



Regional human rights mechanisms as remedy. The example of indigenous peoples and extractive activities

Parallel session

29 November

15:00-16:25

Organized by the International Work Group for Indigenous Affairs (IWGIA), the African Commission on Human and Peoples' Rights (ACHPR) and The Inter-American Commission on Human Rights (IACHR).

Short description: This session will look at both the monitoring and protective mandates of the African Commission on Human and Peoples Rights (ACHPR) and the Inter-American Commission on Human Rights (IACHR) using the example of the impact of extractive industries on indigenous peoples' rights. Taking point of departure in their reports addressing the impact of extractive industries on indigenous peoples on their respective continent, the panel will look at the human rights obligations of States and businesses in relation to extractive activities. The panel will also explore the role of regional human rights systems in facilitating remedies when these obligations are breached.

Session objectives:

- Raise awareness of the State parties, extractive businesses and indigenous peoples on the role of regional human rights mechanisms in accessing remedy.
- Facilitate a dialogue between the Working Group on Business and Human Rights, the ACHPR, the IACHR, State parties, extractive businesses and indigenous peoples on how to operationalize the UN Guiding Principles on Business and Human Rights in relation to indigenous peoples' rights and extractive industries.

Format of the session: Multi-stakeholder session. The ACHPR and IACHR will present how they see the role of their mechanisms in ensuring the right to remedy with a focus on extractive activities and indigenous peoples' rights. State actors and businesses will also be involved in the panel to ensure a

constructive and forward-looking dialogue between all relevant actors. There will be allocated time for a constructive dialogue with the audience.

Background information: The African Commission on Human and Peoples Rights (ACHPR) and the Inter-American Commission on Human Rights (IACHR) can assist right-holders, state parties and business in the operationalization of the UN Guiding Principles on business and human rights and other relevant international and regional human rights instruments.

They play a monitoring role by documenting the situation at country/regional level, formulating recommendations and assisting in the implementation of those recommendations. They also have a protective mandate where they can issue rulings towards states parties when the rights of right-holders have been violated.

The ACHPR and IACHR have recently published comprehensive reports addressing the impact of extractive industries on indigenous peoples on their respective continent. The reports provide an extensive analysis of the main challenges facing indigenous peoples in relation to extractive industries by highlighting relevant case studies. They also closely look at the international human rights standards establishing the obligations for the State to protect and respect human rights, and provide remedy for human rights abuses committed by businesses.

Speakers:¹

- **Mario López Garelli**, Adviser to the Executive Secretary, Inter-American Commission on Human Rights (IACHR)
- **Dr. Melakou Tegegn**, expert member of the Working Group on Indigenous Populations/Communities, African Commission on Human and Peoples' Rights (ACHPR)
- **Albert Barume**, Chairperson, UN Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) (**Moderator**)

¹ Further information on speakers provided in Annex

ANNEX. SPEAKERS SHORT BIOS.

Mario López Garelli

Adviser to the Executive Secretary, Inter-American Commission on Human Rights (IACHR)

Lawyer and doctor in juridical sciences, joined the staff of the IACHR in 1995. Among several prior responsibilities in the Commission, he was the Director of Thematic Monitoring; Subregional Coordinator; liaison for the Rapporteurship on the Rights of Migrants; and desk officer for Argentina, Ecuador, El Salvador, Chile and Mexico. He has participated in visits with the IACHR to investigate the situation of human rights in OAS Member States, and represented the Commission in cases and provisional measures before the Inter- American Court of Human Rights.

Dr. Melakou Tegegn

Expert member of the Working Group on Indigenous Populations/Communities. African Commission on Human and Peoples' Rights (ACHPR)

MA: Development Studies – Politics of Alternative Development Strategies (Institute of Social Studies – The Hague) and PhD in Sociology (University of South Africa – Pretoria). Expert member of the Working Group on Indigenous Populations/Communities of the African Commission on Human and Peoples Rights since 2007.

Albert Barume

Chairperson, UN Expert Mechanism on the Rights of Indigenous Peoples (EMRIP)

Lawyer and expert on indigenous peoples' rights. Member of the ACHPR Working Group on Indigenous Populations/Communities and chairperson of the UN EMRIP.