

Joint Statement to the 14th session/ Regional meetings of the Expert Mechanism on the Rights of Indigenous Peoples

12-16 July, 2021

Item 8: Draft Report on “Efforts to implement the United Nations Declaration on the Rights of Indigenous Peoples: Indigenous Peoples and the Right to Self-Determination”

From a EMRIP side event ¹on
“How can the right to self-determination be realized for the Indigenous Peoples in Asia;
assessing challenges and exploring enabling conditions”

by
Asia Indigenous Peoples Pact (AIPP), International Work Group for Indigenous Affairs (IWGIA), the Diplomacy Training Program (DTP) and Indigenous People Human Rights Defenders Network (IPHRD), Asia

Respected Chair,

Asia Indigenous Peoples Pact (AIPP) along with International Work Group for Indigenous Affairs (IWGIA), the Diplomacy Training Program (DTP) and Indigenous People Human Rights Defenders Network (IPHRD) organized a side event virtually on “How can the right to self-determination be realized for the Indigenous Peoples in Asia; assessing challenges and exploring enabling conditions” on 15 July at 10 am Geneva time in the margins of the 14th session of the United Nations Expert Mechanism on the Rights of Indigenous Peoples 2021.

The webinar deliberated on the systemic barriers, lack of enabling conditions and initiatives by states for the realisation of self-determination and inclusion of Indigenous Peoples fully in the architecture of the state. The speakers and the participants shared experiences and analysis of the systemic barrier of the Indigenous Peoples in their own states. The speakers in the panel were from the Philippines, Myanmar, Thailand, India and Bangladesh, where numerous agreements between states and Indigenous Peoples have been signed. This intensive deliberation brought to the fore, that having agreements and laws itself is not enough but there is a need to understand the landscape of systemic barriers and enabling conditions for the implementation of any constructive agreements or arriving at conflict and political resolution. The webinar strongly felt the need for a new approach and perspectives that would facilitate constructive dialogues between the states and Indigenous Peoples to build knowledge and understanding on the systemic barriers and enabling conditions to break the structural, political, economic and social barriers and adopt a joint problem solving between states and the Indigenous Peoples.

¹ <https://www.facebook.com/AIPPnet.org/videos/365170861626477>

Recognising the important role of the EMRIP and relevant UN bodies in the implementation of the UNDRIP and in the realisation of the right to self-determination of Indigenous Peoples, we submit to EMRIP mandate, the following recommendations:

1. The Expert Mechanism on the Rights of Indigenous Peoples and the Office of the High Commissioner on Human Rights undertake a study on the peace accords and reconciliation initiatives, including ongoing peace negotiations focusing on examining barriers and creating enabling conditions to promote constructive dialogue among states and Indigenous Peoples for advancing the rights to self-determination and autonomy in Asia.
2. Encourage the Expert Mechanism on the Rights of Indigenous Peoples to actively collaborate with the Permanent Forum and the Special Rapporteur on the Rights of Indigenous Peoples to facilitate an inclusive process aimed at the development of guiding principles for the realization and implementation of the right to self-determination and autonomy based on the Declaration of the Rights of Indigenous Peoples and universal human rights standards. Meaningful and broad participation of Indigenous Peoples organizations from the Asia should be ensured.
3. The Expert Mechanism on the Rights of Indigenous Peoples and the Permanent Forum along with the Office of the High Commission on Human Rights and the UN Department of Political and Peacebuilding Affairs should facilitate regional and local level dialogues between Indigenous Peoples and states for the realization and implementation of the right to self-determination and autonomy.
4. Recommend the EMRIP to Co-organize an intersessional technical seminar together with the UNPFII, the Special Rapporteur, and the IACHR to jointly analyze the recommendations made in the reports of the different mechanisms on IPs right to self-determination, autonomy and self-government and to develop a common road map that can guide their work and collaboration to advance in the practical implementation of these crucial rights.
5. Recommend the EMRIP to convene a dialogue with the Global Alliance of National Human Rights Institutions (GANHRI) with a view to making recommendations to States and their NHRIs on best practices and lessons learned in promoting and implementing the UN Declaration on the Rights of Indigenous Peoples and processes to realise the right to self-determination.

Thank you.

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