

## 10<sup>th</sup> Session of the Expert Mechanism on the Rights of Indigenous Peoples

10 – 14 July 2017

### *Agenda Item no. 3: New mandate of the Expert Mechanism on the Rights of Indigenous Peoples: Activities and methods of work*

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On behalf of the **Asia Indigenous Peoples Caucus**, I would like to acknowledge the efforts made to amend the mandate of the Expert Mechanism through the Human Rights Council resolution 33/25 so EMRIP can more effectively promote respect for the UN Declaration on the Rights of Indigenous Peoples. We expect the new mandate to have immediate impression to the struggles and advocacy actions of indigenous peoples at the global level, with specific attention and linkage to the national level.

With regards to the specific elements of the new mandate and the draft methods of work for the implementation thereof, we make the following observations and recommendations:

#### ***In relation to country engagement***

- We recommend that the Expert Mechanism encourage States to invite them for country missions. And in its country engagement, remind the States of their commitment in the Outcome Document of the World Conference on Indigenous Peoples to develop and implement national action plans, strategies or other measures to achieve the ends of the Declaration. For this, the Expert Mechanism can review relevant national action plans of States and provide concrete technical advice for necessary elaboration of those plans and other appropriate legislative, policy and administrative measures to be undertaken in cooperation with the concerned indigenous peoples.

- Pursuant to paragraphs 2c, 2d and 2e of the Human Rights Council resolution, we are pleased that country engagement, including country mission, can be triggered at the request of indigenous peoples as well, though it remains that governments need to agree for a visit. As such, the Asia Caucus calls on the States, particularly from Asia, to make effective use of the new mandate of the Expert Mechanism by making necessary requests for technical advice or assistance and/or providing information when sought by the Expert Mechanism. We also recommend the National Human Rights Institutions in Asia to engage with the Expert Mechanism through dialogues and exchanges in relation to situation of indigenous peoples at the country level or on a particular issue. We greatly appreciate the proposal to issue media advisory before and after the country engagement as well as following inter-sessional meetings.

- Also, for the country engagement, we recommend that the Expert Mechanism coordinate with the Special Rapporteur and the UNPFII as well as other relevant UN and regional mechanisms, including for assistance in the implementation of the recommendations made at the universal periodic review and by treaty bodies, special procedures or other relevant mechanisms. Such engagement should definitely focus on dialogues and exchanges with national human rights institutions in States where they are established as well as regional human rights bodies.

In order to effectively fulfil its mandate, especially with the specific new elements, we recommend that the Expert Mechanism to provide, with support from the OHCHR/EMRIP Secretariat, an annual work plan to better align the requests for support of Member States, indigenous peoples and/or private sector.

***In relation to reports and studies to the Human Rights Council***

- As the membership of the Expert Mechanism is now expanded to represent all the seven indigenous sociocultural regions (paragraph 4), the study and report should include adequate analysis and perspectives from each region and provide comparable trends among States in the regions.

- On the thematic annual study on the status of the rights of indigenous peoples worldwide in the achievement of the ends of the Declaration (paragraph 2a), we welcome that the Expert Mechanism will consult with the Special Rapporteur on the Rights of Indigenous Peoples and the UNPFII to ensure no overlapping studies among the three mechanisms.

- Furthermore, we call for greater coordination among the three mechanisms not only for the thematic annual study but also for the annual report to the Human Rights Council on good practices and lessons learned regarding efforts to achieve the ends of the Declaration (paragraph 2b) so that the process of seeking and receiving information is more coherent and avoids potential duplication of work for all concerned stakeholders.

Finally, we urge the States and funding agencies to increase support for the Expert Mechanism to enable it to effectively implement its new mandate.

Thank you very much for your attention, Mr. Chairperson.