



# General Assembly

Distr.: General  
8 August 2014

Original: English

---

## Human Rights Council

Twenty-seventh session

Agenda item 5

Human rights bodies and mechanisms

### Report of the Expert Mechanism on the Rights of Indigenous Peoples on its seventh session, Geneva, 7–11 July 2014

*Chair-Rapporteur:* Albert Deterville

#### *Summary*

The Expert Mechanism on the Rights of Indigenous Peoples held its seventh session from 7 to 11 July 2014. In addition to members of the Expert Mechanism, the participants in the session included representatives of States, indigenous peoples, United Nations bodies and specialized agencies, non-governmental organizations, national human rights institutions and academic institutions.

The Expert Mechanism held a half-day session to discuss the World Conference on Indigenous Peoples, and a panel discussion on the post-2015 development agenda, before moving to a discussion on the follow-up to thematic studies and advice. The Expert Mechanism's follow-up study on access to justice in the promotion and protection of the rights of indigenous peoples, and its study on the promotion and protection of the rights of indigenous peoples in disaster risk reduction initiatives, were considered. Discussions on the United Nations Declaration on the Rights of Indigenous Peoples were held too, which included a panel discussion on the role of parliaments in the implementation of the Declaration.

The Expert Mechanism adopted the proposals to be submitted to the Human Rights Council at its twenty-seventh session. In particular, it adopted the follow-up study on access to justice in the promotion and protection of the rights of indigenous peoples, the study on the promotion and protection of the rights of indigenous peoples in disaster risk reduction initiatives, and the final summary of responses to the questionnaire seeking the views of States and indigenous peoples on best practices regarding possible appropriate measures and implementation strategies to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples.



## Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction.....	1	3
II. Adoption of studies, reports and proposals.....	2–11	3
A. Adoption of the follow-up study and advice on access to justice in the promotion and protection of the rights of indigenous peoples.....	3	3
B. Adoption of the study and advice on the promotion and protection of the rights of indigenous peoples in disaster risk reduction, prevention and preparedness initiatives .....	4	3
C. Adoption of the report summarizing the responses to the questionnaire seeking the views of States and indigenous peoples on best practices regarding possible appropriate measures and implementation strategies to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples .....	5	4
D. Proposals .....	6–11	4
III. Organization of the session .....	12–27	6
A. Attendance .....	12–15	6
B. Documentation .....	16–17	7
C. Opening of the session .....	18–21	7
D. Election of officers .....	22–26	8
E. Adoption of the agenda .....	27	8
IV. Panel discussion on the post-2015 development agenda.....	28–33	8
V. World Conference on Indigenous Peoples .....	34–51	10
VI. Follow-up to thematic studies and advice .....	52–56	13
VII. Study and advice on access to justice in the promotion and protection of the rights of indigenous peoples: restorative justice, indigenous juridical systems, and access to justice for indigenous women, children and youth and persons with disabilities .....	57–65	14
VIII. Study and advice on the promotion and protection of the rights of indigenous peoples in disaster risk reduction, prevention and preparedness initiatives .....	66–70	15
IX. United Nations Declaration on the Rights of Indigenous Peoples .....	71–81	16
X. Proposals to be submitted to the Human Rights Council .....	82–86	18
XI. Adoption of reports, studies and proposals .....	87–88	19
Annexes		
I. List of participants .....		20
II. Provisional agenda of the eighth session.....		22

## **I. Introduction**

1. In its resolution 6/36, the Human Rights Council established the Expert Mechanism on the Rights of Indigenous Peoples as a subsidiary body to assist the Council in the implementation of its mandate by providing it with thematic expertise on the rights of indigenous peoples, as requested by the Council. In the resolution, the Council established that the thematic expertise would focus mainly on studies and research-based advice, and that the Expert Mechanism may suggest proposals to the Council for its consideration and approval.

## **II. Adoption of studies, reports and proposals**

2. The Expert Mechanism adopted its follow-up study and advice on access to justice in the promotion and protection of the rights of indigenous peoples, its study and advice on the promotion and protection of the rights of indigenous peoples in disaster risk reduction initiatives, and the report summarizing the responses to the questionnaire seeking the views of States and indigenous peoples on best practices regarding possible appropriate measures and implementation strategies to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples.

### **A. Adoption of the follow-up study and advice on access to justice in the promotion and protection of the rights of indigenous peoples**

3. The Expert Mechanism on the Rights of Indigenous Peoples:

(a) Refers to paragraph 5 of Human Rights Council resolution 24/10, in which the Council requested the Expert Mechanism to continue its study on access to justice in the promotion and protection of the rights of indigenous peoples, with a focus on restorative justice and indigenous juridical systems, particularly as they relate to achieving peace and reconciliation, including an examination of access to justice related to indigenous women, children and youth and persons with disabilities, and to present it to the Human Rights Council at its twenty-seventh session;

(b) Adopts the study and advice on access to justice in the promotion and protection of the rights of indigenous peoples: restorative justice, indigenous juridical systems, and access to justice for indigenous women, children and youth and persons with disabilities (A/HRC/EMRIP/2014/3/Rev.1); and

(c) Authorizes Expert Member Danfred Titus, in consultation with the other members of the Expert Mechanism, to make the necessary revisions to the study in the light of discussions carried out at its seventh session and to submit the final study to the Human Rights Council at its twenty-seventh session.

### **B. Adoption of the study and advice on the promotion and protection of the rights of indigenous peoples in disaster risk reduction, prevention and preparedness initiatives**

4. The Expert Mechanism on the Rights of Indigenous Peoples:

(a) Refers to paragraph 6 of Human Rights Council resolution 24/10, in which the Council requested the Expert Mechanism to prepare a study on the promotion and protection of the rights of indigenous peoples in natural disaster risk reduction and

prevention and preparedness initiatives, and to present it to the Human Rights Council at its twenty-seventh session;

(b) Adopts the study and advice on the promotion and protection of the rights of indigenous peoples in disaster risk reduction, prevention and preparedness initiatives (A/HRC/EMRIP/2014/2);

(c) Authorizes the Chair-Rapporteur, in consultation with the other members of the Expert Mechanism, to make the necessary revisions to the study in the light of discussions carried out at its seventh session and to submit the final study to the Human Rights Council at its twenty-seventh session.

**C. Adoption of the report summarizing the responses to the questionnaire seeking the views of States and indigenous peoples on best practices regarding possible appropriate measures and implementation strategies to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples**

5. The Expert Mechanism on the Rights of Indigenous Peoples:

(a) Refers to paragraph 7 of Human Rights Council resolution 24/10, in which the Council requested the Expert Mechanism to continue to undertake, with the assistance of the Office of the United Nations High Commissioner for Human Rights (OHCHR), the questionnaire survey seeking the views of States and of indigenous peoples on best practices in implementing the Declaration;

(b) Adopts the updated report that summarizes the responses to the questionnaire seeking the views of States and of indigenous peoples on best practices regarding possible appropriate measures and implementation strategies to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples (A/HRC/EMRIP/2014/4);

(c) Authorizes the Chair-Rapporteur, in consultation with the other members of the Expert Mechanism, to make the necessary revisions to the report in the light of discussions carried out at its seventh session and to submit the report to the Human Rights Council at its twenty-seventh session.

