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Human Rights Council
Expert Mechanism on the Rights of Indigenous Peoples
Fifteenth session
4–8 July 2022
Item 2 of the provisional agenda
Adoption of the agenda and organization of work

Annotated provisional agenda

Provisional agenda

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Annotations

1. Election of officers

Pursuant to paragraph 11 of General Assembly resolution 60/251, the Human Rights Council applies the rules of procedure established for committees of the General Assembly,¹ as applicable, unless subsequently otherwise decided by the Assembly or the Council.

Regarding the election of officers, rule 103 of the rules of procedure provides that each committee should elect a Chair, one or more Vice-Chairs and a Rapporteur.

2. Adoption of the agenda and organization of work

The Expert Mechanism will have before it the present provisional agenda of the fifteenth session and the annotations contained therein. The Expert Mechanism will adopt the agenda, including any revisions that it may wish to make.

In paragraph 12 of its resolution 33/25, the Human Rights Council decided that the Expert Mechanism should meet annually for up to five days and that the sessions may be a combination of open and private meetings, as deemed necessary. At its fifteenth session, the Expert Mechanism will meet for five days, from 4 to 8 July 2022.

Rule 99 of the rules of procedure of the General Assembly provides that each committee should, at the beginning of the session, adopt a programme of work indicating, if possible, a target date for the conclusion of its work, the approximate dates of consideration of items and the number of meetings to be allocated to each item. Accordingly, the Expert Mechanism will have before it for consideration and approval a draft timetable prepared by the secretariat showing the order and distribution of meeting times for each agenda item for the fifteenth session.

3. Study and advice on treaties, agreements and other constructive arrangements between indigenous peoples and States, including peace accords and reconciliation initiatives, and their constitutional recognition

At its fourteenth session, the Expert Mechanism decided to conduct its next annual study on the status of the rights of indigenous peoples worldwide in the achievement of the ends of the Declaration, as mandated by the Council in paragraph 2 (a) of its resolution 33/25, on the theme of treaties, agreements and other constructive arrangements between indigenous peoples and States, including peace accords and reconciliation initiatives, and their constitutional recognition.²

Accordingly, the Expert Mechanism has prepared a draft study thereon.³ Following the practice adopted for its previous studies, the Expert Mechanism sent out a call for submissions and contributions and examined the issue in greater detail at an expert seminar held virtually in November and December 2022.

Under agenda item 3, the Expert Mechanism and observers will make comments and suggestions on the draft study. The Expert Mechanism will subsequently finalize the study and submit it to the Human Rights Council for consideration at the fifty-first session of the Council.

4. Coordination meeting of United Nations indigenous rights mechanisms

In paragraph 10 of Human Rights Council resolution 33/25, the Council decided that, within its mandate, the Expert Mechanism should coordinate its work and further strengthen its participation, engagement and cooperation, as appropriate, with the Permanent Forum on Indigenous Issues, the Special Rapporteur on the rights of indigenous peoples, the United Nations Voluntary Fund for Indigenous Peoples and other United Nations bodies and processes. The Expert Mechanism will therefore hold a closed meeting of United Nations

¹ [A/520/Rev.17](#).

² [A/HRC/48/73](#), para. 8.

³ See www.ohchr.org/en/hrc-subsidiaries/expert-mechanism-on-indigenous-peoples.

indigenous rights mechanisms in order to coordinate their work and plan joint initiatives for the period 2022/23.

5. Intersessional activities and follow-up to thematic studies and advice

In paragraph 5 of its resolution 18/8, the Human Rights Council welcomed the practice adopted by the Expert Mechanism of devoting specific time to the discussion of updates relevant to past mandated thematic studies of the Expert Mechanism, recommended that the Expert Mechanism adopt that practice on a permanent basis and encouraged States to continue to participate in and contribute to those discussions.

