



English

Information Document on the

# Expert Mechanism on the Rights of Indigenous Peoples

(15<sup>th</sup> Session of the **EMRIP**)

Geneva, 4-8 July 2022

**Docip's technical secretariat at the United Nations, Geneva**

Palais des Nations, 1211 Geneva 10, Switzerland

**Docip office: Room E-1058-60**

Ground floor in Building E

**Indigenous delegates will have the possibility to access computers and printers at Docip's office.**

## Outline

This document has been produced to introduce the current EMRIP session to all Indigenous delegates. It contains a summary of the most relevant information with regard to the 15<sup>th</sup> session and provides practical information about Docip's office and services available to all Indigenous delegates during the entire conference. Also, it contains a list of reference documents and useful contacts at the end.

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# The Expert Mechanism on the Rights of Indigenous Peoples (EMRIP)

## Mandate

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 in HRC resolution 6/36. The EMRIP meets once a year for five days.

According to its mandate, EMRIP will:

- provide the Human Rights Council with expertise and advice on the rights of Indigenous Peoples as set out in the UNDRIP; and
- assist Member States, upon request, in achieving the ends of the Declaration through the promotion, protection and fulfilment of the rights of Indigenous Peoples.

EMRIP's methods of work with respect to country engagement activities are set out on page 6.

The Expert Mechanism is one of three UN bodies that is mandated to deal specifically with Indigenous Peoples' issues. The others are the United Nations Permanent Forum on Indigenous Issues (<http://bit.ly/UNPFII-UN-body>) and the Special Rapporteur on the Rights of Indigenous Peoples (<http://bit.ly/SPRIIP-UN-body>).

## The 15th Session of EMRIP

### Provisional Agenda of the 15th Session of the EMRIP

1. Election of officers
2. Adoption of the agenda and organisation of work.
3. Study and advice on treaties, agreements and other constructive arrangements between indigenous peoples and States, including peace accords and reconciliation initiatives, and their constitutional recognition.
4. Coordination meeting of United Nations Indigenous rights mechanism.
5. Intersessional activities and follow-up to thematic studies and advice.
6. Country engagement.
7. International Decade of Indigenous Languages.
8. Panel discussion on the impact of development projects on indigenous women.
9. United Nations Declaration on the Rights of Indigenous Peoples.
10. Future work of the Expert Mechanism, including focus of future thematic studies.
11. Enhancing the participation of indigenous peoples in the United Nations.
12. Proposals to be submitted to the Human Rights Council for its consideration and approval.
13. Adoption of studies and reports.

The 15th session will address the following topics:

- [Impact of Development Projects on Indigenous Women panel](#)
- [Enhancing the participation of indigenous peoples in the United Nations](#)
- [International Decade of Indigenous Languages](#)

This session will also consider a study on: “[treaties, agreements and other constructive arrangements, including peace accords and reconciliation initiatives, and their constitutional recognition](#)”. A draft of this study will be presented for discussion during the upcoming 15th session of the EMRIP. A final version will be presented to the Human Rights Council at its fifty-first session (September 2022).

For more detailed information on the 15<sup>th</sup> session of the EMRIP, visit:

<https://www.ohchr.org/en/events/sessions/2022/15th-session-expert-mechanism-rights-indigenous-peoples>

## Members of the Expert Mechanism on the Rights of Indigenous Peoples

The EMRIP is composed of 7 independent experts, one from each of the 7 Indigenous sociocultural regions, who are named for a term of 3 years, renewable once.

The regions are: Africa; Asia; Central and South America and the Caribbean; the Arctic; Central and Eastern Europe, Russian Federation, Central Asia and Transcaucasia; North America; and the Pacific.

Members (2022-2023)	Members (2019-2021)
Mr. Binota Moy DHAMAI (Bangladesh)	Ms. Kristen CARPENTER (USA) (2021)
Ms. Sheryl LIGHTFOOT (Canada)	Ms. Megan DAVIS (Australia) (2022)
Ms. Margaret LOKAWA (Uganda)	Mr. Belkacem LOUNES (Algeria) (2021)
Ms. Laila VARS (Norway)	Mr. Edtami MANSAYAGAN (Philippines) (2020)
Ms. Antonina GORBUNOVA (Russian Federation)	Mr. Rodion SULTYANDZIGA (Russian Federation) (2022)
Ms. Anexa Brendalee ALFRED CUNNINGHAM (Nicaragua)	Ms. Laila VARS (Norway) (2020)
Ms. Valmaine TOKI (New Zealand)	Ms. Erika M. YAMADA (Brazil) (2022)

The Chair of the EMRIP is nominated annually at the start of the session. If you wish to get in touch with the Chair or with the EMRIP members, contact the EMRIP Secretariat at: [ohchr-expertmechanism@un.org](mailto:ohchr-expertmechanism@un.org).

