

# EXPERT MECHANISM ON THE RIGHTS OF INDIGENOUS PEOPLES

## Information Guide



### 1. What the Expert Mechanism is

- The Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) is a **subsidiary body of the United Nations Human Rights Council (HRC)**. The HRC was established in 2006 by the UN General Assembly and is the main UN intergovernmental body dealing with human rights. The Human Rights Council created EMRIP in 2007 under HRC Resolution 6/36.
- EMRIP is composed of **7 independent experts**, of Indigenous origin if possible, who are appointed for a period of three years, renewable once, with the aim of reflecting the 7 sociocultural Indigenous regions defined by the United Nations Permanent Forum on Indigenous Issues (Africa; Asia; Central and South America and the Caribbean; the Arctic; Central and Eastern Europe, the Russian Federation, Central Asia and Transcaucasia; North America; and the Pacific).
- The session is held for **one week**, usually in July, **once a year**. These sessions take place in **Geneva** at the United Nations' Palais des Nations.
- The Expert Mechanism's mandate was revised in 2016. See section 3.

### 2. What the Expert Mechanism does

The Expert Mechanism provides Indigenous-based expertise to the HRC. The Expert Mechanism principally carries out research work and studies, which are based on information provided by all observers, including representatives of Indigenous Peoples, as well as those of States. It proposes study themes and recommendations for review and approval by the HRC. **It is therefore very important that indigenous organizations respond to information requests from EMRIP experts**, which can be found on EMRIP's web pages: <http://bit.ly/expert-01E>. Since 2017, under its new mandate, the Expert Mechanism carries out technical cooperation and country engagement activities, including country missions.

- In accordance with Article 42 of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), The Expert Mechanism also has the mandate to “promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration”.
- **What the Expert Mechanism does not do:** *It cannot receive or pass on complaints or denunciations.* Country situations may fall within the mandates of the Special Rapporteur on the Rights of Indigenous Peoples (SRRIP) and/or other Special Rapporteurs, UN Human Rights Treaty Bodies, or the Universal Periodic Review mechanism (UPR).

### 3. New EMRIP mandate since 2017

In September 2016, the Human Rights Council adopted Resolution 33/25, and modified the mandate of the Expert Mechanism. The purpose of the new EMRIP mandate is to provide technical advice on the rights of indigenous peoples, as indicated in the Declaration on the Rights of Indigenous Peoples, to the Human Rights Council, and to provide support to the Member States that request it, for the purposes of achieving the goals asserted in the Declaration for the promotion, protection and fulfillment of the rights of indigenous peoples (Art. 1). For more information, visit:

<http://www.ohchr.org/EN/Issues/IPeoples/EMRIP/Pages/Reviewofthemandate.aspx>, and <http://www.ohchr.org/EN/Issues/IPeoples/EMRIP/Pages/RequestsUnderNewMandate.aspx>.

### 4. Achievements of the Expert Mechanism

- Study on the right of indigenous peoples to education (2008-2009).
- Study on indigenous peoples and the right to participate in decision-making (2010-2011).
- Study on the role of languages and culture (2011-2012).
- Study on access to justice (2012-2013).
- Study on disaster risk reduction (2013-2014).
- Study on the promotion and protection of the rights of indigenous peoples with respect to their cultural heritage (2014-2015).
- Study on the right to health and indigenous peoples with a focus on children and youth (2015-2016).
- Study on good practices and challenges in business and in access to financial services by indigenous peoples (2017).
- Study on free, prior and informed consent (2018).
- Study on Indigenous Peoples' rights in the context of borders, migration and displacement (2019).
- Report on the repatriation of ceremonial objects, human remains, and intangible cultural heritage report (2020).
- Study on the right to land (2020).
- Report on the Right to Self-Determination (2021).
- Study on the Rights of the Indigenous Child (2021).
- Study on treaties, agreements and other constructive arrangements, between indigenous peoples and States, including peace accords and reconciliation initiatives, and their constitutional recognition (2022).

These studies may be found in all six official languages of the United Nations, on the EMRIP web pages on the website of the Office of the High Commissioner for Human Rights (OHCHR). Please visit: <https://www.ohchr.org/en/hrc-subsiidiaries/expert-mechanism-on-indigenous-peoples/annual-reports>

## 5. How to participate in EMRIP sessions

Those who can register to participate in EMRIP sessions are as follows:

- Representatives of non-governmental organizations (NGOs) in consultative status with the United Nations Economic and Social Council (ECOSOC).
- Representatives of Indigenous Peoples organizations not in consultative status with ECOSOC.
- Representatives of NGOs not in consultative status with ECOSOC.
- Academics and experts on the rights of Indigenous Peoples.
- National Human Rights Institutions (NHRIs).

For **practical information** concerning pre-registration, obtaining temporary UN ground passes, organizing your side-events, as well as grants to cover travel costs please visit: <http://bit.ly/440kkWx>

For **practical information** concerning visas, hotel accommodations, costs, please visit **CAGI's** web-portal for visiting delegates <https://bit.ly/3JeSLRd> (*only available in English and French*).

