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Expert Mechanism on the Rights of Indigenous Peoples

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Guaranteeing the rights of minority women, Agenda item 2

International and regional human rights mechanisms, and recent global initiatives relating to the rights of women belonging to minorities

Dear Chairman of the Forum,

Dear participants of the meeting,

Thank you for the opportunity to speak on the item 2 of the agenda and to share [information about] the work on the guarantees of the rights of indigenous women performed by the Expert Mechanism on the Rights of Indigenous Peoples.

First of all, I would like to say a few words about the Expert Mechanism. This body of the UN system of human rights was established in 2007 and performs its functions effectively. The Expert Mechanism's mandate foresees giving assistance to the Human Rights Council in the preparation of case studies in the field of the rights of indigenous peoples, in accordance with the Council's requests. It is equally important that the Expert Mechanism can also submit proposals, subject to the Council's consideration and approval, within the scope of the Council's activities. At the same time, the Expert Mechanism is not entitled to review new standards, consider the situation of indigenous peoples in the countries or admit complaints. In its work, the Expert Mechanism is cooperating closely with the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples, [and] the UN Permanent Forum on Indigenous Issues.

The Expert Mechanism consists of 5 experts elected for a period of 1 year to 3 years, with the right to re-election for a second term. Sessions of the Expert Mechanism are being held annually in Geneva, and take place for 5 days, usually in July. Sessions are open to the participation of observer States, United Nations mechanisms, bodies and specialised agencies, non-governmental organisations and other stakeholders.

Four sessions of the Expert Mechanism have already taken place. During these sessions, case studies and recommendations to the Human Rights Council in the field of the right of indigenous peoples to education, the right of indigenous peoples to participate in decision-making were discussed and approved. Considerable attention was paid to the rights of indigenous women in the carried out studies.

Thus, the research on the right of indigenous peoples to education revealed a number of serious issues regarding education. In its report, the Expert Mechanism notes that women and girls of some indigenous peoples have limited access to education by virtue of the culture and traditions. Solving this issue should be considered as an important task. Achieving this will be possible through dialogue on controversial issues and norms within indigenous communities. The research of the Expert Mechanism also notes a leading role of community leaders, particularly women, in the support and development of the educational initiatives. These measures may lead to the successful implementation of the rights of indigenous peoples to education.

Another research of the Expert Mechanism is devoted to the issue of indigenous peoples' participation in decision-making, and indicates examples of best practices in such participation. The principle of participation in decision-making has a clear connection with the right of indigenous peoples to self-determination, including the right to autonomy or self-government, as well as the state's obligation to consult indigenous peoples in matters that may affect them, based on the principle of free, prior and informed consent, indicating indigenous peoples' right to not only participate in the decision-making process, but also to determine the final results of these

processes. One of the points of this research is “The role of indigenous peoples women in decision-making.”

In the document, the Expert Mechanism notes that women should equally enjoy the right of indigenous peoples to participate in both internal and external decision-making processes, but it does not always coincide with reality. Among the positive examples, the Rapporteur notes that in many indigenous communities, women play an important role in decision-making, including in the framework of cultural and ceremonial activities, teaching and sharing traditional knowledge with the younger generation. Every day, women continue to make important decisions relating to agriculture, food supply for their families, and have an important role of peacekeepers, resolving conflicts and maintaining peace.

Nevertheless, indigenous women are often faced with very serious obstacles in terms of participation in the decision-making process. Therefore, the Expert Mechanism calls on the States, international organisations, indigenous peoples and other bodies within their competence to facilitate the participation of indigenous women, to improve their access, as well as to eliminate the difficulties faced by women seeking to participate in the decision-making process. It is also very important to attract indigenous youth to participate in internal and external decision-making processes, including in the legislative sphere. The full texts of the carried out research can be found on the website of the Expert Mechanism.

I would also like to inform, that the Expert Mechanism has initiated preparation of two researches. The first one is dedicated to the indigenous peoples and the right to participate in decision-making in the course of implementation of industrial projects on the territory resided by the indigenous peoples. The second research focuses on the role of language and culture to promote and protect the well-being and identity of indigenous peoples. The rights of indigenous women will not be left without attention in the preparation

phase of the research. The research projects and recommendations will be reviewed at the fifth session of the Expert Mechanism in 2012.

An issue of the World Conference on Indigenous Peoples (2014) will also be discussed at the forthcoming session. I would like to inform that the Expert Mechanism has proposed to the Human Rights Council to support the full participation of indigenous peoples, including youth and women, at all stages of the preparation of the World Conference on Indigenous Peoples.

Another issue on the agenda of the fifth session is the best practices to achieve the goals of the United Nations Declaration on the Rights of Indigenous Peoples.

All the interested indigenous peoples' organisations, [and] States are invited to cooperate.

At the end of my intervention, I would like to distinguish the extreme relevance of today's forum's topic. At the recently held 66-th session of the General Assembly, the critical importance of the participation of women in the political, social and economic spheres was underlined. The UN General Assembly called on all States to eliminate laws, regulations and practices that block or restrict women's participation.

The Expert Mechanism supports the draft recommendations on guaranteeing the rights of women belonging to minorities and requests to include in this document provisions obliging States to take measures to achieve the objectives of the United Nations Declaration on the Rights of Indigenous Peoples. The Declaration contains a clear and consistent framework for the empowerment of indigenous peoples. In the course of implementation of the Declaration specific attention is paid to the rights and special needs of women, youth, [and] indigenous children. States in cooperation with indigenous peoples shall take measures to ensure the protection of rights and interests of women and children against all forms of violence and discrimination.

In conclusion, I wish to thank the Secretariat of the Expert Mechanism on the Rights of Indigenous Peoples, representatives of indigenous communities, non-governmental organisations, governments and all who participates in the work of the Expert Mechanism and in achieving the objectives for which this body was established.

Thank you for attention.