**D. Proposals**

**Proposal 1: Study on the right to cultural heritage, including sports and traditional games**

6. The Expert Mechanism on the Rights of Indigenous Peoples:

(a) Proposes to the Human Rights Council that it authorize the Expert Mechanism to undertake a study on the promotion and protection of the right of indigenous peoples to their cultural heritage, including sports and traditional games.

**Proposal 2: World Conference on Indigenous Peoples**

7. The Expert Mechanism on the Rights of Indigenous Peoples:

(a) Proposes to the Human Rights Council that it organize a panel on the outcome of the World Conference on Indigenous Peoples and its implications for the implementation of the United Nations Declaration on the Rights of Indigenous Peoples; and

(b) Also proposes to the Human Rights Council that it urge the inclusion of the Expert Mechanism, the Permanent Forum on Indigenous Issues and the Special Rapporteur on the rights of indigenous peoples in the follow-up related to the World Conference.

**Proposal 3: Business and human rights**

8. The Expert Mechanism on the Rights of Indigenous Peoples:

(a) Proposes to the Human Rights Council that it take measures to ensure that the Expert Mechanism is included in the Council's ongoing initiatives relating to business and human rights;

(b) Also proposes that the Human Rights Council request the Expert Mechanism to convene a technical expert seminar, in collaboration with the Working Group on the issue of human rights and transnational corporations and other business enterprises, and with the participation of the Special Rapporteur on the rights of indigenous peoples and the Permanent Forum on Indigenous Issues, to elaborate guidance on the issue of indigenous peoples' access to justice and remedy in the context of business operations affecting their human rights. The technical expert seminar could be based on relevant reports by the Expert Mechanism and the above-mentioned Working Group and Special Rapporteur, and on other relevant documentation. The report of the expert seminar would be submitted to the next session of the Expert Mechanism and the Forum on Business and Human Rights and thus be transmitted to the Human Rights Council, so that it is taken into account in all of the Council's processes relating to human rights and business, including the work of the open-ended intergovernmental working group on a legally binding international treaty on human rights, transnational corporations and other business enterprises.

**Proposal 4: Implementation of the United Nations Declaration on the Rights of Indigenous Peoples**

9. The Expert Mechanism on the Rights of Indigenous Peoples:

(a) Proposes that the Human Rights Council urge States and indigenous peoples to report on the measures taken to implement the rights enshrined in the United Nations Declaration on the Rights of Indigenous Peoples, through the continuation of the Expert Mechanism's questionnaire survey. The Expert Mechanism will revise the questionnaire on the basis of its experiences and the lessons learned from implementing it over the past three years;

(b) Also proposes that the Human Rights Council call upon States to establish, with the full and effective participation of indigenous peoples, independent mechanisms to oversee and promote the implementation of the rights contained in the Declaration, and to ensure that those mechanisms are mandated to oversee the implementation of recommendations made by the human rights treaty bodies, the Human Rights Council's special procedures, the universal periodic review and other mechanisms relating to the rights of indigenous peoples. Such mechanisms should cooperate closely with regional and national human rights institutions;

(c) The Expert Mechanism reiterates its proposal whereby it:

Recognizes that the United Nations consultative arrangements for non-State entities can prevent indigenous peoples' governance bodies and institutions, including traditional indigenous Governments, indigenous parliaments, assemblies and councils, from participating in decision-making processes at the United Nations, as they are not always organized as non-governmental organizations; [and] proposes that the Human Rights Council encourage the General Assembly to adopt, as a matter of urgency, appropriate permanent measures to ensure that indigenous

peoples' governance bodies and institutions, including traditional indigenous Governments, indigenous parliaments, assemblies and councils, are able to participate at the United Nations as observers with, at a minimum, the same participatory rights as non-governmental organizations in consultative status with the Economic and Social Council (see A/HRC/18/43, proposal 3).

(d) The Expert Mechanism reiterates its proposal that the Human Rights Council review the language and terminology used in United Nations documents pertaining to the rights of indigenous peoples with a view to ensuring that they reflect the terminology contained in the United Nations Declaration on the Rights of Indigenous Peoples. It calls upon the United Nations and other international organizations to review their spelling rules with a view to using capital letters in spelling the term "Indigenous Peoples" (see A/HRC/24/49, proposal 3).

#### **Proposal 5: Post-2015 development agenda**

10. The Expert Mechanism on the Rights of Indigenous Peoples:

(a) Proposes that the Human Rights Council urge States to address the concerns of indigenous peoples in the post-2015 development agenda and to take measures to ensure the participation of indigenous peoples, and in particular indigenous youth, in national processes for the implementation of the new development goals.

#### **Proposal 6: Indigenous human rights defenders**

11. The Expert Mechanism on the Rights of Indigenous Peoples:

(a) Proposes that the Human Rights Council pay particular attention to indigenous human rights defenders in its work on this theme, drawing in particular on the work of the Special Rapporteur on the situation of human rights defenders and on Council resolution 25/18.

### **III. Organization of the session**

#### **A. Attendance**

12. The Expert Mechanism on the Rights of Indigenous Peoples held its seventh session from 7 to 11 July 2014 in Geneva. The members of the Expert Mechanism — Albert Deterville (Saint Lucia), International Chief Wilton Littlechild (Canada), Edtami Mansayagan (Philippines), Danfred Titus (South Africa) and Alexey Tsykarev (Russian Federation) — took part in the seventh session.

13. The participants in the seventh session of the Expert Mechanism included representatives of Member States, indigenous peoples, United Nations organizations and programmes, national human rights institutions, non-governmental organizations and academic institutions (see annex I).

14. Also participating in the session were Victoria Tauli Corpuz, the Special Rapporteur on the rights of indigenous peoples; Dalee Sambo Dorough, the Chair of the Permanent Forum on Indigenous Issues; and Shankar Limbu, a member of the Board of Trustees of the United Nations Voluntary Fund for Indigenous Peoples.

15. The session included panel discussions featuring representatives of OHCHR, the Indigenous Peoples of Africa Coordinating Committee and the Inter-Parliamentary Union. Crispin Gregoire, Special Adviser to the President of the General Assembly for the World Conference on Indigenous Peoples, and Les Malezer, Indigenous Adviser to the President

of the General Assembly, also participated, from New York via videoconference, during the agenda item on the World Conference.

## **B. Documentation**

16. The Expert Mechanism had before it the provisional agenda for the seventh session (A/HRC/EMRIP/2014/1), the annotated agenda (A/HRC/EMRIP/2014/1/Add.1) as prepared by OHCHR, the follow-up study on access to justice in the promotion and protection of the rights of indigenous peoples (A/HRC/EMRIP/2014/3/Rev.1), the study on the promotion and protection of the rights of indigenous peoples in disaster risk reduction initiatives (A/HRC/EMRIP/2014/2), and the report summarizing the responses to the questionnaire seeking the views of States and of indigenous peoples on the implementation of the Declaration (A/HRC/EMRIP/2014/4).