## Current membership of the Human Rights Council

<b>African States (13)</b>		<b>Latin American and Caribbean States (8)</b>	
Benin	(2024)	Argentina	(2024)
Cameroon	(2024)	Bolivia (Plurinational State of)	(2023)
Côte d'Ivoire	(2023)	Brazil	(2022)
Eritrea	(2024)	Cuba	(2023)
Gabon	(2023)	Honduras	(2024)
Gambia	(2024)	Mexico	(2023)
Libya	(2022)	Paraguay	(2024)
Malawi	(2023)	Venezuela (Bolivarian Republic of)	(2022)
Mauritania	(2022)		
Namibia	(2022)		
Senegal	(2023)		
Somalia	(2024)		
Sudan	(2022)		
<b>Asian-Pacific States (13)</b>		<b>Western European and Other States (7)</b>	
China	(2023)	Germany	(2022)
India	(2024)	United States of America	(2024)
Indonesia	(2022)	France	(2023)
Japan	(2022)	Luxembourg	(2024)
Kazakhstan	(2024)	Netherlands	(2022)
Malaysia	(2024)	Finland	(2024)
Marshall Islands	(2022)	United Kingdom of Great Britain and Northern Ireland	(2023)
Nepal	(2023)		
Pakistan	(2023)		
Qatar	(2024)		
Republic of Korea	(2022)		
United Arab Emirates	(2024)		
Uzbekistan	(2023)		
		<b>Eastern European States (6)</b>	
		Armenia	(2022)
		Czech Republic	(2023)
		Lithuania	(2024)
		Montenegro	(2024)
		Poland	(2022)
		Ukraine	(2023)

## **EMRIP Working Methodologies**

### **Intersessional activities: Expert Seminar and intersessional meetings**

The Expert Mechanism held a closed expert seminar on: “treaties, agreements and other constructive arrangements, between indigenous peoples and States, including peace accords and reconciliation initiatives, and their constitutional recognition” which took place in a virtual mode from 29 November to 1 December 2021. The concept note is available in [English](#) | [Español](#)

More detailed information is available at: <https://www.ohchr.org/en/hrc-subsiidiaries/expert-mechanism-on-indigenous-peoples/un-seminar-expert-mechanism-rights-indigenous-peoples>

### **Country engagements**

During its tenth session (2017) the EMRIP adopted its methods of work on country engagement. These methods of work seek to operationalize the Expert Mechanism’s new mandate under resolution 33/25 adopted by the Human Rights Council in September 2016.

EMRIP’s methods of work with respect to country engagement activities are set out in Annex I of its Annual Report (A/HRC/36/57), adopted at its tenth session. You can consult the report here: <http://bit.ly/New-mandate-of-EMRIP-under-resolution-33-25>

Pursuant to paragraph 2 of Human Rights Council resolution 33/25, the EMRIP should, upon request:

- (a) assist Member States and/or Indigenous Peoples in identifying the need for and providing technical advice regarding the development of domestic legislation and policies relating to the rights of Indigenous Peoples, as relevant, which may include establishing contacts with other United Nations agencies, funds and programmes;
- (b) provide Member States with assistance and advice for the implementation of recommendations made at the universal periodic review and by treaty bodies, special procedures or other relevant mechanisms;
- (c) engage and assist Member States, Indigenous Peoples and/or the private sector, by facilitating dialogue in order to achieve the ends of the UNDRIP.

The purposes of country engagement by EMRIP are multiple and may include:

- provision of independent advice and recommendations,
- facilitation of dialogue between different stakeholders,
- independent observations of and advice on the implementation of laws and policies to implement UNDRIP,
- capacity-building and awareness-raising.

