

15th session of the Expert Mechanism on the Rights of Indigenous Peoples
Panel discussion on Impact of Development Projects on Indigenous Women

Concept note

Date Wednesday 6 July 2022, 10h00-13h00, Palais des Nations, Room XIX, Geneva

and venue: (will be broadcast live and archived on <http://webtv.un.org>)

Background:

The Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) was established by the Human Rights Council, the UN's main human rights body, in 2007 under resolution 6/36 as a subsidiary body of the Council. Its mandate was then amended in September 2016 by Human Rights Council resolution 33/25. The Expert Mechanism provides the Human Rights Council with expertise and advice on the rights of indigenous peoples as set out in the United Nations Declaration on the Rights of Indigenous Peoples, and assists Member States, upon request, in achieving the ends of the Declaration through the promotion, protection and fulfilment of the rights of indigenous peoples.

The Expert Mechanism will be devoting half a day during its 15th session to examine the issue of the impact of development projects on indigenous women through this half-day panel. This theme is firmly grounded in the UN Declaration on the Rights of Indigenous Peoples and highlights the need to adopt a gender perspective to examine several specific key issues that arise from the establishment of development projects in indigenous territories without the free, prior and informed consent of indigenous peoples and participation of women in the consultation process.

Article 22 affirms that particular attention shall be paid to the rights and special needs of indigenous women in the implementation of the Declaration and that States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

This panel will focus on the impact, challenges and measure taken by indigenous women in context where development projects are implemented by both State and non-state actors without their free, prior, and informed consent. In this context several rights of indigenous peoples affirmed in the Declaration are at stake, such as the right to be consulted and give their free, prior and informed consent (art. 19), the right to participate in decision that may affect their rights (art. 18), the right on land, territories and resources, including the spiritual relationship with them (art. 25, 26, 27) and the right to reparation and restitution (art. 28) as well as their right to development (art. 20, 23, 32), the right to integrity (art. 7, 8), the right not to be displaced (art. 10) and cultural rights (art. 11, 12).

Development projects implemented without the free, prior, and informed consent of the indigenous peoples concerned may disproportionately impact indigenous women, in their social roles of caregivers and guardians of the local environment, in terms of loss of their traditional livelihoods, traditional indigenous knowledge and spiritual relationship with their land, territories and resources. They also may cause displacement and environmental harm, biodiversity loss, and ecological degradation, which are direct threats to the cultural integrity and survival of indigenous women, as are the unauthorized use and appropriation of their traditional knowledge, spiritual practices, and

cultural heritage. All that further expose indigenous women and girls to gender-based violence and discrimination.

At particular risk are indigenous women and girls who are environmental human rights defenders, advancing their land and territorial rights, and those advocating against the implementation of development projects without the free, prior, and informed consent of the indigenous peoples concerned.

Objectives:

The panel discussion aims:

- To identify how development projects in indigenous territories specifically affect indigenous women and the challenges that they present to the enjoyment by indigenous women of their human rights
- To share experiences of, and initiatives taken by, indigenous women to address the consequences of such impacts
- To discuss what measures States and indigenous peoples can take to prevent and address such impacts and how the United Nations can support them in the implementation of those measures, in line with the United Nations Declaration on the Rights of Indigenous Peoples.

Moderator: Tia Oros, Chief Executive Officer, Seventh Generation Fund for Indigenous Peoples

Panellists:

- Joan Carling (Executive Director of Indigenous Peoples Rights International, Philippines)
- Ragnhild Marit Sara (Sami Women's Forum, Norway)
- Sandra Creamer (Chairperson, Indigenous Peoples Rights International, Australia)
- Adija Adamu (Coordinator South Program, International Indigenous Women's Forum, Cameroon) **TBC**
- Vera Kondratyeva (Community of Indigenous Small-Numbered Khanty People «Vut Yavun», Russian Federation)
- Rosa Marina Flores Cruz (Asamblea de Pueblos Indígenas del Istmo en Defensa de la Tierra y el Territorio, México)

Outcome:

A summary of the discussion will be included in the annual report of the Expert Mechanism to the Human Rights Council.

Background documents:

- Committee on the Elimination of Discrimination against Women (CEDAW), [Draft General Recommendation on indigenous women and girls](#), February 2022
- Report of the United Nation Special Rapporteur on the rights of indigenous peoples, [Study on the situation of indigenous women](#), A/HRC/30/41, 6 August 2015

- [Outcome Document of the World Conference on Indigenous Peoples](#), General Assembly resolution 69/2 of 22 September 2014.
- [United Nations Declaration on the Rights of Indigenous Peoples](#), General Assembly resolution 61/295 of 13 September 2007

Format:

The duration of the panel discussion will be limited to three hours. A maximum of one hour and a half will be set aside for the panellists, including the opening statement, moderator comments, panellist presentations, and their responses to questions and concluding remarks.

Expert Mechanism members and observers (States, indigenous peoples, NHRIs and NGOs) intervening from the floor will also have a maximum of one hour and a half in total. Observers will have a maximum of two minutes to raise issues and ask questions specific to the aims of the panel. The list of speakers for the discussion will be established at the beginning of the panel.

Interpretation will be provided in the six United Nations official languages (Arabic, Chinese, English, French, Russian and Spanish). Remote participation will be limited to a maximum of 30 minutes.

Accessibility for persons with disabilities:

As with the rest of the EMRIP session, the panel will be made fully accessible. During the panel, international sign interpretation and real-time captioning will be provided and webcasted. In case of special needs such as space for wheelchairs or oral statements embossed in Braille from any of the six official languages of the United Nations, please write to ohchr-extpertmechanism@un.org