17. The Expert Mechanism also had before it the following conference room papers: “Compilation of conclusions and recommendations from the United Nations seminars on treaties, agreements and other constructive arrangements” (A/HRC/EMRIP/2014/CRP.1), “Article 31 of the United Nations Declaration on the Rights of Indigenous Peoples and the World Indigenous Nations (WIN) Games” (A/HRC/EMRIP/2014/CRP.2), and “Compilation of references to indigenous women and girls in reports and advice of the Expert Mechanism on the Rights of Indigenous Peoples (1st to 6th sessions)” (A/HRC/EMRIP/2014/CRP.3).

## **C. Opening of the session**

18. International Chief Wilton Littlechild, Chair of the Expert Mechanism, opened the seventh session of the Expert Mechanism. He introduced the Deputy High Commissioner for Human Rights, Flavia Pansieri, and the President of the Human Rights Council, Baudelaire Ndong Ella, who made opening remarks.

19. The Deputy High Commissioner drew attention to the importance of the Expert Mechanism’s thematic studies on access to justice and disaster risk reduction. She emphasized that the implementation of the Declaration was an ongoing challenge, and that even though its standards were often overlooked, there were many positive practices at the national level that should be replicated. She also described some highlights of OHCHR’s work to promote and protect the rights of indigenous peoples, including initiatives in Cambodia and Guatemala to facilitate access to justice for indigenous peoples.

20. The Deputy High Commissioner underlined the importance of an inclusive World Conference on Indigenous Peoples, with strong engagement by indigenous peoples, and expressed her hope that the World Conference would lead to concrete measures to improve the implementation of the Declaration, for example via more action plans and strategies for national-level implementation.

21. In his opening statement, the President of the Human Rights Council recognized the work of the Expert Mechanism and noted that its studies and advice had been well received by the Council and had positively contributed to the efforts to further the protection of the rights of indigenous peoples. He expressed his gratitude to the Expert Mechanism for the two studies being presented at the seventh session. He noted that the Council attached high importance to the United Nations Declaration on the Rights of Indigenous Peoples. He emphasized that the Council had continuously called for the full and effective participation of indigenous peoples during the preparatory process of the World Conference, and for the studies and advice of the Expert Mechanism to be considered in that preparatory process.

#### **D. Election of officers**

22. International Chief Littlechild invited the members of the Expert Mechanism to nominate a Chair-Rapporteur and a Vice-Chair for its seventh session. Mr. Tsykarev nominated Mr. Deterville as Chair-Rapporteur. Mr. Mansayagan nominated Mr. Tsykarev as Vice-Chair. Both were then appointed by acclamation.

23. The Chair-Rapporteur, Mr. Deterville, thanked the other members of the Expert Mechanism for his election. The Chair-Rapporteur welcomed the new member of the Expert Mechanism, Mr. Mansayagan.

24. The Chair-Rapporteur highlighted the work of the Expert Mechanism since the last session. That had included the follow-up study on access to justice in the promotion and protection of the rights of indigenous peoples. The study was informed by an expert seminar co-organized by the Faculty of Law of the University of Auckland and OHCHR. The Chair-Rapporteur discussed the Mechanism's work in completing the study on the promotion and protection of the rights of indigenous peoples in disaster risk reduction, prevention and preparedness initiatives, and its work on the questionnaire to States and indigenous peoples on best practices regarding possible appropriate measures and implementation strategies to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples.

25. The Chair-Rapporteur then outlined the Expert Mechanism's activities relating to the World Conference on Indigenous Peoples, which included participation in a panel discussion, at the twenty-fourth session of the Human Rights Council; in the World Conference on Indigenous Women, in Peru; in the International Parliamentary Conference on Parliaments and the Rights of Indigenous Peoples, in April 2014; in the thirteenth session of the Permanent Forum on Indigenous Issues, in May 2014; and in the informal consultation and interactive dialogues convened by the President of the General Assembly, which were held on 4 June and 17–18 June 2014 respectively.

26. In her statement during the opening session, the Special Rapporteur on the rights of indigenous peoples expressed her gratitude to the Human Rights Council and OHCHR for their support for coordination between the United Nations mandates relating to indigenous peoples' rights. She provided a brief overview of her mandate and stressed the importance of the topics of the studies undertaken by the Expert Mechanism. With regard to access to justice, she emphasized that indigenous peoples often did not actually enjoy the rights embedded in the United Nations Declaration on the Rights of Indigenous Peoples. She noted that this was particularly the case with women, children and persons with disabilities, who were often the victims of discrimination and violence. She also noted that since indigenous peoples often lived in fragile ecosystems, they were at particular risk of being affected by disasters. The Special Rapporteur stressed that this was a particularly important year for indigenous peoples, because of the World Conference on Indigenous Peoples.

#### **E. Adoption of the agenda**

27. The Expert Mechanism adopted the agenda and the programme of work of the seventh session (A/HRC/EMRIP/2014/1 and A/HRC/EMRIP/2014/1/Add.1).

### **IV. Panel discussion on the post-2015 development agenda**

28. The panel discussion on the post-2015 development agenda began with an introductory statement from the Chair-Rapporteur, who stressed that the post-2015 development agenda constituted the international community's road map for development



in the years to come. Therefore, it was crucial that indigenous peoples' rights be taken into consideration. The agenda must firmly reflect the United Nations Declaration on the Rights of Indigenous Peoples, particularly the rights to self-determination, to freely pursue their economic, social and cultural development, to determine and develop priorities and strategies for exercising the right to development and to participate in decision-making. The Chair-Rapporteur further emphasized the importance of indigenous peoples' involvement in national action plans, policies and programmes resulting from this international commitment.

29. This was followed by a presentation by a staff member of OHCHR's Millennium Development Goals section, who provided an overview of the post-2015 process to date, including the importance of integrating human rights dimensions. She identified five critical human rights elements to be included in the development agenda, as follows: (a) freedom from want (aligning socioeconomic goals with economic, social and cultural rights); (b) freedom from fear (including civil and political rights, such as political participation, access to justice, and personal security); (c) leaving no one behind, through the application of equality and non-discrimination; (d) ensuring international policy coherence (through strong global partnerships and international reforms based on the right to development); and (e) effective accountability through a strong framework.

30. The Special Rapporteur on the rights of indigenous peoples then made a statement which focused on the need to fully integrate indigenous peoples' perspectives, through their full and effective participation in all related processes, including the open-ended working group. She noted that indigenous representatives were asserting the need for a fourth pillar in development, namely culture, to be added to the existing three pillars of economic, social and environmental development. Indigenous peoples were advancing the need for indicators of well-being and sustainability to be used as measures of development, rather than relying on economic indicators. Furthermore, indigenous peoples were calling for the use of the terminology "indigenous peoples" rather than "indigenous and local communities" throughout the new sustainable development goals. Whereas in an earlier draft, goal 16 of the draft sustainable development goals had included a reference to indigenous peoples, and had also included the term "free" in the phrase "free, prior and informed consent", the term "free" had been removed in the present version of the zero draft. Both of those references should be reinserted. Furthermore, indigenous peoples' concerns should be integrated throughout the goals. Ms. Tauli Corpuz urged States and the Expert Mechanism to work towards ensuring that these concerns relating to the lack of recognition of indigenous peoples and their rights were addressed.

