***United Nations Expert Mechanism on the Rights of Indigenous Peoples***

**17th session**

***Item 9: Enhancing the participation of Indigenous Peoples in the United Nations***

*Concept note*

**Wednesday 10 July 2024, 15h00-18h00, Palais des Nations, Room XIX, Geneva**

(*will be broadcast live and archived on* [*http://webtv.un.org*](http://webtv.un.org) )

**Objectives:**

* **Contribute to the ongoing process of enhancing Indigenous Peoples` participation in the United Nations, to which Member States committed during the 2014 World Conference on Indigenous Peoples, by providing a platform for interactive dialogue among Indigenous Peoples, Member States, United Nations agencies and other stakeholders.**
* **Facilitate broad discussions between Indigenous Peoples, Member States and other key stakeholders in preparation for the first two-day intersessional meeting of the Human Rights Council on this issue, on 18 and 19 July 2024.**
* **Gather views from Indigenous Peoples and other stakeholders on two main issues:**
	+ ***Accreditation criteria for the meaningful and effective participation of Indigenous Peoples in the work of the Human Rights Council***
	+ ***Modalities of participation for Indigenous Peoples in the Human Rights Council***
* **Identify concrete recommendations to address barriers to participation and propose effective mechanisms for the meaningful participation of Indigenous Peoples and institutions in meetings and processes of the United Nations bodies, particularly in the work of the Human Rights Council.**

**Background**

Indigenous Peoples have been participating to different extents in meetings of certain UN bodies and mechanisms since the 1980s. This has included most notably mechanisms that specifically address Indigenous Peoples’ issues, such as the Working Group on Indigenous Populations (under the Commission on Human Rights), the UN Permanent Forum on Indigenous Issues (a subsidiary body of ECOSOC) and the Expert Mechanism on the Rights of Indigenous Peoples (subsidiary body of the Human Rights Council). The enhanced participation of Indigenous Peoples in the United Nations was also one of the central issues addressed during the World Conference on Indigenous Peoples (2014) and its outcome document (General Assembly resolution 69/2).

The adoption of the UN Declaration on the Rights of Indigenous Peoples by the General Assembly in 2007 was a landmark. The Declaration enshrines Indigenous Peoples’ right to participate in decision-making in matters which might affect them (Article 12, among others), including in the specific context of the United Nations System (Article 41). The right to self-determination (Article 3) and the principle of free, prior and informed consent (Article 19, among others) are also central to any discussion of Indigenous Peoples’ participation in the United Nations.

In the context of the Human Rights Council, the main venues of participation have been the sessions of the Expert Mechanism on the Rights of Indigenous Peoples, in which Indigenous Peoples can request accreditation as representatives of their own organizations and institutions, and the interactive dialogues with EMRIP and the Special Rapporteur on the Rights of Indigenous Peoples, which take place annually during the September session of the Council. However, in formal meetings of the HRC, Indigenous Peoples’ representatives must be accredited by an NGO in consultative status with ECOSOC and they cannot participate in their own right under current accreditation procedures.

Indigenous Peoples have been advocating for increased participation in the Council since its establishment (see for example A/HRC/21/24). Following the adoption of the Outcome document of the World Conference on Indigenous Peoples in 2014, various consultation processes, both in-person and electronic were initiated by the President of the General Assembly to gather input on enhancing the participation of Indigenous Peoples in the UN System. In September 2017, the General Assembly adopted resolution [71/321](https://documents.un.org/doc/undoc/gen/n17/281/69/pdf/n1728169.pdf?token=nWWj0ETGfQhin9m44s&fe=true) on enhancing the participation of Indigenous Peoples. However, due to the lack of consensus, the Assembly did not adopt any new procedure and requested that three more interactive hearings be organized. These interactive hearings concluded in 2023. The process at the UN General Assembly in New York continues. At the same time, the agencies of the United Nations system have been working to enhance the participation of Indigenous Peoples in accordance with the 6th element of the [System-wide Action Plan on Indigenous Peoples](https://social.desa.un.org/issues/indigenous-peoples/system-wide-action-plan-swap).

Meanwhile, in 2018, the Human Rights Council, in its resolution [39/13](https://documents.un.org/doc/undoc/gen/g18/296/56/pdf/g1829656.pdf?token=5zjYHrBlxteKFBTXni&fe=true), appreciated the efforts of the General Assembly on enhancing the participation of Indigenous Peoples and decided to organize 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, building on the work done by the General Assembly.

Pursuant to the Human Rights Council resolution 48/11, OHCHR organised the expert workshop on possible ways to enhance the participation of Indigenous Peoples in the work of the Human Rights Council which was held 21-24 November 2022. Among other conclusions, the workshop affirmed that Indigenous Peoples` representatives and institutions should be able to participate in all avenues of the Human Rights Council that Indigenous Peoples themselves judge to affect them.[[1]](#footnote-2)

The Expert Mechanism submitted a written contribution to the November 2022 expert workshop on possible ways to enhance the participation of Indigenous Peoples in the work of the Human Rights Council, where it addressed venues of participation, participation modalities, selection criteria, selection modalities, and next steps.[[2]](#footnote-3)

The Human Rights Council continued addressing the issue through an Intersessional interactive dialogue in 2019 (see A/HRC/44/35); an Intersessional round table in 2021 (see A/HRC/49/69); and most recently through a four-day Expert workshop on possible ways to enhance the participation of Indigenous Peoples in its work in 2023 (see A/HRC/53/44). The Council will once again address this issue over two intersessional meetings in 2024 (18-19 July and 17-18 October).

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1. A/HRC/53/44 Para 53. [↑](#footnote-ref-2)
2. [OHCHR | Call for submission of written contribution to the expert workshop on possible ways to enhance the participation of Indigenous Peoples in the work of the Human Rights Council](https://www.ohchr.org/en/calls-for-input/2022/call-submission-written-contribution-expert-workshop-possible-ways-enhance) [↑](#footnote-ref-3)