The EMRIP may also support States in the implementation of recommendations made by other human rights mechanisms in relation to the human rights of Indigenous Peoples and may provide a deeper analysis of these recommendations.

Depending on the nature of the request, the modalities for country engagement may include: country missions; training activities for State institutions, Indigenous Peoples' organizations, national human rights institutions and other stakeholders; video or audio calls; in-person meetings in Geneva or in other locations; email exchanges; and formal communication through diplomatic channels.

States and Indigenous Peoples can **request the EMRIP to engage at the country level**. Country engagement may also include country missions by Expert Mechanism members at the request of States and/or Indigenous Peoples.

Requests from Indigenous Peoples should be submitted to the secretariat of the Expert Mechanism in OHCHR via e-mail to [expertmechanism@ohchr.org](mailto:expertmechanism@ohchr.org). For more information about the procedure to follow for submitting a request, visit: <http://bit.ly/Country-engagement-Request>

### **Country engagements since 2018**

To date, the Expert Mechanism has undertaken five country visits:

- [Finland](#) (February 2018, upon request of the Sámi Parliament of Finland): the purpose was to consider amendments to the Sámi Parliament Act.
- [Mexico](#) (March 2018, upon the request of the Secretariat of Rural Development and Equality for the Communities (SEDEREC)): the mission focused on the provisions regarding Indigenous Peoples in the Constitution of Mexico City, which was adopted in January 2017.
- [New Zealand](#) (April 2019, upon request of the Aotearoa Independent Monitoring Mechanism (AIMM) on behalf of the National Iwi Chairs Forum and the New Zealand Human Rights Commission): the mission focused on areas and specific measures to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples in New Zealand.
- Yaqui parties and Swedish Government (June 2019, upon request of International Indian Treaty Council (IITC)): the mission focused on the repatriation of Maaso Kova (ceremonial deer head), a sacred cultural item of the Yaqui People currently held by the Museum of Ethnography, which forms part of the Swedish National Museums of World Culture (the Museum or NMWC).
- COIAB/Brazil (2020-2021, upon request of the COIAB (Coordenação das Organizações Indígenas da Amazônia Brasileira)): the mission focused on the situation of indigenous peoples in Brazil during the COVID-19 crisis.

## **The Indigenous Peoples Preparatory Meeting**

The Indigenous Caucus meetings represent unique opportunities for Indigenous delegates to meet and to exchange information and experiences. During the Caucus sessions, joint statements, positions and recommendations are put together concerning agenda items of the EMRIP session or on other topics.

An Indigenous Caucus meeting will be held on Sunday, July 3, at 10:00 a.m. at the Ethnographical Museum of Geneva (MEG), Bd Carl-Vogt 65, 1205 Genève, Switzerland. Registration via [this form](#) is mandatory.

Interpretation will be provided by Docip in English, Spanish, French and Russian. The agenda is available in [FR/RU/SP/EN](#)

## **Relevant UN Background Documents**

Please find below a list of relevant UN background documents **regarding Indigenous Peoples' rights**.

### **The UNDRIP**

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted by the General Assembly on Thursday, 13 September 2007.

Today UNDRIP is the most comprehensive international instrument on the rights of Indigenous Peoples. It establishes a universal framework of minimum standards for the survival, dignity and well-being of the Indigenous Peoples of the world, and it elaborates on existing human rights standards as they apply to their specific situation. You can find the declaration here: <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>

### **The outcome document of the World conference on Indigenous Peoples**

In 2014, the World Conference on Indigenous Peoples took place in New York in order to share perspectives and best practices on the realization of the rights of Indigenous Peoples, including pursuing the objectives of the United Nations Declaration on the Rights of Indigenous Peoples. The two-day conference included three round tables and a panel discussion. The round table was held on the following topics:

- 1) UN system action for the Implementation of the Rights of Indigenous Peoples;
- 1) Implementing the Rights of Indigenous Peoples at the national and local level;
- 2) Indigenous Peoples' lands, territories and resources.

The panel's topic was: "Indigenous priorities for the post-2015 sustainable development agenda".

The World Conference resulted outcome document, which is available here: <http://bit.ly/wcip2014-doc>.