31. Joseph Itongwa, of the Indigenous Peoples of Africa Coordinating Committee and the Integration Programme for the Development of the Pygmy Peoples in Kivu, presented a regional and national perspective on indigenous peoples' involvement in the post-2015 development agenda based on his experiences in the Democratic Republic of the Congo. He outlined the challenges facing indigenous peoples in Africa in terms of development, including denial of their recognition as indigenous peoples, and marginalization of their participation in political life and in their access to health and education services. He indicated that the involvement of indigenous peoples was necessary in the development of national plans for the implementation of international development goals, and highlighted the importance of dialogue between States and indigenous peoples.

32. Mr. Tsykarev referred to the World Conference on Youth, which had been held in Colombo in May 2014 with the specific theme of mainstreaming youth in the post-2015 development agenda. The Colombo Declaration had been presented to the United Nations General Assembly for consideration, and Mr. Tsykarev noted that it encouraged States to allocate budgetary support to the creation of more and decent job opportunities for indigenous youth, and to develop programmes and policies aimed at eradicating violence

against the most marginalized groups of young people. He noted that a majority of the world's youth lived in rural settings in developing countries, with a lack of access to productive resources, and relied on their own labour to earn a living. Thus, it was vital to ensure that indigenous youth received support to participate in decision-making related to efforts aimed at the creation of decent rural employment, and at sustainable agricultural livelihoods and food production.

33. International Chief Littlechild noted the need to ensure that the post-2015 development agenda outcome document used the term "indigenous peoples" consistently with the Declaration. He referred delegations to the substantial research that had already been completed on the term "indigenous peoples", which served to protect the recognition of indigenous peoples. That research included a legal opinion produced for the Permanent Forum on Indigenous Issues. He highlighted the need to make the linkages between business and human rights in the context of the post-2015 development agenda, and to ensure the continued participation of indigenous peoples.

## **V. World Conference on Indigenous Peoples**

34. Mr. Tsykarev introduced the agenda item on the World Conference on Indigenous Peoples, noting the importance of that meeting for advancing the human rights of indigenous peoples. He noted the Expert Mechanism's commitment to working towards a successful World Conference, as one of the United Nations bodies specifically identified in General Assembly resolution 66/296, as well as its continued calls for the full, equal and effective participation of indigenous peoples at all stages of the World Conference, including its preparatory meetings. He invited participants to refer to the Expert Mechanism's studies and advice to inform the development of the outcome document.

35. Mr. Gregoire, Special Adviser to the President of the General Assembly for the World Conference on Indigenous Peoples, and Mr. Malezer, Indigenous Advisor to the President of the General Assembly, joined the session from New York via videoconference on 7 July 2014. Mr. Gregoire indicated that the zero draft would be available soon for discussion and would form the basis for discussions at the informal interactive consultation being held on 16 July 2014. Mr. Malezer indicated that he and Mirna Cunningham, the other Indigenous Advisor to the President of the General Assembly, had been fully involved in the process to date.

36. The Special Rapporteur on the rights of indigenous peoples indicated that it would be important for the four themes outlined in the Alta outcome document to be reflected in the zero outcome document. The Chair of the Permanent Forum on Indigenous Issues, Ms. Sambo Dorough, agreed, and indicated that it was positive to see the equity of advisors, namely two indigenous advisors and two State advisors, as well as reliance on the Alta outcome document. Hjalmar Dahl, co-Chair of the Global Coordinating Group, emphasized that the final outcome document should be concise and action-oriented, with concrete recommendations, time frames and follow-up mechanisms, and should reflect the priorities of all indigenous regions.

37. International Chief Littlechild stated that from a preliminary review of the outcome document, he was pleased to note that several elements of the Expert Mechanism's work were reflected in the zero draft, specifically in relation to access to justice and to the interventions made by the Expert Mechanism at the informal interactive hearing held in June 2014 in New York. Furthermore, he was encouraged by the adherence to Human Rights Council resolution 24/10, paragraph 8 (b), wherein the Human Rights Council recommends that the studies and advice of the Expert Mechanism be considered in the preparatory process to the World Conference. He noted that the Expert Mechanism's

interventions, studies and advice appeared throughout the zero draft, for example those on access to justice.

38. International Chief Littlechild also raised some concerns. Firstly, reference to the role of parliamentarians was excluded. Secondly, he pointed out that, in the zero draft, only 11 out of 39 paragraphs articulated specific actions; the commitment to action needed to be strengthened in order to advance the rights of indigenous peoples in accordance with the United Nations Declaration on the Rights of Indigenous Peoples. Furthermore, specific mention should be made of treaties, agreements and other constructive arrangements. In relation to paragraph 31 of the zero draft, reference should be made to physical health where mental health is currently mentioned, so that it would read “health, including physical and mental health”, in order to promote the rights of indigenous peoples to sport and traditional games, in accordance with article 31 of the United Nations Declaration on the Rights of Indigenous Peoples.

39. On the positive side, he noted that the zero draft referenced the action of appointing a high-level indigenous representative, such as an Assistant Secretary-General or an Under-Secretary-General; the creation of a Third International Decade of the World’s Indigenous Peoples; and the call for a system-wide action plan.

40. International Chief Littlechild drew attention to the cover letter from the President of the General Assembly, dated 8 July 2014, in which it was stated that “consultations will enter an intergovernmental process and continue among Member States as required” following the consultation being held on 18 August 2014. This ran counter to the provisions of the United Nations Declaration on the Rights of Indigenous Peoples, and to the Expert Mechanism’s studies and advice, on the right of indigenous peoples to participate in decision-making.

41. He stated that the principle emphasized at the two informal interactive hearings was that the outcome document should build on the strengths of the Declaration, and of other international norms and standards, including International Labour Organization (ILO) Convention No. 169 (1989) concerning Indigenous and Tribal Peoples in Independent Countries.

42. Several State and indigenous representatives provided key recommendations relating to the outcome document, including the recommendation that it should be shorter and more action-oriented (for example, calling for the adoption of national laws, policies and procedures and constitutional reforms, along with adequate budget allocations at the national level) and concise. It should be the result of the full, equal and effective participation of indigenous peoples. Participants noted that it should be based on the Alta outcome document (or, at a minimum, the Alta outcome document should be included as an appendix), and on a consensus between States and indigenous peoples. Participants indicated that it should refer to the work of the Secretary-General in the study on ways and means of promoting the participation of indigenous peoples’ representatives within the United Nations system (A/HRC/21/24). Other participants mentioned that one positive action to include in the outcome document would be the appointment of a high-level indigenous representative, to be established within the United Nations system. Many participants emphasized that the outcome document must advance the implementation of the Declaration.

