

FACT SHEET ON THE EXPERT MECHANISM ON THE RIGHTS OF INDIGENOUS PEOPLES



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 permanent court on the matters of indigenous peoples (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 fulfilment 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)
- Ongoing study on indigenous peoples' rights in the context of borders, migration and displacement (2019)

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: <http://bit.ly/expert-02E>.

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 and representatives of NGOs not in consultative status with ECOSOC;
- representatives of NGOs not in consultative status with ECOSOC;
- academics and experts on Indigenous Peoples; and
- National Human Rights Institutions (NHRIs).

For **practical information** concerning pre-registration, visas, accreditation, hotel accommodations, obtaining badges, and grants to cover travel costs, please visit: <http://bit.ly/EMRIP-12thsession>

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> and also <http://bit.ly/hrc-01E>.

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: <http://bit.ly/EMRIP-12thsession>.
- The Secretariat usually sets a **registration deadline** for oral statements on each agenda item, and the Chairperson announces this 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.
 - **Important: Monday 15 July, from 15.00 – 18.00:** Pursuant to paragraph 11 of resolution 39/13 (<http://bit.ly/HRC-resolution-39-13>) the **Human Rights Council** will hold a half-day intersessional interactive dialogue on ways to enhance the participation of indigenous peoples' representatives and institutions in meetings of the Human Rights Council on issues affecting them.
As it is an HRC event, only NGOs with ECOSOC status may sign up on the speakers' list. Registration for the speakers' list for NHRIs and NGOs will open on 10 July 2019 at 14.00. (Geneva time), as per practice through the online system (<https://ngoreg.ohchr.org>).

7. Delivering your oral statement

- Before making your statement during the meeting, provide **15 copies of your statement** and give them to the conference room officer, for distribution to the interpreters and to other organizations. Finally, **also make a copy and give it to the Docip documentation team**, whether in the meeting room or in our office. Docip collects all of the statements for posting on its web site: www.docip.org/en
- 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 **2 minutes**). **Speak slowly** to allow for good interpretation.

8. Tips for making an oral statement

Attention: If you are not in the room when the Chairperson calls on you, 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 recommendations. Above all, 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 for 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.

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 texts from and to English, Spanish, French and Russian;
- interpretation of Indigenous Caucus sessions, side events and informal conversations (EN/ES/FR/RU). To request interpretation services, contact johanna.massa@docip.org, for translation of documents please write to translations@docip.org
- photocopies and access to internet, computers and printers;
- publication of your statements on its website, www.docip.org/en;
- strategic support to indigenous delegates interested in UN and EU mechanisms by supporting documentation research, legal research, networking with other delegates or organizations, by following up on treaty bodies and the UPR, or by discussing your communication to the SRRIP or other UN bodies regarding the rights of Indigenous Peoples. To request these services, contact Andres Del Castillo at: andres.delcastillo@docip.org;

- **The Docip technical secretariat office is located in Building E of the Palais des Nations; the room number, once confirmed, is announced in advance (E 2060 for the 2019 session).** A Map of the Palais des Nations: <http://bit.ly/PdNMap-E>.

10. Indigenous Caucus sessions: participation is strongly recommended

The Indigenous Caucus sessions are open to all indigenous delegations present at EMRIP. They represent a unique opportunity for indigenous delegates to meet for exchange of information and experiences. During the Caucus sessions joint statements, positions and recommendations are developed that are often taken into consideration by the Expert Mechanism.

An Indigenous Caucus meeting will be held on **Sunday, 14 July, at 10.00 a.m. at Club Suisse de la Presse, located at 106 Route de Ferney**. During the rest of the week, additional meetings will be held in the evenings from 18:00–20:00 and/or in the mornings from 09:00–10:00. 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:

johanna.massa@docip.org.

The discussions held during the Caucus sessions are confidential.

11. Cultural and side events

They take place between 1:15 and 2:45 p.m. from Tuesday 16 to Friday 19 July. 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 may also be found at the Docip technical secretariat office. Due to the limited availability of rooms, only three lunch-time events can take place each day.

The Expert Mechanism is encouraging 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: expertmechanism@ohchr.org.

Please, include the following data:

- the title of the event;
- the names of the organizer/s;
- the purpose of your proposed lunch-time event;
- its relationship to the session's agenda;
- the language of the event;
- whether interpretation will be provided; and
- the 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.

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)**, 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 her with written information regarding matters that fall within her 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 during the time frames indicated on the OHCHR website, which information is also disseminated by Docip. For more information on the Special Rapporteur and how to communicate information to her, please visit: <http://bit.ly/1LsykvP>, <http://bit.ly/2FFyYrn> 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): <http://bit.ly/health-01E>
 - Joint United Nations Programme on HIV/AIDS (UNAIDS): <http://bit.ly/un aids-01E>
 - United Nations Development Programme (UNDP): <http://bit.ly/UNDPGeneva-01E>
 - World Intellectual Property Organization (WIPO): <http://bit.ly/WIPO-01E>
 - International Labour Organization (ILO): <http://bit.ly/labour-01E>

13. Advice for effective and efficient 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 it 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.
- Finally, **check the content of the previous session reports**.

For more information about the Expert Mechanism, visit: <http://bit.ly/expert-01E> and <http://bit.ly/emrip12-en>

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

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

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

Twitter: [@Docip_en](https://twitter.com/docip_en)

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