**Persons with disabilities** participating in EMRIP can find accessibility information in the "Accessibility guide to the Human Rights Council for persons with disabilities", available at <http://bit.ly/HRCAccessibilityGuide>.

## 6. Signing up to make an oral statement on an agenda item

- During each session, the Expert Mechanism discusses a given list of items that are on its **agenda**.
- **Registered participants at EMRIP sessions can request to make oral statements.**
- To learn when a particular agenda item will be discussed, you can consult the **programme of work** of the current session, made available in advance in the EMRIP section of OHCHR's website: <https://bit.ly/440kkWx>
- The Secretariat usually sets a **registration deadline** for oral statements on each agenda item, which the Chairperson announces during the session. If you miss the announcement, you can approach the Secretariat of the Expert Mechanism.
- **Registration:** Once you arrive at the session, as soon as possible, have your name registered on the list of speakers by presenting your badge (as a representative of your organization) at the desk of the conference room officer, in the meeting room. Don't forget to indicate the agenda item on which you wish to make a statement.
- **Confirm** that you are on the list. When the list of speakers for the chosen agenda item is posted in the meeting room, check that your name appears there and note where on the list your name appears, in order to be prepared when you are given the floor during the meeting.

## 7. Delivering your oral statement

- Before making your statement during the meeting, you may be asked to provide **copies of your statement** and give them to the conference room officer for distribution to the interpreters and to other organizations. Also, **make a copy and give it to the Docip documentation team, or**

email it to [documentation@docip.org](mailto:documentation@docip.org). Docip collects all statements made for publication on our web-archive: <https://bit.ly/3J7YUhW>

- Alternatively, you may be asked to email your statements in advance to [estatemnts@un.org](mailto:estatemnts@un.org). Statements sent to this address will then be published on the United Nations' Journal: <https://journal.un.org/en/geneva/all/2023-06-13>
- When your name is called by the Chairperson during the session, raise your hand, turn on the microphone, state your name and read your statement, while carefully staying within your time limit (usually **between 2 and 3 minutes**). **Speak slowly** to allow good interpretation.

## 8. Tips for making an oral statement

**Attention:** If you are not in the room when the Chairperson gives you the floor, you lose your speaking time. Please be at your place well in advance of your assigned time, as prior speakers could forfeit their time, which would move up your turn.

- **Contents of the statement:** A common practice is to give the name of your organization, brief greetings (if you wish to include them), explain the situation and make concise recommendations. It is important that you get **straight to the point** and provide exact and verified information.
- **Practice in advance** by reading your statement aloud, sticking to your time limit and reading slowly to allow interpretation. Plan which parts you could cut in case the time limit must be reduced, instead of planning to speak more quickly at the end.
- Be sure to use **diplomatic and non-abusive language**, for example, by using the official terminology of any country names cited in your statement.
- If you are speaking for the first time, common courtesy dictates that you thank the Chair, as well as the Voluntary Fund, for their work and contributions (if you are receiving UNVF financial support for your participation at the EMRIP).

## 9. Docip technical support throughout the sessions of the Expert Mechanism

Docip offers the following services to all indigenous delegates throughout the conference:

- Translation of documents from and to English, Spanish, French, and Russian.
- Interpretation of Indigenous Caucus sessions, and informal conversations (EN/ES/FR/RU). To request interpretation services, contact Lorena White [lorena.white@docip.org](mailto:lorena.white@docip.org), for translation of documents please make a request through <https://bit.ly/3Povd01>
- **To request interpretation for your Side-Events please fill out the following form:** <https://bit.ly/42wZlcl>
- Photocopies and access to internet, computers and printers.
- Publication of your statements on its website, <http://cendoc.docip.org/> ;
- Strategic legal and advocacy support to Indigenous delegates interested in UN and EU mechanisms including documentation and legal research, networking with other delegates, meeting key actors or organizations, follow up on treaty bodies, special procedures and the UPR,

or drafting and discussing communications to the SRRIP or other UN bodies regarding the rights of Indigenous Peoples.

- To request information on UN mechanisms, contact Anne Charlotte Lagrandcourt at [ac.lagrandcourt@docip.org](mailto:ac.lagrandcourt@docip.org)
- To request information on EU mechanisms, contact Mathias Wuidar at [mathias.wuidar@docip.org](mailto:mathias.wuidar@docip.org)

- **The Docip technical secretariat office is located in Building E of the Palais des Nations; the room number, once confirmed, will be announced in advance.** A Map of the Palais des Nations: <https://bit.ly/43UZ04z>

## **10. Indigenous Caucus sessions: participation is strongly recommended**

The Indigenous Caucus sessions are open to all Indigenous delegates present at EMRIP. They represent a unique opportunity for Indigenous delegates to meet and exchange information or experiences.

Joint statements, positions and recommendations that are developed during the Caucus sessions, are taken into consideration by the Expert Mechanism.

