

17th session of the UN Expert Mechanism on the Rights of Indigenous Peoples (EMRIP)

8th to 12th July, Geneva, Switzerland

Joint Statement on

Agenda Item 11: Proposals to be submitted to the Human Rights Council for its consideration and approval

Presented by: Rachana Sam At on behalf of the Asia Indigenous Peoples Caucus

Madam Chair,

I make this statement on behalf of the Asia Indigenous Peoples Caucus.

We appreciate the work of Human Rights Council for providing platform for interactive dialogue among Indigenous Peoples, Member States, United Nations agencies and other stakeholders. We also acknowledge the committed work of the Indigenous Coordinating Body for steering the dialogue on behalf of the Indigenous Peoples of the 7 socio-cultural regions.

We welcome the recommendations from the Expert workshop on possible ways to enhance the participation of Indigenous Peoples in its work in 2022, and the two intersessional meetings planned in 2024 (18-19 July and 17-18 October).

We reiterate the submission by the Indigenous Peoples to the report of the Expert Workshop that the current modalities of participation are insufficient insofar as Indigenous Peoples could not participate if not accredited by non-governmental organizations with consultative status with the Economic and Social Council and there has to be an established accreditation Mechanism and meaningful and effective participation of Indigenous Peoples' representatives and institutions in the work of the Human Rights Council.

Enhanced participation is an example of the exercise of their right to self-determination, as expressed in articles 3 and 4 of the Declaration. Article 41 of the Declaration specifically addressed the role of the United Nations in the full realization of its provisions, including by establishing ways and means of ensuring the participation of Indigenous Peoples on issues affecting them.

We recommend the following;

- To allow for appropriate accreditation modalities and to facilitate the meaningful participation of Indigenous Peoples in its work and discussions, in particular regarding issues affecting them, such as the dialogue with the Expert Mechanism and the Special Rapporteur on the rights of Indigenous Peoples
- In defining the accreditation criteria, complexity of the regional differences must be taken into account and engage at the regional level to establish regional- based representation.
- As the recognition of Indigenous Peoples in the region is still not achieved at large, we would like to reiterate the recommendations made by the Expert in the expert workshop that State recognition should not constitute a criterion necessary for accreditation.
- All measures taken to enhance the participation of Indigenous Peoples in the work of the Human Rights Council must be rooted in the principles affirmed in the Charter of the United Nations, in the United Nations Declaration on the Rights of Indigenous Peoples, and in relevant provisions of international law, in particular those relating to the right of self-identification, the right of self-determination, and the right to free, prior and informed consent.

In acknowledgement and continuation of the important work of the EMRIP on the issue of post-conflict situations and peace negotiations, agreements, and accords, we recommend that the Human Rights Council conduct a panel discussion inviting experts from all the region and come up with concrete recommendations to monitor the situation and its implementation, as well as to enable the implementation of the existing accords and agreements.

Thank you for this opportunity, Madam Chair