43. States and indigenous peoples suggested additional themes for the round-table discussions. There was, for example, a suggestion for the inclusion of economic development and the promotion of indigenous cultures and businesses. Other suggestions included referencing treaties, agreements and other constructive arrangements, and taking a comprehensive approach to all forms of violence against indigenous women and girls.

Mr. Gregoire indicated that the topics for the round-table discussions had not yet been finalized.

44. The Expert Mechanism returned to agenda item 3 upon the release of the zero draft. While the availability of the zero draft was commended, many of the observers taking the floor emphasized that they had only had a limited time to examine the document and, as such, could only provide preliminary observations.

45. Indigenous observers referred in a positive way to certain elements of the zero draft but also issued numerous calls for its further strengthening. In that respect, the importance of the forthcoming consultations was emphasized.

46. Many participants referred to the Alta outcome document, stressing the importance of annexing it to the outcome document. Concerns were raised about the lack of inclusion of some proposals contained in the Alta outcome document in the zero draft. The examples given included the lack of explicit language on the proposed supervisory mechanism of the Declaration, although there was an important reference to the request by the General Assembly to seek guidance from the Human Rights Council to improve implementation of the Declaration. The proposals for a new high-level representative to be appointed by the Secretary-General also prompted interest, and the importance of a reference to treaty bodies was highlighted.

47. Indigenous observers stated that some provisions of the zero draft were already covered by relevant articles of the Declaration. They also expressed their concern over the fact that, after 18 August 2014, the process may be transferred into an intergovernmental context, which could potentially exclude indigenous peoples. They emphasized that the full participation of indigenous peoples should be continued at all stages. They supported the proclamation of the Third International Decade of the World's Indigenous Peoples, with its goal of international cooperation for the implementation of the Declaration.

48. Indigenous participants identified the importance of using the outcome document to advance indigenous peoples' rights. At a parallel level, it was noted that such an advancement must be reflected in the post-2015 development agenda.

49. The Global Indigenous Youth Caucus called for stronger language in terms of the commitments by States, in order to reflect stronger commitment to following through on the outcome document, with the aim of further implementing the Declaration and the rights of indigenous peoples contained therein.

50. In sum, there was a clear consensus for ensuring that the World Conference and its outcome document provided a firm commitment to the standards of the Declaration, without any backsliding in respect of the standards that it contains. Observers also stressed that the outcome document should be endorsed by consensus.

51. Mr. Gregoire joined the session once again via videoconference after the zero draft of the outcome document had been released and the participants and experts had had an opportunity to discuss it. Mr. Tsykarev provided a summary of those discussions to Mr. Gregoire, who identified the importance of conveying perspectives on the zero draft at the upcoming consultations on 16 July and 18 August 2014. Mr. Tsykarev thanked Mr. Gregoire and the advisors to the President of the General Assembly for their hard work and commitment to ensure that the World Conference results in an outcome document that makes a concrete contribution to the implementation of the Declaration.

## VI. Follow-up to thematic studies and advice

52. Mr. Mansayagan introduced the agenda item on follow-up to thematic studies and advice by recalling the Expert Mechanism's mandate and listing the studies and advice previously issued by the Expert Mechanism. He added that the studies and advice were meant to provide a better understanding of the provisions of the Declaration and to propose concrete actions that States, indigenous peoples, civil society, international organizations, national human rights institutions and others could take in order to further its implementation. He noted that the studies of the Expert Mechanism placed special emphasis on the participation of indigenous peoples themselves in decisions affecting them. He also highlighted the role that the Expert Mechanism's studies and advice could play in the preparation of the outcome document of the World Conference on Indigenous Peoples.

53. A good practice was shared with regard to implementation of the Expert Mechanism's advice No. 2 on the right to participation in decision-making, in connection with indigenous youth, through the development of the Empowered Communities initiative in Australia. That programme aimed to strengthen local indigenous leadership and governance and to ensure that indigenous peoples had a greater say in how government services were delivered in their regions.

54. Some statements from indigenous peoples' organizations, referring to the Expert Mechanism's studies on languages and culture and on education, drew attention to the fact that in certain countries, indigenous peoples were still denied the right to obtain education in their native language. Statements also lamented the fact that the right to participate in decision-making, particularly with regard to lands, education and language, remained unfulfilled in many cases.

55. International Chief Littlechild provided updates relating to previous Expert Mechanism studies. First, in connection with the study on the right to education and the study on the role of languages and culture, he noted that work was continuing on First Nations control of First Nations education in Canada. Furthermore, he reviewed a groundbreaking, unanimous decision by the Supreme Court of Canada declaring the existence of aboriginal title for the Tsilhqot'in people in *Tsilhqot'in Nation v. British Columbia*, 2014 SCC 44, which relates to the Expert Mechanism's follow-up study on the right to participate in decision-making, with a focus on extractive industries (A/HRC/21/55). It declared the existence of aboriginal title for the Tsilhqot'in people and indicated the need to include indigenous peoples' views on the granting of licences.

56. Referring to the study on the role of languages and culture, Mr. Tsykarev discussed some of the challenges that indigenous peoples faced in ensuring that their languages were transmitted across generations, such as efforts at assimilation and linguistic integration. He stressed that indigenous peoples' right to autonomy in education included the right to set their own priorities in education and to participate effectively in the development, implementation and evaluation of plans, programmes and services in education, as well as the right to establish and control their own educational systems and institutions. In that regard, he pointed out that reductions of hours for teaching indigenous languages in order to increase the teaching of the mainstream language could not be made without consultation with indigenous peoples.

## **VII. Study and advice on access to justice in the promotion and protection of the rights of indigenous peoples: restorative justice, indigenous juridical systems, and access to justice for indigenous women, children and youth and persons with disabilities**

57. Mr. Titus introduced the follow-up study on access to justice with a focus on restorative justice, indigenous juridical systems and access to justice for indigenous women, children and youth and persons with disabilities. Before providing an overview of the study's contents, he expressed the Expert Mechanism's gratitude to the University of Auckland and OHCHR for jointly organizing the expert seminar on the topic of the study, which took place in Auckland, New Zealand, on 17 and 18 February 2014, as well as to the experts who participated in the seminar, for their invaluable contributions. He also thanked the States, the indigenous peoples' organizations and the national human rights institutions that had contributed to the study through written submissions.

58. International Chief Littlechild emphasized the need to refer to the Expert Mechanism's advice on access to justice in the lead-up to the World Conference and the finalization of its outcome document.

59. Mr. Tsykarev referred to the positive practice of there being indigenous rights ombudsmen, as was the case in the Russian Federation, and as mentioned in the report of the sixth session of the Expert Mechanism and the report of the Permanent Forum on Indigenous Issues on its thirteenth session. However, he urged all actors to ensure that this "good practice" was fully and widely implemented before presenting it at the international level. Mr. Tsykarev called on all stakeholders to ensure that there was no regress in the implementation of positive practices, and that all measures had a systemic character, rather than a one-off nature. He also highlighted the important role that human rights defenders played in supporting indigenous peoples' access to justice, stressing that it was unacceptable to intimidate and illegally detain human rights defenders.

