

# Toolkit for indigenous participants

Workshop on possible ways to enhance the participation of Indigenous Peoples in the work of the Human Rights Council.



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## **I. Historical background**

### **1. Milestones in the history of the representation of Indigenous Peoples at the UN (1923-1994)**

- In 1923, an Haudenosaunee Deskaheh named Levi General traveled to Geneva to defend the right of the Haudenosaunee to their lands at the League of Nations.
- In 1925, Maori leader Tahupōtiki Wiremu Rātana went on a similar journey. Both were denied access.
- In 1977, the NGO Conference on the Discrimination of Indigenous Peoples of the Americas was held. For the first time, about 100 Indians representing more than 60 indigenous nations from the two Americas entered the Palais des Nations in Geneva. They dialogued with member states and made their voices heard on various issues.
- In 1981, a second international conference was held at the UN on the theme " Indigenous peoples and their relationship with the land." While the first conference had focused on the Americas, this second meeting was more open and saw the participation of indigenous representatives from other parts of the world.
- In 1982, WGIP came to life and was completely open to the participation of Indigenous Peoples and their representatives, who had the right not only to participate but also to speak, submit documentation and make recommendations.
- In 1984, the "Cobo Report" was concluded. This report addressed a wide range of issues, including : the definition of Indigenous Peoples, the role of intergovernmental and nongovernmental organizations, the elimination of discrimination, basic human rights principles, special areas of action in areas such as health, housing, education, language, culture, social and legal institutions, employment, land, political rights, religious rights and practices, and equality in the administration of justice.
- In 1985, the General Assembly established the United Nations Voluntary Fund for Indigenous Peoples.
- In 1989, the ILO adopted a second treaty, the Convention on Indigenous and Tribal Peoples in Independent Countries, which aimed to rectify the assimilationist orientation of ILO 107.
- In June 1992, the Conference on Environment and Development was held in Rio de Janeiro and constituted an important development for indigenous peoples regarding their relationship with the United Nations.
- In June 1993, the Second World Conference on Human Rights was held in Vienna with hundreds of indigenous representatives. The conference called on states to "take concerted positive measures to ensure respect for all human rights and fundamental freedoms of indigenous peoples, on the basis of equality and non-discrimination, and to recognize the value and diversity of their distinct identities, cultures and social organizations."
- In 1993 the General Assembly proclaimed the International Year of the World's Indigenous Peoples.
- The International Decade of the World's Indigenous Peoples was proclaimed for 1995-2004 by the General Assembly.

- In 1994, the General Assembly had designated August 9 as the International Day of the World's Indigenous Peoples.

## **2. Milestones in the history of the representation of Indigenous Peoples at the UN (2000 to 2014)**

- In April 2000, the Commission on Human Rights adopted a resolution to establish the Permanent Forum on Indigenous Issues (UNPFII) with the mandate to discuss indigenous issues related to economic and social development, culture, environment, education, health and human rights.
- In 2001, the Commission on Human Rights decided to appoint a Special Rapporteur on the rights of indigenous peoples as part of the thematic special procedures system.
- In July 2003, the Secretary-General established the Trust Fund to support the United Nations Permanent Forum on Indigenous Issues.
- In the same year, the World Bank established the Global Fund for Indigenous Peoples to provide support for strengthening UNPFII and a pilot capacity building program for indigenous leaders in the Andean region of South America.
- In 2007 the General Assembly adopted the "United Nations Declaration on the Rights of Indigenous Peoples" (UNDRIP) which establishes a universal framework of minimum standards for the survival, dignity, well-being and rights of the world's indigenous peoples.
- In 2007, the Human Rights Council established the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) as a subsidiary body of the Council which mandate is to provides the Human Rights Council with expertise and advisory services on Indigenous Peoples' rights and to assists member states in achieving the goals of the UNDRIP.
- In December 2010, the General Assembly decided to hold a high-level plenary meeting called: "World Conference on Indigenous Peoples", to share perspectives and best practices on the realization of Indigenous Peoples' rights and to ensure that the promises of the UNDRIP were fulfilled and the rights of Indigenous Peoples were respected.
- In 2011, the Human Rights Council decided in its resolution 18/8 to hold an annual half-day roundtable on the rights of Indigenous Peoples.
- In June 2013, a global indigenous preparatory conference known as the "Global Indigenous Preparatory Conference for the United Nations World Conference on Indigenous Peoples" was held in Alta, Norway. The outcome document of this meeting set out the participants' recommendations for the World Conference on Indigenous Peoples.
- In June 2014, an informal interactive hearing was held with representatives of Indigenous Peoples and representatives of UN system bodies, academic institutions, national human rights institutions, parliamentarians, civil society, and nongovernmental organizations.
- In September 2014, the World Conference on Indigenous Peoples, was held in NYC. There, thousands of Indigenous Peoples, nations, representatives and governments supported the action of the United Nations

and four concrete measures for the implementation of the UNDRIP that were included in the final document of the Conference.

