

First Intersessional meeting on concrete ways to enhance the participation of Indigenous Peoples in the work of the Human Rights Council

Concept Note

Date and Venue

The first two-day intersessional meeting on enhancing the participation of Indigenous Peoples in the work of the Human Rights Council will take place in the Palais des Nations, Room XX on Thursday 18 and Friday 19 July 2024 from 10:00 to 13:00 and from 15:00 to 18:00 CET.

Mandate

This is the first of two intersessional meetings mandated under paragraph 16 of resolution 54/12, in which the Council decided to *“continue to discuss and develop further steps and measures necessary to enable and to facilitate the participation of Indigenous Peoples’ representatives and institutions duly established by themselves in the work of the Human Rights Council.”* The second intersessional meeting will take place on 17 and 18 October 2024.

Objective

The main objective of the meeting, as outlined in Resolution 54/12, paragraph 16 is to allow States, relevant United Nations agencies, funds and programmes, international organizations, Indigenous Peoples from the seven Indigenous sociocultural regions, national human rights institutions and civil society organizations to hold a dialogue on concrete ways to enhance the participation of Indigenous Peoples 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 need to 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](#) 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](#).

Meanwhile, in 2018, the Human Rights Council, in its resolution [39/13](#), 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.

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). Following the adoption of HRC resolution 54/12, the Council will once again address this issue over two intersessional meetings in 2024 (18-19 July and 17-18 October).

Meeting modalities and format

In resolution 54/12, the Council requested its President to appoint one State co-facilitator and one Indigenous co-facilitator for the meetings. Following consultations, the President has appointed Australia (Pacific sociocultural region) as State Co-facilitator of the intersessional meeting on 18-19 July and Canada (North America sociocultural region) as State Co-facilitator of the intersessional meeting on 17-18 October 2024. The President has also appointed Binota Moy Dhamai (Asia sociocultural region) as Indigenous co-facilitator for both intersessional meetings.

The intersessional meeting will be opened by the President of the Council (or one of its Vice-presidents), and the Co-facilitators will moderate the discussions over the two days.

The meeting will include interactive sessions with invited speakers, with the aim of allowing all stakeholders to share their views and hold a productive dialogue. The list of speakers for the different sessions will be established through the online inscription system prior to the meeting and, as per established practice, statements by high-level dignitaries and groups of States will be moved to the beginning of the list for States, UN entities and international organizations; to be followed by the lists for NHRIs, NGOs and Indigenous Peoples. Instructions for inscription on the speakers list will be circulated in due course. Speaking time will be 2 minutes for States Members of the Council and 2 minutes for all observers.

In each session, invited speakers will make opening presentations of approximately 7-10 minutes maximum. This will be followed by comments and questions from the floor, managed through the speakers' lists. There will be two or three blocks of interventions from the floor, depending on time, in which States, NHRIs, NGOs and Indigenous Peoples will intervene with a maximum speaking time of two minutes. The co-facilitator will then request the invited speakers to intervene with conclusions and recommendations and subsequently close the session.

The intersessional meeting will take place in-person, with the possibility of also submitting pre-recorded video statements.

Participation and Accreditation

As mandated by resolution 54/12, the meeting will be open to the participation of States, relevant United Nations agencies, funds and programmes, international organizations, Indigenous Peoples from the seven Indigenous sociocultural regions, national human rights institutions and non-governmental organizations in consultative status with the ECOSOC. Interpretation will be available in the six official United Nations languages.

Accreditation for the meeting must be requested via Indico: <https://indico.un.org/event/1011539/>

The resolution invites the United Nations Voluntary Fund for Indigenous Peoples, within the Fund's rules and established procedures, to facilitate the participation of Indigenous Peoples' representatives and institutions duly established by themselves, in the intersessional meetings, promoting balanced regional, gender and intergenerational representation.

Accessibility

In an effort to render the HRC more accessible to persons with disabilities and to promote their full participation in the work of the Council on an equal basis with others, the meeting will be made accessible. International sign interpretation and real-time captioning (in English) will be provided and the meeting will be webcast on UN WebTV. In Room XX, four seats are reserved for participants using wheelchairs, in the seventh (last) row. Oral statements may be embossed in Braille from any of the six official languages of the UN, upon request and following the procedure described in the Accessibility guide to the HRC for persons with disabilities.

Tentative programme

- Opening
- Stocktaking of gaps and good practices regarding Indigenous Peoples participation in the United Nations system
- Accreditation principles
- Accreditation criteria
- Accreditation mechanism
- Conclusions and recommendations, including the programme of work of the second intersessional meeting
- Co-facilitators' summary and closure

Outcome

Following the two intersessional meetings, the co-facilitators will work together with the Office of the High Commissioner for Human Rights to prepare a joint report on the discussions and outcomes of the meetings, including specific recommendations, to be presented to the Council before its fifty-ninth session.

Background documents¹

- Human Rights Council resolution 54/12
- United Nations Declaration on the Rights of Indigenous Peoples
- Outcome Document of the World Conference on Indigenous Peoples (General Assembly resolution 69/2)
- Report on ways and means of promoting participation at the United Nations of Indigenous Peoples' representatives on issues affecting them (A/HRC/21/24)
- Reports on previous Human Rights Council events on Indigenous Peoples' participation (A/HRC/44/35, A/HRC/49/69, A/HRC/53/44)
- Report of the Expert Mechanism on the rights of Indigenous Peoples on the right to participate in decision-making (A/HRC/18/42)

¹ All background documents are available through the meeting's webpage: <https://www.ohchr.org/en/hr-bodies/hrc/1st-intersessional-meeting-participation-indigenous-peoples>