60. State delegations and indigenous peoples' representatives gave generally positive statements regarding the follow-up report on access to justice, noting in particular its emphasis on indigenous women, children and youth and persons with disabilities, and on the right of indigenous peoples to exercise their traditional justice systems. Participants also commended the Expert Mechanism for emphasizing the fact that a holistic approach to access to justice was necessary. The New Zealand Human Rights Commission, for example, illustrated how, in New Zealand, the interlinked issues of crime, vulnerable families and victims of crime were being addressed in partnership with indigenous community leaders. In several regions of the country, a Community Justice Panel, made up of Maori leaders and elders, meets with offenders to agree on a way to repair harms caused and to deal with factors that led to the offending. In addition, participants agreed with the study's emphasis on the fact that indigenous juridical systems needed to be properly resourced and funded if they were to be effective and sustainable in facilitating indigenous peoples' access to justice.

61. Interventions from the floor brought up certain barriers to accessing justice that had either been omitted from the study or had not been addressed sufficiently. These included environmental justice and access to justice over issues relating to land and natural resources, situations in which indigenous peoples were not recognized as such, the link between self-determination and access to justice, and discrimination in accessing justice based on sexual orientation and gender identity.

62. Several participants referred to the link between education, including human rights education, and access to justice. In that regard, the technical secretariat of the United Nations Indigenous Peoples' Partnership highlighted an initiative that it supported in the Republic of the Congo, whereby the 2011 Law on the Promotion and Protection of the Rights of Indigenous Populations was being translated into indigenous languages and its contents were being disseminated via television and radio.

63. Several participants discussed the challenges that language and cultural barriers posed to indigenous peoples when accessing justice, particularly the non-recognition of their languages. In that regard, Mr. Tsykarev pointed out that legal proceedings often ignored the language and culture of indigenous peoples, and that it was crucial to build the capacity of judges, lawyers and prosecutors in such a way as to provide them with a better understanding of the traditions and rights of indigenous peoples. Making reference to some cases, he stressed the need to respect the identity and linguistic rights of indigenous individuals in the criminal justice system, regardless of whether a defendant was guilty or not. Several States, including Mexico and Guatemala, described programmes run in their countries for facilitating interpretation and translation into indigenous languages in legal proceedings.

64. Some participants contributed specific suggestions for strengthening the text of the study. One participant suggested that, in addition to calling for greater gender balance in indigenous and non-indigenous justice systems, the text should also call for greater representation of indigenous women in international legal systems, such as the human rights treaty bodies. The same participant also called for a distinction to be made in the study between "ancestral courts", rooted in indigenous juridical concepts, and those modelled on colonial juridical concepts.

65. In closing the discussion on the study, Mr. Titus suggested that the advice should include a point on the role that national human rights institutions could play in contributing to the dissemination and promotion of the advice of the Expert Mechanism among the judiciary and the legal profession, so that it could be used to inform legal cases and opinions.

## **VIII. Study and advice on the promotion and protection of the rights of indigenous peoples in disaster risk reduction, prevention and preparedness initiatives**

66. Mr. Deterville introduced the study on the promotion and protection of the rights of indigenous peoples in natural disaster risk reduction, prevention and preparedness initiatives. Before going on to provide a summary of the study, he expressed his thanks to all those who had contributed to it. He underlined that since an expert seminar had not been held on the topic of the study, the seventh session provided an opportunity to receive additional contributions regarding the promotion and protection of the rights of indigenous peoples in disaster risk reduction initiatives, as well as to receive feedback from States and indigenous peoples on the study's contents.

67. Several State delegations made reference to both good practices and remaining challenges in addressing the promotion and protection of the rights of indigenous peoples in the context of disaster risk reduction. For example, the United States of America mentioned an outreach campaign specifically for tribal governments, which was designed to raise awareness and build emergency management capacity and was entitled Ready Indian Country. Guatemala described initiatives that it had taken, such as the development of risk and vulnerability maps with the participation of indigenous women, as well as several training and awareness-raising initiatives on disaster risk reduction specifically targeted at

indigenous communities. Mexico stressed the importance of providing information on disaster risk reduction in indigenous languages, highlighting a programme whereby 120 public information messages had been recorded and disseminated in the local indigenous languages of eight states with high disaster risk. The Plurinational State of Bolivia stressed the links between vulnerability to disasters and broader challenges such as poverty and the need for a more harmonious relationship with nature, referring to its *Ley Marco de la Madre Tierra*, which in addition to establishing a basis for sustainable development in harmony with nature, also created a national framework for the prevention and reduction of risk and vulnerability to disasters.

68. The New Zealand Human Rights Commission commented on the impact of the 2010 Canterbury earthquakes on the Maori population. This example illustrated the impact that disasters could have on urban indigenous peoples living in high-risk areas. The Commission mentioned resources that had been developed following the earthquakes, including a document produced by the Ministry of Civil Defence and Emergency Management entitled “Including culturally and linguistically diverse communities: information for the civil defence and emergency management sector”.

69. Indigenous peoples’ representatives called upon the Expert Mechanism to give more emphasis to the role played by extractive industries in exacerbating disaster risk, and drew attention to man-made causes of disasters. Specific suggestions were made as to how the study could better address the contribution of traditional knowledge to disaster risk reduction. The Asia Indigenous Caucus, for example, noted that indigenous peoples should not only be looked upon as “vulnerable people”, but rather as ecosystem experts who had a sound knowledge of and intimate relationship with the environment. Several examples mentioned by indigenous peoples illustrated how they, while inhabiting some of the most fragile ecosystems and locations on the planet, had developed unique strategies for coping with climate change and other drivers of disasters. Several interventions also emphasized the link between vulnerability to disasters and insecurity over land tenure and resources.

70. International Chief Littlechild intervened to make three points. First, it was important to link the examination of the topic of disaster risk reduction to the right of indigenous peoples to self-determination, as articulated in the Expert Mechanism’s follow-up study on the right to participate in decision-making, with a focus on extractive industries, specifically paragraphs 11, 12, 44 and 45, as well as Expert Mechanism advice No. 4, and its comment on the Guiding Principles on Business and Human Rights. Those documents provided guidance for States, businesses and indigenous peoples that was aimed at ensuring respect for the right to self-determination; for free, prior and informed consent; and for the full, equal and effective participation of indigenous peoples in the global post-2015 framework for disaster risk reduction. Second, he highlighted the importance of the United Nations system, and of States, providing financial support for indigenous peoples’ participation in relevant United Nations forums, particularly in relation to the post-2015 development agenda. Third, he highlighted a good practice in Canada whereby indigenous peoples and governments worked in partnership to address natural disaster risk reduction via the country’s Emergency Management Agency.