### **3. Enhancing the participation of Indigenous Peoples in UN processes (2015-2022)**

- In 2015, UNGA adopted resolution [70/232](#) on the rights of Indigenous Peoples, which established a process of consultation with indigenous organizations and institutions on how to improve their participation in the UN system.  
  
⇒ This resolution is the starting point for the consultation process and opened negotiations with states on possible solutions for Indigenous Peoples' organizations and institutions to participate more fully in the United Nations system.
- In November 2016, a dialogue meeting on enhanced participation of Indigenous Peoples in the UN was held on in Bangkok. The purpose of this meeting was to provide an opportunity for indigenous participants from the seven regions to consider and consolidate their positions and strategies with respect to the specific issues raised in the final compilation report of the GA ([A/70/990](#)).
- The consultation process initiated by resolution [70/232](#) included informal and regional meetings, and an electronic consultation for indigenous organizations. The results of the consultations showed that the main concern of Indigenous Peoples was the lack of flexibility in the UN system to allow their participation in meetings that affect them.
- In addition, it also appeared that recognition of indigenous organizations' participation was too often subject to states, whereas the main criteria should be self-identification as Indigenous Peoples. In addition, the results of the consultations also revealed the will/need to create a new category of observers for Indigenous Peoples to preserve the rights guaranteed by UNDRIP, such as the right to self-determination. In this first round of consultations, it was also pointed out that many UN meetings dealt with related indigenous issues without providing any funding for indigenous representatives or facilitating their participation, which did not grant real and meaningful legitimacy to these processes.
- In 2017, the General Assembly adopted resolution [71/321](#) entitled Enhancing the Participation of Indigenous Peoples' Representatives and Institutions in Meetings of Relevant United Nations Bodies on Issues Affecting Them, which started a process on this issue that is ongoing.
- The process of informal hearings began with the 17th session of the UNPFII in April 2018. [The first informal hearing](#) emphasized the need for proper recognition of Indigenous Peoples' governments and representative institutions that are for now considered as NGOs with ECOSOC status within the United Nations system, but are actually considered as governing bodies as such by Indigenous Peoples. This view was shared by some states who were able to agree on the creation of a new category of participation. Since the main point of participation for IPOs was to participate in the General Assembly and its subsidiary bodies, in the Economic and Social Council and in the Human Rights Council with its subsidiary bodies, the main demand for indigenous delegates in hearings was to be able to make oral and written statements in the mentioned mechanisms. Increased participation in the negotiation of resolutions on issues that concerned them was another key point that needed more attention. The selection committee of indigenous organizations that could benefit from this new category of participation should be composed of states and representatives of Indigenous Peoples from all regions, and self-identification would be the main criterion for selection.

