

**United Nations Human Rights Council, 1<sup>st</sup> session, June 19 – 30, 2006**

**Agenda Item: Review of Mechanisms and Mandates of the Human Rights Council**

**Oral intervention by International Organization of Indigenous Resource**

**Development, International Indian Treaty Council, Indigenous World Association,**

**Foundation for Aboriginal and Islander Research Action (FAIRA), Sami Council,**

**Comision Juridica para el Autodesarrollo de los Pueblos Originarios Andinos**

**(CAPAJ) and Asociacion Napguana, NGO's with ECOSOC Consultative Status**

**Presented by Willie Littlechild, IOIRD Wednesday June 28<sup>th</sup>, 2006**

Respectful Greetings to all delegations.

Hundreds of Indigenous delegations from all regions of the world participated in the 5<sup>th</sup> session of the United Nations Permanent Forum on Indigenous Issues which met from May 15 – 26, 2006 in New York. During the session the Global Indigenous Caucus met regularly and adopted by consensus 2 important resolutions regarding the work, mandates and mechanisms of the new UN Human Rights Council pertaining in particular to Indigenous Peoples' human rights. These resolutions were directed towards both the Permanent Forum and to the Council at its first session.

We have presented the full texts of the two resolutions to the President of the Council. At this time, due to time constraints, we present before the Council the following excerpts which include the primary recommendations from both resolutions:

“As representatives of Indigenous Peoples from all regions of the world, we are following closely and with full attention the current process of restructuring of the United Nations Human Rights system, and especially the creation of the new UN Human Rights Council by the UN General Assembly.

We recognize the considerable advances which were achieved at the UN Commission on Human Rights in focusing world attention and helping us bring to light the wide range of human rights violations carried out against Indigenous Peoples around the world. We consider the establishment of the new Council as a vital opportunity to continue to move forward in this process and to make it more effective.

We submit the following recommendations to be communicated on our behalf directly to ...the United Nations Human Rights Council at its first session beginning June 19<sup>th</sup> 2006:

- 1) The Human Rights of Indigenous Peoples continue to be a distinct, ongoing agenda item within the agenda that is established by the new Human Rights Council
- 2) Indigenous Peoples' organizations have access to address this as well as all other agenda items through written and oral interventions at sessions of the Council
- 3) The situation of Indigenous Peoples in each country be a distinct point of consideration in the process established by the Council for assessing each member

country's human rights record, including their implementation of and compliance with international human rights conventions and standards

- 4) The mandate of the Special Rapporteur on the Human Rights and Fundamental Freedoms of Indigenous Peoples be maintained and strengthened
- 5) The key role of independent experts at all levels in the UN system in developing and monitoring human rights standards be maintained.
- 6) The ability of Indigenous Peoples to have full access to submit information and communications to all UN Rapporteurs and Committees also be encouraged
- 7) The Human Rights Council include as one of its permanent agenda items the human rights impacts of militarism, armed conflict, forced migration and forced displacement for all Peoples
- 8) The full and effective participation of Indigenous Peoples be ensured when matters effecting their rights are discussed by the Council and any subsidiary bodies or processes it decides to establish, and finally that
- 9) The role of the UN Permanent Forum on Indigenous issues be strengthened in this process, including an agenda item for the Permanent Forum to report to the Council on issues and concerns that have been brought to its attention impacting the human rights of Indigenous Peoples
- 10) The UN Human Rights Council establish in its first year a Permanent Expert Group on Indigenous Peoples' Human Rights, made up of two experts from state members of the Council, two Special Rapporteurs and two Indigenous expert members nominated by Indigenous Peoples and selected in a process to be determined by the Council.
- 11) The work of the Permanent Expert Group on Indigenous Peoples' Human Rights would be coordinated by the Human Rights Council in collaboration with the Office of the High Commissioner on Human Rights in accordance with the instructions of the Council.
- 12) The Permanent Expert Group on Indigenous Peoples' Human Rights would meet one to three times per year for a period of 5 days in coordination with meetings of the Council and would be organized to provide effective participation and input from states, Indigenous Peoples, UN Special Rapporteurs and the UN Permanent Forum on Indigenous Issues to address a range of human rights issues and concerns. Its role would be to:
  - a. facilitate the exchange of information and updates among participants
  - b. develop a work plan for the Council to carry out its organization of work regarding its agenda item focusing on the Human Rights of Indigenous Peoples
  - c. facilitate communications between the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples and other Special Rapporteurs regarding human rights issues of concern to Indigenous Peoples
  - d. provide information to the Human Rights Council, OHCHR and its Special Rapporteurs regarding developing situations
  - e. recommend and, when appropriate, assist the Human Rights Council and the OHCHR to organize expert seminars to address and elaborate key

relevant themes and areas of concern regarding Indigenous Peoples' Human Rights

- f. Assist the OHCHR in its technical cooperation activities
- g. Other tasks to be assigned

13) Participation of Indigenous Peoples in the Permanent Expert Group on Indigenous Peoples' Human Rights would be on the same basis as participation in the Working Group on Indigenous Population and the UN Permanent Forum on Indigenous Issues."

We offer these recommendations in the spirit of respect and partnership, to be of assistance to you in your very important work. We wish you all success as you develop effective working methods and mechanisms which will strengthen the defense of human rights for all Peoples in the days, months and years to come.

Thank you, for all our relations.

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