

United Nation Human Rights Council
Expert Mechanism on the Rights of Indigenous Peoples 1st Session

October 1 – 3, 2008

Palais de Nations, Geneva Switzerland

Opening statement by the great majority of the Indigenous Peoples Caucus delegations

The Indigenous Peoples' Caucus respectfully greets all delegations and congratulates with one voice the five members of the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) . We have confidence and faith in their sincerity, dedication and expertise and, and we offer them our support and assistance in carrying out their work. To be effective, this work must be undertaken with our in full partnership. Indigenous Peoples deserve our full commitment in this regard.

We also recognize the historic significance of this moment , when for the first time a UN body addressing the Rights of Indigenous Peoples is made up primarily of Indigenous experts.

In this spirit, we have worked together at the Indigenous Peoples' Preparatory Meeting for this session which took place on the 29th and 30th of September, to prepare the following recommendations and proposals for the consideration of the Expert members, addressing areas of key importance for their mandate.

I. Thematic advice and studies

- A. An overarching priority for the EMRIP should be to review and propose to the Human Rights Council mechanisms and measures, at the national, regional and international levels, for the implementation of the UN Declaration on the Rights of Indigenous Peoples and other International Human Rights Standards that promote and protect the rights of Indigenous Peoples in relation to all the themes and issues being considered.
- B. The Indigenous Peoples' Caucus takes note of the Human Right Councils resolution L.17 calling upon the EMRIP to “prepare a study on lessons learned and challenges to achieve the implementation of the right of Indigenous Peoples to education” and to “assist the Preparatory Committee by undertaking a review and submitting recommendations as contributions to the outcome of the Durban Review Conference”. The Caucus expresses our commitment and looks forward to contributing to these important studies. We encourage the members of the EMRIP to actively seek and incorporate the input of Indigenous Peoples in these and all other studies that it undertakes.

- C. The Indigenous caucus also recommends that the EMRIP, when defining priority areas for study or consideration, place particular importance on themes of global and cross cutting significance for Indigenous Peoples.

- D. In keeping with the need to ensure continuity and to build upon past work and achievements, the Indigenous caucus calls upon the members of the EMRIP to place particular emphasis on preparing a review of the current status of the recommendations and conclusions of the studies carried out by the Working Group on Indigenous Populations as well as the conclusions and recommendations of the Expert Seminars organized by the Office of the High Commissioner on Human Rights . These conclusions and recommendations, for example on “Indigenous peoples’ permanent sovereignty over natural resources” and “Treaties, Agreements and other Constructive Arrangements between States and Indigenous Peoples” among others, address issues of great importance for Indigenous Peoples that require further work and consideration. They also reflect input over many years from UN experts and Indigenous Peoples around the world..

II. Participation

- A. The Indigenous Caucus affirms that the full and effective participation of Indigenous Peoples in all its work must be assured, including contributions based on oral testimonies of traditional representatives, elders and knowledge-holders.

- B. Based on the successful methodologies used by the WGIP, the caucus recommends to the EMRIP that Indigenous Peoples, Nations and Representative organizations be called upon to assist the members in carrying out studies in areas of their interest and expertise.

- C. Adequate funding must be allocated by the United Nations to ensure that the EMRIP members are able to effectively carry out their work and the full and effective participation by Indigenous Peoples can also be assured . In all areas of its work the EMRIP must include the contributions of Indigenous women, youth, elders, children and persons with disabilities.

III. Other recommendations

- A. The Indigenous Caucus calls upon the EMRIP to recommend to the HRC that the UN Declaration for the Rights of Indigenous Peoples, as a standard adopted by the Council as well as the General Assembly, be one of the UN Human Rights standards which is used as a basis for the assessment of states under the UPR process.

- B. In accordance with the UN General Assembly resolution A/res/61/295 and the spirit and text of HRC resolutions 6/36 and L.17, the legal basis and framework for all work of the EMRIP must include the UN Declaration on the Rights of Indigenous Peoples.

- C. In Conclusion, the Caucus expresses our continued commitment to work actively with the members of the EMRIP to carry out their work and to strengthen their role and mandate for the promotion and protection of the rights of Indigenous Peoples in all parts of the world.

Thank you very much.