- The [second informal hearing](#) was held during the 18th session of the UNPFII and emphasized the importance of self-identification and self-determination of Indigenous Peoples as Peoples in determining the selection criteria. This informal hearing also underscored the lack of agreement on the term "indigenous" and the lack of agreement on the definition of "Indigenous Peoples," which is crucial for defining the modalities of participation and selection criteria for greater participation within the UN system. The creation of an accreditation mechanism for Indigenous Peoples was discussed, and it was made clear that a new separate category for Indigenous Peoples' participation in the UN needed to be created. A general recommendation was to appoint a UN special representative for Indigenous Peoples, who would be appointed by the Secretary General. It was also discussed that Indigenous Peoples should be able to represent themselves in other fora besides UNPFII and EMRIP. The venues proposed so far are the UN organs as well as meetings of international treaty states, the UN General Assembly and its Second and Third Committees, ECOSOC, the Human Rights Council and conflict resolution processes. Regarding the modalities of Indigenous Peoples' participation, it was proposed that Indigenous Peoples could submit oral and written state statements, with the possibility of observer status.
- On 15 July 2019, pursuant to resolution [39/13](#), the HRC 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. The [A/HRC/44/35](#) report summarizes the proceedings of this HRC intersessional interactive dialogue.
- A third informal hearing was to be held during the 19th session of UNPFII in 2020 and was supposed to close the round of consultations before preparing the final report to be submitted to the 75th session of the UN General Assembly ([A/75/255](#)). For reasons related to the Covid-19 pandemic, the annual session of the UNPFII did not take place. Subsequently the third informal hearing with Indigenous Peoples convened by the President of the General Assembly did not take place either.
- In on January 5-10, 2020, a second Dialogue Meeting on Enhanced Indigenous Peoples' Participation at the United Nations was held in Quito, Ecuador. The purpose of the meeting was to provide an opportunity for indigenous representatives and experts to consider their positions and strategies on the ongoing process and outcomes. Four recommendations were made in the report: (1) That states supporting the views of Indigenous Peoples convene a meeting with the Secretary-General and the President of the General Assembly on this issue; (2) That states support the inclusion of Indigenous Peoples in all consultations and negotiations regarding the issue of increased participation of Indigenous Peoples in the United Nations; (3) That States request the PAG to hold a series of high-level informal meetings with States on the greater participation of Indigenous Peoples at the United Nations ; (4) That States work with Indigenous Peoples to seek common positions on ways and means to achieve greater participation of Indigenous Peoples at the United Nations.
- This dialogue meeting held to the adoption of the [Quito Outcome Document](#) and the creation of an Indigenous Coordinating Body.
- On 16 July 2021, a round table was held virtually on the margins of the 14th session of the EMRIP, pursuant to Council resolutions 42/19 and 45/12. The [A/HRC/49/59](#) report contains summaries of the opening statements and introductory presentations, and highlights of, and recommendations from, the interactive dialogue that followed.
- In October 2021, the UN Human Rights Council adopted [48/11 HRC Resolution on human rights and Indigenous Peoples](#). In said resolution the HRC requested the Office of the High Commissioner on Human Rights to convene a four-day workshop on possible ways to enhance the participation of Indigenous Peoples in the work of the Human Rights Council.

## **II. The Indigenous Coordinating Body (ICB)**

The Indigenous Coordinating Body was established by the [Quito Outcome Document](#) of the Second Dialogue Meeting on Enhanced Indigenous Peoples' Participation at the United Nations held in 2020 in Quito, Ecuador.

### **1. ICB's role**

ICB is composed of 16 members (two members from each seven indigenous regions) who's role is to :

- Facilitates participation of Indigenous Peoples in all consultations, negotiations and meetings to demonstrate to the UN what enhanced participation can look like.
- Seeks and uses innovative ways to further the enhanced participation process whilst taking into account the guidelines and principles in the Quito Outcome Document.
- Creates a network of Indigenous governments and representative institutions
- Builds the capacities of Indigenous Peoples representatives and experts to participate in the process, and for Indigenous governments to enjoy the enhanced status.
- Builds the capacities of States' representatives on the views of Indigenous Peoples in the process and its contribution to good governance.

### **2. Members**

- The members of the ICB are selected by their respective regions on the basis of prior experience and expertise on the topic of enhanced participation as well as in UN negotiations.
- The election of ICB members is the sole responsibility of the individual regions.
- The seven socio-cultural regions of the world, through their regional platforms select their members to the Indigenous Coordinating Body through collective endorsement.
- The election is final when the outcome of the selection of the regional processes is communicated to the Executive Secretary of the ICB.
- As a matter of principle, the ICB does not interfere in regional selection processes.
- The ICB received endorsement from the Indigenous Peoples caucus to the 15th Session of the Expert Mechanism on the Rights of Indigenous Peoples.

### **3. List of contacts**

<b>Africa</b>	Mrs. Mariam Wallet Aboubakrine	Ms. Aminatu Gambo	
<b>Contact</b>	<a href="mailto:mariamwma@gmail.com">mariamwma@gmail.com</a>	<a href="mailto:aminatu.gambo@iiwf.org">aminatu.gambo@iiwf.org</a>	
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<b>Asia</b>	Mr. Gam Shimray,	Mr. Binota Moy Dhamai	
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<b>Latin-America &amp; Caribbean:</b>	Mr. Juan Carlos Jintiach	Mr. Johnson Cerda	Mr. Pablo Mis
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<b>Russia</b>	Ms. Daria Egereva,	Ms. Yana Tannagasheva	Mr. Rodion Sulyandziga
<b>Contact</b>	<a href="mailto:dariandy7@gmail.com">dariandy7@gmail.com</a>	<a href="mailto:yanatann9a@gmail.com">yanatann9a@gmail.com</a>	<a href="mailto:rodion@csipn.ru">rodion@csipn.ru</a>

The executive secretary of the ICB is Mr. Mr. Ghazali Ohorella

### **III. Current status of Indigenous Peoples at the UN and Enhanced participation status**

#### **1. The current status of Indigenous Peoples at the UN**

Even though the United Nations has made important advances in recognizing indigenous rights and self-determination, their participation in highest decision-making processes of the United Nations is still limited.