For more information visit the official website of the World Conference: <http://www.un.org/en/ga/69/meetings/indigenous/#amp;panel1-1> or <http://bit.ly/info-worldconference>

The UN summary of the two days is available here: <http://bit.ly/summary-2days>

### **System-wide action plan (SWAP)**

At the [2014 World Conference on Indigenous Peoples](#), the General Assembly requested the development of a system-wide action plan for a coherent approach to achieving the ends of UNDRIP.

The SWAP covers six elements:

- 1) Raise awareness on UNDRIP;
- 1) Support the implementation of the UN Declaration on the Rights of Indigenous Peoples, particularly at the country level;
- 2) Support the realisation of indigenous peoples' rights in the implementation and review of the 2030 Agenda for Sustainable Development;
- 3) Map existing standards and guidelines, capacities, training materials and resources within the United Nations system, international financial institutions and the members of the Inter-Agency Support Group on Indigenous Peoples' Issues for the effective implementation of the United Nations Declaration on the Rights of Indigenous Peoples;
- 4) Develop the capacities of States, indigenous peoples, civil society and United Nations personnel; and
- 5) Advance the participation of indigenous peoples in United Nations processes.

For more details, visit: <http://bit.ly/info-SWAP>

The complete System-wide action plan (in all UN languages) can be found here: <https://digitallibrary.un.org/record/3923907>

### **The ILO Convention 169**

The International Labour Organization (ILO) is responsible for the Indigenous and Tribal Peoples Convention, 1989 (No. 169), the only international treaty opened for ratification that deals exclusively with the rights of indigenous peoples. 23 countries have ratified it as of today.

The ILO Convention 169:

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C169](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C169)

For general information, visit: <http://bit.ly/ILO-indigenouspeoples>

## **The 2030 Agenda**

- The United Nations General Assembly adopted the 2030 Agenda for Sustainable Development on 25 September 2015.
- The Agenda came into effect on 1 January 2016 and will continue through the next 15 years. It is a broad and universal policy agenda, with 17 Sustainable Development Goals and 169 associated targets, which are described as integrated and indivisible.
- The report from the 18th Session (2019) of the Permanent Forum on Indigenous Issues has a dedicated section with recommendations related to the 2030 Agenda: <http://bit.ly/Report-UNPFII18>

In contrast to the MDGs, the SDGs explicitly include Indigenous Peoples. Two of the SDG targets make specific references to Indigenous Peoples, committing to double agricultural output of Indigenous small-scale farmers and to ensure equal access to education for Indigenous children. There is also a strong commitment in the 2030 Agenda to empower and engage Indigenous Peoples in implementing and reviewing progress in achieving the goals.

A short introduction paper to Indigenous Peoples' Rights and the 2030 Agenda is available to download here: [Briefing Paper on Indigenous Peoples' Rights and the 2030 Agenda](#).

For more information please visit: <http://bit.ly/PermanentForum-Agenda2030>

## **The Resolution on Participation of Indigenous Peoples at the UN**

On 8 September 2017, the United Nations General Assembly adopted, without a vote, a resolution titled, "enhancing the participation of Indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies on issues affecting them". This resolution is available here: <http://undocs.org/A/RES/71/321>

