Activities and Methods of Work”

U.S. Intervention

Monday, July 10, 2017; morning session

The United States thanks the EMRIP Chair for his presentation on EMRIP's mandate, as amended by Human Rights Council Resolution 33/25. We are at the stage when stakeholders are determining how the resolution will be implemented, and we offer the following comments for your consideration.

The U.S. government and U.S. tribal leaders place priority on reforming EMRIP so that it can better help Member States achieve the goals of the UN Declaration on the Rights of Indigenous Peoples. In this regard, tribal leaders say that EMRIP can usefully call attention to immediate and systemic concerns of indigenous peoples and suggest ways to address them. The activities in the resolution's OP 2 and OP 9 –including identifying and promoting good practices, providing technical advice upon states' request, and requesting and receiving information from relevant sources – empower EMRIP to do this. We recommend that the technical advice offered should further awareness-raising and capacity-building.

Although EMRIP's involvement with a particular member state is voluntary, as a country has to initiate requests for technical assistance, we encourage states to utilize this tool to better the situation of their indigenous peoples. With EMRIP's revised functions, we have a mechanism in place ready to assist some of the world's most vulnerable populations.

Many stakeholders support a coherent, coordinated approach throughout the UN to promote and protect the rights of indigenous peoples. The resolution reinforces this by calling for coordination between EMRIP, the Special Rapporteur on the Rights of Indigenous Peoples, the Permanent Forum for Indigenous Issues, the UN Voluntary Fund for Indigenous Peoples, and other UN bodies and processes. It also asks that EMRIP and the Special Rapporteur not duplicate each other's work. We suggest that the topics of EMRIP's annual studies to the HRC differ from the subjects of the Special Rapporteur's reports. Both the EMRIP and Special Rapporteur reports can examine situations that are inconsistent with the ends of the Declaration as well as good practices.

Although the EMRIP reform resolution came with a PBI of roughly \$2.5 million, we accepted this because EMRIP needs additional resources to carry out its expanded mandate. Duplicative functions among UN entities working on indigenous peoples will gradually be reduced, and the near-term PBI will result in savings in the long run.

Stakeholders can be proud of the EMRIP reform resolution. Developing and adopting the resolution allowed stakeholders to reform an existing UN institution to help fulfill an important purpose: achieving the ends of the Declaration. It is not often that opportunities arise in the UN to do this. Thank you for your attention.