The only participation category that currently exists for Indigenous Peoples at the UN is that of Non-Governmental Organizations which does not accurately reflect the status of Indigenous governments and leaders of a sovereign and self-determined Peoples.

With the perspectives that Indigenous Peoples have developed since time immemorial, they also want to be included in decision making related to peace and other global issues. However, their implication at the global scale remains limited and they can only speak on “indigenous issues”.

#### **2. The Enhanced Participation**

The Enhanced participation constitutes a new status, which:

1. is not based on Economic and Social Council accreditation requirements and
2. will be developed to allow Indigenous Peoples’ governments and representative institutions to participate in UN meetings
3. will distinguish them from the representatives of civil society institutions, national human rights institutions, non-governmental organizations, or local communities.

#### **3. For whom is this status?**

The Indigenous Peoples that are self-determinate and have their own government (which could be a parliament, assembly, congress, traditional council) or want to organize themselves as such to participate directly in the highest decision-making processes of the United Nations.

#### **4. Objective of Indigenous Peoples**

Pursuant to the universal application of the right of self-determination for all Peoples, Indigenous Peoples want that the UN recognize them as Peoples and Nations with their original free existence, their inherent sovereignty and their right of self-determination in international law. Indigenous Peoples want at a minimum standard, a permanent observer status within the UN system enabling their direct participation through their own governments and parliaments which include inter alia their traditional councils and authorities.



## IV. The Workshop

### 1. Date and venue

The expert workshop will be held from **Monday, 21 to Thursday, 24 November 2022**, 10 a.m. - 1 p.m. and 3 p.m. - 6 p.m. Geneva time, at the Palais des Nations, conference room XXVI, Building E.

### 2. Format

The expert workshop will consist of 8 meetings of the duration of 3 hours each and will include representatives from States, and representatives of Indigenous Peoples from the seven socio-cultural regions. The Expert Mechanism on the Rights of Indigenous Peoples, the Special Rapporteur on the rights of Indigenous Peoples and other relevant United Nations bodies will also contribute to the workshop. It will also be open to the participation of national human rights institutions and civil society.

### 3. Accreditation and entrance

⇒ Requests for registration for the expert workshop should be made online, through the Indico platform via :

<https://indico.un.org/event/1001537/>

⇒ If you need any assistance regarding your registration please contact : [lynne.mbabazimugabe@un.org](mailto:lynne.mbabazimugabe@un.org)

⇒ Please allow a minimum of three working days for your request to be processed. The registration will remain open until **10 a.m. Geneva time on Friday, 18 November 2022**.

⇒ Please be informed that, due to renovation works, **“Pregny Gate” will be closed to pedestrians**.