For more information please visit: <http://bit.ly/participationIP>

## Useful Phone Numbers and Contacts

<p><b>Expert Mechanism on the Rights of Indigenous Peoples</b>          Email: <a href="mailto:ohchr-expertmechanism@un.org">ohchr-expertmechanism@un.org</a></p>	<p><b>Voluntary Fund</b>          Tel: +41 22 928 91 64          Fax: +41 22 928 90 08          Email: <a href="mailto:indigenousfunds@ohchr.org">indigenousfunds@ohchr.org</a></p>	<p><b>FIDA/IFAD</b>          Indigenous Peoples and Tribal Issues  <b>Ms. Antonella Cordone</b>          Senior Technical Specialist          Email: <a href="mailto:a.cordone@ifad.org">a.cordone@ifad.org</a></p>
<p><b>Office of the United Nations High Commissioner for Human Rights (UNHCHR)</b>          Palais Wilson          52, rue des Pâquis          CH-1201 Genève, Suisse          Tel: +41 22 917 9220          Email: <a href="mailto:InfoDesk@ohchr.org">InfoDesk@ohchr.org</a></p>	<p><b>World Health Organization (WHO)</b>          General: +41 22 791 21 11          Email: <a href="mailto:info@who.int">info@who.int</a></p>	<p><b>UNDP (United Nations Development Programme)</b>  <b>UNDP Office in Geneva</b>          Palais des Nations          CH-1211 Geneva 10          Tel: +41 22 917 85 36</p>
<p>Civil Society Section          Telephone:          +41 22 917 9656          Email: <a href="mailto:civilsociety@ohchr.org">civilsociety@ohchr.org</a></p>	<p><b>International Labour Organization (ILO)</b>          General: +41 22 799 61 11          Project to Promote the Rights of Indigenous and Tribal Peoples (PRO 169)          Tel: +41 22 799 7556          Fax: +41 22 799 6344          Email: <a href="mailto:PRO169@ilo.org">PRO169@ilo.org</a></p>	<p><b>UNDP headquarters in New York</b>          One United Nations Plaza          New York, NY 10017 USA          Tel: +1 (212) 963-1234</p>
<p><b>Mr Jose Francisco Cali Tzay</b>          Special Rapporteur on the Rights of Indigenous Peoples          Email: <a href="mailto:indigenous@ohchr.org">indigenous@ohchr.org</a></p>	<p><b>World Intellectual Property Organization (WIPO)</b>          General: +41 22 338 91 11  <b>Mrs. Anna Sinkevich</b>          Indigenous Fellow          Email: <a href="mailto:anna.sinkevich@wipo.int">anna.sinkevich@wipo.int</a></p>	<p><b>The Equator Initiative (UNDP)</b>          Global Programme on Nature for Development          Tel: +1 (212) 906-6209          Email: <a href="mailto:info@equatorinitiative.org">info@equatorinitiative.org</a></p>
<p><b>Secretariat of the UN Permanent Forum on Indigenous Issues</b>          United Nations Secretariat Building          Salle S-2954          New York, NY 10017          Tel: +1 (917) 367-5100          Email: <a href="mailto:Indigenous_un@un.org">Indigenous_un@un.org</a></p>	<p><b>Food and Agriculture Organisation (FAO)</b>          Defense of Indigenous Peoples, advocacy partnerships and capacity-building  <b>Mr. Yon Fernandez-de-Larrinoa</b>          Email: <a href="mailto:yon.fernandezlarrinoa@fao.org">yon.fernandezlarrinoa@fao.org</a></p>	<p><b>Small Grants Programme</b>          Phone: +1 (646) 781-4385          Email: <a href="mailto:sgp.info@undp.org">sgp.info@undp.org</a></p>

## Indigenous Peoples' Centre for Documentation, Research and Information (Docip)

Docip Office  
 106 route de Ferney  
 1201 Genève  
 Suisse  
 Tel: +41 22 740 34 33  
 Email: [docip@docip.org](mailto:docip@docip.org)

**During the 15<sup>th</sup> session of the EMRIP, Docip's office will be located in Room E-1058-60**

Docip Services during the PFII	Contact
Translation of texts (English, French, Spanish, Russian)	Email: <a href="mailto:translation@docip.org">translation@docip.org</a>
Interpretation (English, French, Spanish, Russian)	Ms. Johanna Massa Email: <a href="mailto:johanna.massa@docip.org">johanna.massa@docip.org</a>
Documentation	Ms. Priscilla Saillen Email: <a href="mailto:priscilla.saillen@docip.org">priscilla.saillen@docip.org</a>
Legal support	Mr. Mathias Wuidar Email: <a href="mailto:mathias.wuidar@docip.org">mathias.wuidar@docip.org</a>
News and information dissemination	Mr. Pascal Angst Email: <a href="mailto:pascal.angst@docip.org">pascal.angst@docip.org</a>
Publications	Email: <a href="mailto:publications@docip.org">publications@docip.org</a>
Trainings	Mr. Rémi Orsier Email: <a href="mailto:remi.orsier@docip.org">remi.orsier@docip.org</a>
European Union mechanisms relating to Indigenous Peoples	Mr. Mathias Wuidar Email: <a href="mailto:mathias.wuidar@docip.org">mathias.wuidar@docip.org</a>
Contact Information of the Director	Mr. Rémi Orsier Email: <a href="mailto:remi.orsier@docip.org">remi.orsier@docip.org</a>

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