## **IX. United Nations Declaration on the Rights of Indigenous Peoples**

71. Prior to opening the discussion on the United Nations Declaration on the Rights of Indigenous Peoples, International Chief Littlechild provided an overview of the Expert Mechanism’s work in that area, including a review of the final summary of responses to the questionnaire seeking the views of States and indigenous peoples on best practices regarding possible appropriate measures and implementation strategies to attain the goals of



the Declaration. He announced the availability of three conference room papers: “Compilation of conclusions and recommendations from the United Nations seminars on treaties, agreements and other constructive arrangements” (A/HRC/EMRIP/2014/CRP.1), “Article 31 of the United Nations Declaration on the Rights of Indigenous Peoples and the World Indigenous Nations (WIN) Games” (A/HRC/EMRIP/2014/CRP.2), and “Compilation of references to indigenous women and girls in reports and advice of the Expert Mechanism on the Rights of Indigenous Peoples (1st to 6th sessions)” (A/HRC/EMRIP/2014/CRP.3).

72. Participants heard from Shankar Limbu on behalf of the Board of Trustees of the United Nations Voluntary Fund for Indigenous Peoples. Mr. Limbu announced the historic and highly significant change of the Fund’s name from the Voluntary Fund for Indigenous Populations to the Voluntary Fund for Indigenous Peoples, bringing the name into conformity with the Declaration. He provided an overview of the Fund’s support for indigenous representatives in 2013 and 2014, including support for the participation of 84 indigenous representatives at the upcoming World Conference.

73. A panel discussion followed, on the role of parliaments in the implementation of the Declaration. First, International Chief Littlechild provided an overview of the Expert Mechanism’s activities relating to the implementation of the Declaration, including his presentation to the Inter-Parliamentary Conference on Parliaments and the Rights of Indigenous Peoples, held in Santa Cruz de la Sierra, Plurinational State of Bolivia, where he had outlined concrete actions that could be taken towards implementation at the national level. He also emphasized the importance of consent, as opposed to consultation, in order to attain the standards contained in the Declaration. He noted the importance of considering the Santa Cruz Declaration in the World Conference’s deliberations and follow-up.

74. Akiyo Afouda, Human Rights Officer at the Inter-Parliamentary Union (IPU), provided a comprehensive overview of the work of IPU and of its structure and strategies. He outlined the concrete activities of IPU that were aimed at promoting indigenous peoples’ rights and the Declaration, which included a joint project with the United Nations Development Programme on the representation of minorities and indigenous peoples in parliaments, the Chiapas Declaration of 2010, and, most recently, the Santa Cruz Declaration of April 2014. He outlined the focal areas in the Santa Cruz Declaration: the importance of free, prior and informed consent, and national action plans for implementing the Declaration. He outlined IPU’s plans to contribute to the World Conference, which would include sharing the findings of its survey on the representation of indigenous peoples in parliaments.

75. María Eugenia Choque Quispe, Vice-Chair of the Permanent Forum on Indigenous Issues, spoke about the implementation of the Declaration and about the discussions that had taken place at the conference in Santa Cruz. She highlighted the discussions about good practices and about administrative and legislative measures designed to promote implementation. She stressed the need for parliamentarians to participate in the World Conference. She discussed the importance of non-discrimination in achieving the objectives of the Declaration, and called particularly for attention to be paid to the protection of indigenous women (including their right to participate in decision-making) and of indigenous youth. Ms. Choque Quispe noted the need to provide training to parliamentarians on indigenous peoples’ rights and world views, and for budgetary allocations for implementation measures.

76. Johnson Ole Kaunga, of the Indigenous Movement for Peace Advancement and Conflict Transformation (Kenya) provided a national example of implementation of the Declaration by parliamentarians in Kenya, where pastoralists had formed an ad hoc Pastoralist Parliamentary Group that facilitated progress on issues affecting indigenous peoples. One of the challenges was the internal system, composed of a National Assembly

and a Senate, which made it challenging for indigenous peoples to understand how to approach issues, or at what level of government. Another barrier that Mr. Ole Kaunga identified was parliamentarians' lack of awareness about the rights of indigenous peoples, which precluded them from being interested in educational efforts, given their perception that it was a politically sensitive issue.

77. Mr. Tsykarev commended IPU for holding a panel discussion on promoting international commitments and defending the rights of vulnerable groups, including indigenous peoples, during its 129th session, in October 2013. Specific attention had been paid during the panel discussion to ILO Convention No. 169 and to the Convention for the Safeguarding of the Intangible Cultural Heritage. He called for the inclusion of parliamentarians in the national delegations that would be attending the World Conference on Indigenous Peoples. He pointed out that it was crucial not only to ensure the participation of indigenous peoples in parliaments, but also to create adequate conditions for them to work effectively to influence law-making decisions, particularly when those decisions concerned indigenous peoples. He also stressed the need to use indigenous languages in parliaments.

78. Ms. Tauli Corpuz spoke about her mandate to implement the Declaration and other international and regional instruments to advance the rights of indigenous peoples. She spoke about the obstacles to implementing the rights of indigenous peoples. These included recognition of indigenous peoples, particularly in Asia and Africa; the challenge of developing practical implementation measures in areas such as education, health, and cultural intellectual property; outstanding issues of reconciliation and redress for historical wrongs from the times of colonization up to the present; and ensuring that adequate monitoring was established in order to measure what had been achieved. Ms. Tauli Corpuz provided examples of the role of parliamentarians in implementing the Declaration in Indonesia and the Philippines. Participants intervened on the matter of implementation of the Declaration, including on the importance of implementation of the articles relating to free, prior and informed consent.

79. Ms. Sambo Dorough noted that there were a number of publications that were highly relevant to the issue of implementation of the Declaration. On the issue of free, prior and informed consent, she referred delegates to the Guidelines on Free, Prior and Informed Consent.

80. In terms of the role of parliamentarians, Ms. Sambo Dorough noted the need for human rights education, and referenced the statement by Erica-Irene Daes that "everyone needs human rights education", noting that this was absolutely true, particularly where there were new developments, such as the United Nations Declaration on the Rights of Indigenous Peoples. This was necessary in order to guide the work of treaty monitoring bodies and parliamentarians.

81. Several States described positive practices that they had employed to advance the rights of indigenous peoples through implementation of the Declaration. Indigenous participants highlighted several barriers and challenges that had arisen in the process of realizing the rights enshrined in the Declaration on the ground.

## **X. Proposals to be submitted to the Human Rights Council**

82. The Chair-Rapporteur invited observers to share their recommendations regarding the Expert Mechanism's proposals to the Human Rights Council.

83. The proposals put forward included an expansion of the mandate of the Expert Mechanism, including, inter alia, a stronger role in monitoring the implementation of the

Declaration; making proposals to the Council for new standards or norms, as needed to protect indigenous peoples' human rights; and providing input for the universal periodic review process, in connection with the rights of indigenous peoples.

84. Some participants also suggested themes for future studies by the Expert Mechanism. These included article 26 of the Declaration (right to lands, territories and resources); a continuation of the present study on disaster risk reduction, with a focus on climate change; indigenous peoples' rights and business; indigenous peoples and food sovereignty; and the role of indigenous human rights defenders.

85. The Expert Mechanism also discussed the possibility of carrying out, in the future, a study on indigenous peoples' right to health.