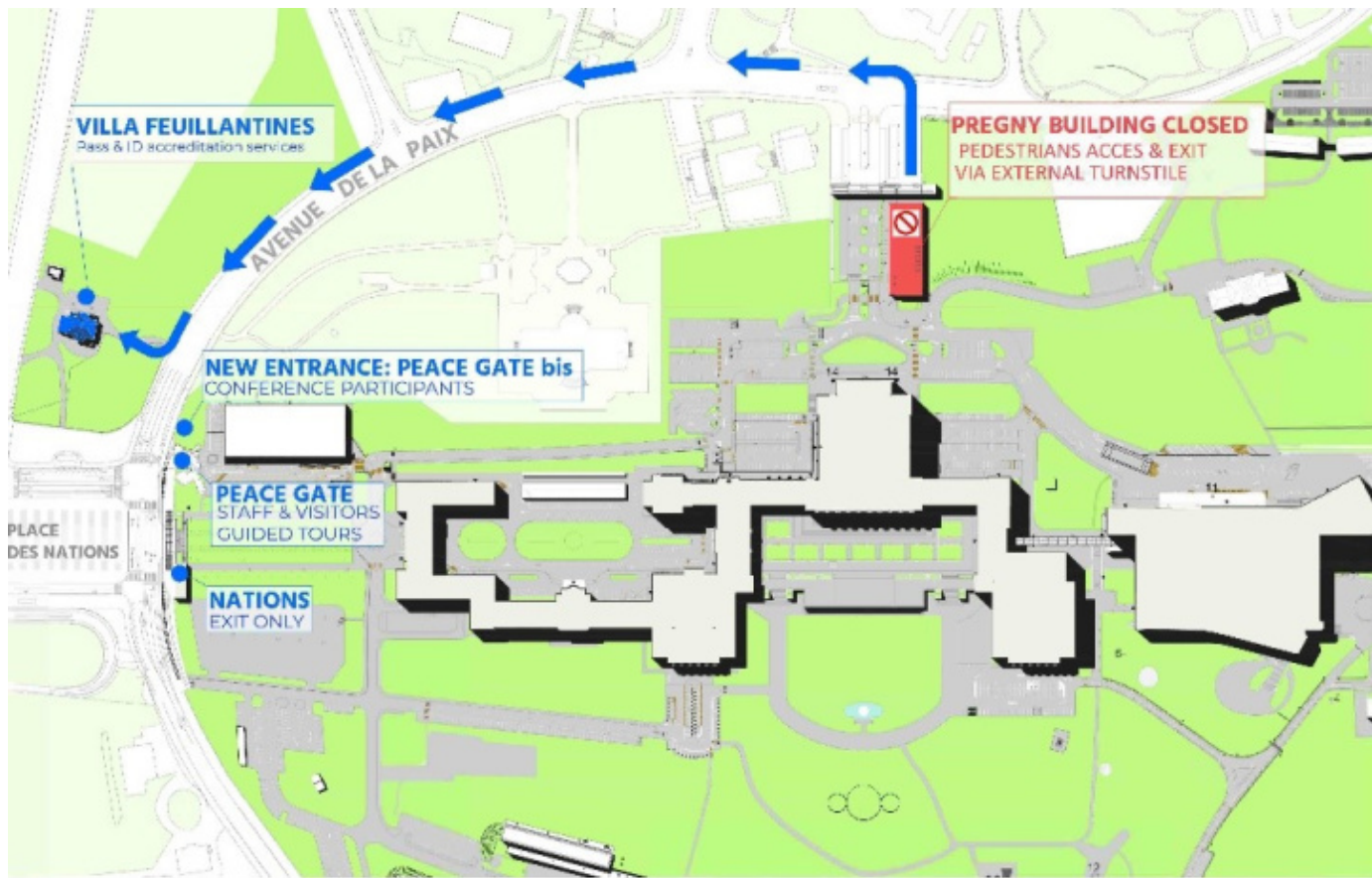
⇒ **To obtain access badges to the Palais des Nations**, conference participants, media, NGOs and members of Permanent Missions will need to go to:

⇒ *Villa Les Feuillantines, Avenue de la Paix 13, 1211 Genève 10*

⇒ ***The registration desk will be open during the weekdays from 8 a.m. to 4.45 p.m***

⇒ Following issuance of a badge, access to the Palais des Nations will be through the Peace Gate “bis”, a new temporary access screening point. Please refer to the following plans above indicating the location of Villa Les Feuillantines and how to access the premises through the Peace Gate "bis".

⇒ **See the maps next page**



### UPGRADE OF PREGNY BUILDING

Temporary relocation of Pass & ID Accreditation Services from September 2022 to June 2023



### UPGRADE OF PREGNY BUILDING

Temporary relocation of Pass & ID Accreditation Services from September 2022 to April 2023

## 4. Objectives of the workshop

The expert workshop aims:

- To examine possible ways to enhance the participation of Indigenous Peoples in the work of the Human Rights Council
- To make recommendations resulting from the discussion and submit them to the Human Rights Council

## 5. Outcome

A summary report on the discussion and the resulting recommendations will be prepared by OHCHR and submitted to the Council prior to its 53rd session.

## 6. Program of work and Agenda

The agenda of the workshop and the programme of the meetings will be posted on the OHCHR web page devoted to the workshop at: <https://www.ohchr.org/en/indigenous-peoples/expert-workshop-participation-indigenous-peoples-work-human-rights-council>

## 7. Topics to be addressed

The workshop will discuss the possible measures necessary to enhance participation of Indigenous Peoples in meetings of the Human Rights Council, including the procedural and institutional steps and selection criteria that should be applied for their participation.