An Indigenous Caucus meeting will be held on **Saturday, 15<sup>th</sup> and Sunday 16<sup>th</sup> of July, from 10 am to 6 pm daily at the World Council of Churches, located at Route des Morillons 1, 1218 Le Grand-Saconnex**. During the rest of the week, additional meetings can be held in the mornings from 09:00/10:00 and/or in the evenings from 18:00–20:00. To learn more about these meetings, please contact the Docip technical secretariat. Docip provides interpretation for these meetings in English, Spanish, French and Russian. To schedule interpretation, contact the Docip technical secretariat in advance: [lorena.white@docip.org](mailto:lorena.white@docip.org)

**The discussions held during the Caucus sessions are confidential.**

## **11. Cultural and side events at the UN**

They usually take place between 1:15 and 2:45 p.m. throughout the week. They may be organized by Indigenous delegations, international organizations, NGOs, etc. **A list of side events is distributed at the beginning of the session by the EMRIP Secretariat and can also be found at the Docip technical secretariat office, which will also include side-events taking place outside of the UN.** Due to the limited availability of rooms, an average of two to three lunch-time events can usually take place each day.

The Expert Mechanism encourages the organization of lunch-time events that contribute to its mandate and specifically to the agenda of the session. To organize side events, it is necessary to register in advance of the session by emailing the EMRIP Secretariat at: [ohchr-expertmechanism@un.org](mailto:ohchr-expertmechanism@un.org)

Please, include the following data:

- Title of the event.
- Names of the organizer/s.
- Purpose of your proposed lunchtime event.

- Relationship to the session's agenda.
- Language of the event.
- Whether interpretation will be provided
- Preferred day for the lunch-time event.

Decisions by the secretariat on lunch-time events – including day and room – will be final. Relevant factors include the order in which the application was received and its relationship to the agenda of the session.

***The deadline for registration of side-events at this year's EMRIP Session is Friday June 30<sup>th</sup>, 2023.***

## **12. Meetings with other key actors on Indigenous issues on the sidelines of EMRIP sessions**

The EMRIP sessions present an opportunity to make an appointment with the **Special Rapporteur on the Rights of Indigenous Peoples (SRRIP), Francisco Cali Tzay** whose mandate is to “gather information and communications on violations of the human rights and fundamental freedoms of indigenous populations, to formulate recommendations and to work in close relation with other special rapporteurs, experts, etc.” To have an opportunity to meet with the Special Rapporteur, you must:

- be registered for the session;
- request a meeting well in advance, providing your name; and
- provide him with written information regarding matters that fall within his mandate, including allegations of human rights violations.

Priority will be given to delegates who have sent their request and their information to [indigenous@ohchr.org](mailto:indigenous@ohchr.org) during the time frames indicated on the OHCHR website, which information is also shared by Docip. For more information on the Special Rapporteur and how to communicate information to him, please visit: <http://bit.ly/1LsykvP> and <http://bit.ly/2FAs4aU>.

You can also request **meetings with other key actors**, such as:

- representatives of countries' permanent missions to the UN in Geneva: <http://bit.ly/missions-01E>
- OHCHR staff dealing with various thematic or country issues of concern to you: <http://bit.ly/office-01E>
- the OHCHR-based secretariats of the various UN human rights treaty bodies: <http://bit.ly/treatybodies-01E>
- other UN agencies present in Geneva, for example:
  - the World Health Organization (WHO): <https://bit.ly/42D0pLW>
  - Joint United Nations Programme on HIV/AIDS (UNAIDS): <http://bit.ly/un aids-01E>
  - United Nations Development Programme (UNDP): <https://bit.ly/43Ds5I>

- World Intellectual Property Organization (WIPO): <http://bit.ly/WIPO-01E>
- International Labour Organization (ILO): <http://bit.ly/labour-01E>

### **13. Advice for effective participation at EMRIP**

- **Allow for several weeks in advance** to handle all of the formalities (e.g. visas) and administrative procedures, registration and logistics required to participate in EMRIP sessions.
- **Study the agenda, the programme of work** and the documents related to the session, all of which are available in the EMRIP section of the OHCHR website.
- **Prepare your oral statement well** and practice in advance.
- **Participate actively in the Indigenous Peoples' Caucus meetings and side events, sessions and networking opportunities** with other representatives of Indigenous Peoples, NGOs and key actors on indigenous issues.
- **Check out the content of the previous session reports.**
- **Sign up for [our newsletter](#) and follow us on [Facebook](#) and [Twitter](#)!**

For more information about the Expert Mechanism, visit: <http://bit.ly/expert-01E> and <https://bit.ly/440kkWx>

*This fact sheet is based on documents produced by Suikhar of Asian Indigenous Peoples Pact (AIPP) for Docip training sessions, by Docip and by the Office of the High Commissioner for Human Rights (OHCHR).*

**About Docip:** With offices in Geneva and Brussels, Docip is a Swiss foundation working with Indigenous Peoples from all over the world since 1978, with a goal of facilitating their access to the international system. Docip conducts its activities following the principles of impartiality, neutrality, collegiality and non-interference. We respect the right to self-determination of Indigenous Peoples.

Email: [secretariat@docip.org](mailto:secretariat@docip.org)

Website: <http://www.docip.org/en>

Facebook: <https://www.facebook.com/docip.org/>

Twitter: [https://twitter.com/docip\\_en](https://twitter.com/docip_en) (@Docip\_en)

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