86. International Chief Littlechild provided two proposals (see paras. 8 and 9). The first related to the organization of an expert seminar on indigenous peoples' rights and business, and the second concerned the continuation of the Expert Mechanism's questionnaire to States and indigenous peoples on good practices in implementing the Declaration. Mr. Tsykarev agreed with the questionnaire on the implementation of the Declaration being continued, and called on all stakeholders to adopt a critical approach when providing their responses, so that, along with the positive practices, challenges and lessons learned would be highlighted too.

## **XI. Adoption of reports, studies and proposals**

87. At the end of the seventh session, the Expert Mechanism adopted its follow-up study and advice on access to justice in the promotion and protection of the rights of indigenous peoples, its study and advice on the promotion and protection of the rights of indigenous peoples in disaster risk reduction initiatives, and the report summarizing the responses to the questionnaire seeking the views of States and indigenous peoples on best practices regarding possible appropriate measures and implementation strategies to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples. All proposals were adopted by consensus by the members of the Expert Mechanism.

88. The members of the Expert Mechanism also adopted a provisional agenda for the eighth session of the Expert Mechanism (annex II).

## Annexes

### **Annex I**

#### **List of participants**

##### **States Members of the United Nations, represented by observers**

Algeria, Argentina, Australia, Austria, Bangladesh, Bolivia (Plurinational State of), Brazil, Canada, Chile, China, Colombia, Costa Rica, Democratic People's Republic of Korea, Denmark, Ecuador, Estonia, Ethiopia, Finland, France, Germany, Ghana, Greece, Guatemala, India, Indonesia, Italy, Japan, Latvia, Libya, Malaysia, Mauritius, Mexico, Morocco, Myanmar, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Philippines, Russian Federation, South Africa, Spain, Sri Lanka, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Zambia.

##### **Non-member State, represented by an observer**

Holy See.

##### **United Nations mandates, mechanisms, bodies, specialized agencies, funds and programmes, represented by observers**

International Labour Organization, Special Rapporteur on the rights of indigenous peoples, United Nations Permanent Forum on Indigenous Issues, United Nations Indigenous Peoples' Partnership.

##### **Intergovernmental organizations, regional organizations and mechanisms in the field of human rights, represented by observers**

European Union, International Union for Conservation of Nature, Inter-Parliamentary Union.

##### **National human rights institution, represented by an observer**

New Zealand Human Rights Commission.

##### **Academics and experts on indigenous issues, represented by observers from the following institutions**

Hawaii Institute for Human Rights, Leuphana University Lüneburg, Middlesex University, SOGIP Research Project, Structural Analysis of Cultural Systems-Berlin, University of Manitoba.

## **Non-governmental organizations, as well as indigenous nations, peoples and organizations, represented by observers**

Adivasi Jan Kalyan Samiti; Agencia Internacional de Prensa Indígena; Agenda Ciudadana por el Desarrollo y la Corresponsabilidad Social A.C.; Alcaldías Indígenas Maya Ixil; Asia Indigenous Caucus; Asociación de Mujeres Andinas del Perú; Asociación Kunas Unidos por Napguana; Assemblée des arméniens d'Arménie occidentale; Association Agharass Elkheir Tadouart Agadir; Association des Femmes de Kabylie; Association for Law and Advocacy for Pastoralists (in the United Republic of Tanzania); Association of Russian-language Indigenous Peoples of Latvia; Centro de Estudios Multidisciplinarios Aymara; Centro Maya para la Paz; Chippewas of the Thames First Nation; Chittagong Hill Tracts Citizens' Committee; Comisión Jurídica para el Autodesarrollo de los Pueblos Originarios Andinos; Communauté des potiers du Rwanda; Comunidad Integradora del Saber Andino; Confederación de Nacionalidades Amazónicas del Perú; Confederación Indígena Tayrona; Congrès mondial Amazigh; Congrès populaire coutumier Kanak; Consejo de Gobierno Marka Tarabuco; Consejo de Todas las Tierras Mapuche; Continental Network of Indigenous Women of the Americas; Coordinadora Andina de Organizaciones Indígenas; Council of the Otomi Toltec Nation; Cultura de Solidaridad Afro-Indígena; European Network on Indigenous Peoples; Federación Única de Afiliados al Seguro Social Campesino; Foundation for GAIA; Foundation for Research and Support of Indigenous Peoples of Crimea; Friends World Committee for Consultation; GALDU Resource Centre for the Rights of Indigenous Peoples; Global Coordinating Group on the World Conference on Indigenous Peoples; Global Indigenous Youth Caucus; Grand Council of the Crees (Eeyou Istchee); ICCA Consortium; IMPACT – Indigenous Movement for Peace Advancement and Conflict Transformation; Incomindios; Indigenous Movement; Indigenous Peoples and Nations Coalition; Indigenous Peoples' Center for Documentation, Research and Information; Indigenous Peoples of Africa Coordinating Committee; Indigenous Women's Forum of North-East India; Indigenous World Association; Ingrid Washinawatok El-Issa Flying Eagle Woman Fund; Inter-State Adivasi Women's Network; International Indian Treaty Council; International Organization for Self-Determination and Equality; International Work Group for Indigenous Affairs; Inuit Circumpolar Council; Kalagadi Youth and Women's Development Network; Khomani San Peoples; KAMP (Kalipunan Ng Katutubong Mamamayan Ng Pilipinas); Khmers Kampuchea-Krom Federation; Kus-Kura S.C.; La voix des Jummas; LIENIP (L'auravetl'an Information and Education Network of Indigenous People); Mining Water Group Association; Nación Indígena Originaria Yampara; National Association of Friendship Centres; Native Youth Sexual Health Network; Natural Justice; Negev Coexistence Forum; Newar National Forum; Organización Nacional Indígena de Colombia; PACOS Trust; People of Champa Descent in Focus Think Tank; Programme d'intégration pour le développement du peuple Pygmée au Kivu; Pueblo Indígena Bubi de la Isla de Bioko; Pueblos Indígenas Cumanagoto de la República Bolivariana de Venezuela; RAIPON (Russian Association of Indigenous Peoples of the North); Red de Jóvenes Indígenas de Centroamérica y México; Rehoboth Community of Namibia; Resguardo Indígena la Gaitana; Retorno a la Tierra; Society for Development of Tribals in India; Solidarité pour un monde meilleur; Tarimiat Shuar; Te Runanga-a-Iwi a Ngati Kahu; Ti Tlanizke; Union nationale du peuple Kanak; Universal Esperanto Association.

## **Annex II**

### **Provisional agenda of the eighth session**

1. Election of officers.
  2. Adoption of the agenda and organization of work.
  3. Follow-up to the World Conference on Indigenous Peoples.
  4. Panel on indigenous peoples' human rights in relation to business enterprises.
  5. Follow-up to the summit on the post-2015 development agenda.
  6. Follow-up on thematic studies and advice.
  7. Thematic study and advice in accordance with the forthcoming resolution of the Human Rights Council.
  8. United Nations Declaration on the Rights of Indigenous Peoples.
  9. Proposals to be submitted to the Human Rights Council for its consideration and approval.
  10. Adoption of the report.
-