The following topics will be addressed:

- ⇒ **Venues of participation:** Under this heading participants will discuss the opportunity for Indigenous Peoples' representatives and institutions to participate in meetings of the Human Rights Council, including the interactive dialogue with the Special Rapporteur on the rights of Indigenous Peoples; sessions of the Expert Mechanism on the Rights of Indigenous Peoples; and annual half-day discussion, panels and intersessional activities on the rights of Indigenous Peoples.
- ⇒ **Participation modalities:** under this heading participants will assess the modalities under which Indigenous Peoples participate in other United Nations mechanisms, such as the Expert Mechanism on the rights of Indigenous Peoples and the Permanent Forum on Indigenous Issues, to see whether any aspects of those modalities could be applicable to the work of the Human Rights Council. This would include the right to speak at specific times, to make written submissions and adequate seating arrangements. The current participation modalities in, as well as the procedures and practices of the Human Rights Council within the existing Institution Building package, will also be considered.
- ⇒ **Selection mechanism:** Selection mechanism: under this heading participants will discuss the nature and composition of a body/mechanism that will determine the eligibility of Indigenous People's representatives and institutions for accreditation as well as the details of the process.
- ⇒ **Selection criteria:** under this heading participants will discuss the criteria for determining the eligibility of Indigenous Peoples' representatives and Institutions for accreditation as such; the type of Indigenous Peoples' institutions that may qualify for a new category of participation and the designation of individual representatives of Indigenous Peoples.

## 8. Contribution from Indigenous Peoples

Indigenous Peoples have been invited to provide written contributions in English, French or Spanish, in Word format and of the maximum length of 2500 words by 31 October 2022. The contribution are available on the following page: <https://www.ohchr.org/en/calls-for-input/2022/call-submission-written-contribution-expert-workshop-possible-ways-enhance>

### V. Indigenous Caucus meetings

- ⇒ The Indigenous Caucus meetings are open to all Aboriginal delegates attending the Workshop. This is a unique opportunity for Aboriginal delegates to meet and exchange information and develop common strategies. During the Indigenous Caucus meetings, joint statements, positions and recommendations are developed.
- ⇒ The Indigenous Caucus meetings are interpreted into English, Spanish, French and Russian.
- ⇒ Discussions during the Caucus meetings are confidential.

#### 1. Preparatory Indigenous Caucus meeting

- ⇒ A preparatory Indigenous Caucus meeting will be held on **Sunday, November 20 from 10:00 a.m. to 5:00 p.m. at the Geneva Ecumenical Council of Churches located at 150 Route de Ferney 1218 Le Grand-Saconnex.**
- ⇒ To attend, please register via this form (<https://forms.gle/7bLNxr9ZTjRR3Mnv6>).
- ⇒ Sandwiches and drinks will be offered.

Time	Item
10:00 – 10:15	Opening: <ul style="list-style-type: none"><li>• Invocation by an indigenous leader</li><li>• Opening remarks by ICB</li><li>• Election of Co-Chairs</li></ul>
10:15 – 11:00	Scene Setting: <ul style="list-style-type: none"><li>• Brief introduction by Participants</li><li>• Brief presentation on the role and work of ICB</li><li>• Outcomes from the virtual discussions</li></ul>
11:00 – 13:00	Round table discussion: <ul style="list-style-type: none"><li>• Venues of Participation,</li><li>• Participation Modalities,</li><li>• Selection Criteria</li><li>• Mechanism</li></ul>
13:00 - 14:30	Lunch Break
14:30 - 16:30	Round table discussion cont'd: <ul style="list-style-type: none"><li>• Next steps</li><li>• Recommendations</li></ul>
16:30 - 16:45	Closing: <ul style="list-style-type: none"><li>• Workshop strategy and summary of next steps</li><li>• Logistics on daily caucus meetings</li></ul>

16:45 - 17:00	Closing invocation
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## 2. Daily Indigenous Caucus meetings

One hour daily Caucus meetings will be held in the morning before the plenary session as follows:

- ⇒ **Tuesday 22, November : 9am-10am (room XXVI)**
- ⇒ **Wednesday 23, November : 9am-10am (room XXVI)**
- ⇒ **Thursday 24, November : 9am-10am (room XXVI)**

## 3. Debriefing Indigenous Caucus meeting

A debriefing Indigenous Caucus meeting will be held on **Friday 25, November from 10am to 1pm** in the **Plenary room B of the CICG located in** Rue de Varembe 17, 1202 Genève, Suisse.