

# SPECIAL RAPPORTEUR ON THE RIGHTS OF INDIGENOUS PEOPLES

## Factsheet

### 1. Who is the United Nations Special Rapporteur on the Rights of Indigenous Peoples?

The **Special Rapporteur on the Rights of Indigenous Peoples** (SRRIP) is an **independent expert** who holds a **thematic mandate on the rights of Indigenous Peoples**.

- This mandate is one of the **thematic 'special procedures'** of the United Nations' Human Rights Council (HRC). There are 42 **thematic** and 14 **country** mandates. The HRC renews this mandate **every three years**.
- This mandate was established in 2001 by the Commission on Human Rights, which was replaced by the HRC in 2006.
- Using **strict selection criteria** - such as: skills, experience, independence, impartiality, integrity - the HRC selects a person to hold the mandate for three-year terms (renewable once).
- The current UN Special Rapporteur on the rights of Indigenous Peoples is **Francisco Cali Tzay (Guatemala)** (appointed in March 2020). His mandate will end in 2026. More information about him can be found at: <https://www.ohchr.org/en/special-procedures/sr-indigenous-peoples>. Previous mandate-holders include Rodolfo Stavenhagen (Mexico) (2001-2008), James Anaya (United States) (2008-2014), and Victoria Tauli Corpuz (Philippines) (2014-2020).
- **What the Special Rapporteur is not: a UN employee** and s/he does not receive a salary. However, the Rapporteur receives support from the Office of the High Commissioner for Human Rights, for instance: human resources, logistics, research and sharing of information.

### 2. What does the Special Rapporteur do?

The Rapporteur's mandate is to **report as well as to make recommendations and proposals on the situation of the fundamental rights and freedoms of Indigenous Peoples**.

- The Rapporteur **works in close cooperation** with the Expert Mechanism on the Rights of Indigenous Peoples, the [Permanent Forum on Indigenous Issues](#), other Special Procedures, the UN treaty bodies and regional human rights organizations, etc.
- The Special Rapporteur **promotes the relevant international legal instruments** related to the protection and the defense of human rights, most specifically those pertaining to Indigenous Peoples. To read more, please visit: <https://bit.ly/3JylgIK>.
- The Rapporteur pays special attention to the situation of **Indigenous women, children and persons with disabilities**.
- The Rapporteur's activities focus on 4 main areas (Human Rights Council resolution 15/14 and 24/9):
  - **To write annual reports for the Human Rights Council** (occasionally for the General Assembly) on the activities undertaken over the year or on relevant themes related to the promotion and defense of Indigenous Peoples' rights,
  - To receive and reply to **communications**,
  - To carry out **official field visits**, upon States' invitation, and
  - **To make recommendations** to States.

**What the Special Rapporteur does not do:** As s/he is neither judge nor police officer, s/he cannot impose decisions on a State. Implementation of recommendations depends on the government's good will. **The participation and involvement of Indigenous Peoples and members of civil society in these different processes is very important for the Special Rapporteur to be able to carry out his/her mandate.** To stay aware on the Calls for contributions to the Special Rapporteur's reports, check his webpage: <https://un.arizona.edu/>

### 3. How do I send a communication to the Special Rapporteur?

**The Rapporteur can receive “urgent appeals” or “letters of allegations” concerning individual or collective violations**, such as cases of torture, threats, forced displacement, land evictions, lack of free, prior and informed consent and consultation on economic development projects, legislation and policies which violate Indigenous Peoples' rights, etc.

- Violations mentioned in the communications can have **taken place in the past, still be taking place in the present, or be a threat likely to occur in the future.**
- The communication should be a maximum of **1 or 2 pages.**
- The information must be **concise and precise.** It is also possible to include annexes, such as graphs.
- Communications sent will be treated as **confidential.**
- After receiving the communication, the Rapporteur evaluates the **reliability and credibility of the information before** a decision is taken as to whether to intervene or not (for example, send a communication to the government concerned).

For more information concerning the procedures to follow and for contacts, check:

<https://www.ohchr.org/en/special-procedures-human-rights-council/what-are-communications>

### 4. Official visits of the Special Rapporteur

The Special Rapporteur can carry out **3 or 4 official field visits** each year. The Rapporteur decides independently which countries or regions to visit, based on information received.

- **The Rapporteur must have been invited by the government in question to visit the country.**
- During the visit, the SR **meets** with Indigenous Peoples' organizations, various government authorities, members of civil society organizations, representatives of UN agencies or other international organizations, etc.
- The Rapporteur then **writes a report** including the information on the judicial and legislative framework of the country s/he has visited, the main issues faced by Indigenous Peoples, conclusions, and recommendations.
- The Rapporteur can also **carry out unofficial visits**, which can take the form of conferences or academic/thematic seminars among other examples.

### 5. How do I get in touch with the Special Rapporteur and the Expert Mechanism on the Rights of Indigenous Peoples during sessions of the UN Permanent Forum on Indigenous Issues and the EMRIP?

**The Special Rapporteur on the rights of Indigenous Peoples** has the mandate to **cooperate with the other two main UN bodies** working on the rights and issues of Indigenous Peoples, namely **the Permanent Forum and the Expert Mechanism.**

The SRIP and the EMRIP will be present during UNPFII and EMRIP annual sessions. To **meet with the Special Rapporteur and EMRIP experts** during these sessions, you have to:

- be registered for the session;
- make a timely request to meet, providing your contact information and
- provide her/him with written information regarding matters that fall within her/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) within the time limit indicated on the OHCHR website, information that is also shared by Docip.

For more information on the Special Rapporteur and how to share information with her/him, please visit: <http://bit.ly/1LsykvP> and <http://bit.ly/2FAs4aU>.

*For more information on the Special Rapporteur, please visit:*

<https://www.ohchr.org/en/special-procedures/sr-indigenous-peoples>

*For more information on the Expert Mechanism on the Rights of Indigenous Peoples, please visit:*

<http://bit.ly/expert-01E>

**About Docip:** Docip is a Swiss foundation, with offices in Geneva and Brussels, that has been working with Indigenous Peoples worldwide since 1978, facilitating their access to international and European institutions. Docip conducts its activities in accordance with principles of impartiality, neutrality, and non-interference. We respect Indigenous Peoples' right to self-determination.

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