Under agenda item 5, the Expert Mechanism will consider follow-up efforts conducted or envisaged with regard to its previous studies, in particular the study on the rights of the indigenous child conducted in 2021,⁴ and its report on the right to self-determination.⁵

The Expert Mechanism will also discuss its intersessional activities, including its intersessional meeting held virtually in December 2021.

6. Country engagement

As part of the amended mandate of the Expert Mechanism set out in Human Rights Council resolution 33/25, the Council indicated that the Expert Mechanism should, upon request, assist Member States and/or indigenous peoples in identifying the need for, and providing technical advice regarding, the development of domestic legislation and policies relating to the rights of indigenous peoples.

The Expert Mechanism has carried out five country engagement missions under its amended mandate since 2018 (Finland, 10–16 February 2018; Mexico, 26 February–2 March 2018; New Zealand, 8–13 April 2019; Sweden, 2020; Brazil, 2021).

Under agenda item 6, the Expert Mechanism will carry out a dialogue with various stakeholders involved in such missions.

7. International Decade of Indigenous Languages

The Expert Mechanism joins the efforts, led by the United Nations Educational, Scientific and Cultural Organization, to draw global attention to the critical situation of many indigenous languages, following the proclamation by the General Assembly, in paragraph 24 of its resolution 74/135, of the International Decade of Indigenous Languages.

Pursuant to paragraph 10 of Human Rights Council resolution 33/25, the Expert Mechanism decided, at its intersessional meeting held virtually in December 2021, to hold a discussion on the International Decade for Indigenous Languages.

8. Panel discussion on the impact of development projects on indigenous women

At its intersessional meeting held virtually in December 2021, the Expert Mechanism decided to hold a panel discussion at its fifteenth session to examine the impact of development projects on indigenous women. The panel discussion will bring together indigenous experts in the field who will open a debate on the subject.

The objectives of the panel discussion are as follows: 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; and to discuss the measures that 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.

⁴ [A/HRC/48/74](#).

⁵ [A/HRC/48/75](#).

9. United Nations Declaration on the Rights of Indigenous Peoples

The amended mandate of the Expert Mechanism is explicitly based on the United Nations Declaration on the Rights of Indigenous Peoples, pursuant to paragraph 1 of Human Rights Council resolution 33/25.

Under agenda item 9, the Expert Mechanism will hold an interactive dialogue with the Special Rapporteur on the rights of indigenous peoples, the Chair of the Permanent Forum on Indigenous Issues, the Chair of the Board of Trustees of the United Nations Voluntary Fund for Indigenous Peoples and members of human rights treaty bodies.

The Expert Mechanism will also hold a discussion on violence against indigenous women.

10. Future work of the Expert Mechanism, including the focus of future thematic studies

Pursuant to paragraph 2 (a) of Human Rights Council resolution 33/25, the Expert Mechanism is to prepare an annual study on the status of the rights of indigenous peoples worldwide in the achievement of the ends of the Declaration, focusing on one or more interrelated articles of the Declaration, decided by the Expert Mechanism, taking into consideration the suggestions received from Member States and indigenous peoples, including challenges, good practices and recommendations.

Under the agenda item, the Expert Mechanism will hold a discussion regarding the focus of such future annual studies. Taking into consideration the difficulties that indigenous peoples have faced during the coronavirus disease (COVID-19) pandemic in having their participation in the United Nations human rights mechanisms ensured, the Expert Mechanism will also hold a closed meeting with indigenous peoples to provide them with the opportunity to discuss the challenges that they face and their priorities, including in relation to the pandemic and the post-pandemic context.

11. Enhancing the participation of indigenous peoples in the United Nations

At its intersessional meeting held virtually in December 2021, the Expert Mechanism decided to follow up on the process that had begun with a commitment made by Member States during the World Conference on Indigenous Peoples in 2014 to enhance the participation of indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies on issues affecting them. That commitment was reiterated in paragraph 4 of General Assembly resolution 71/321 and in the report of the Secretary-General on enhancing the participation of indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies on issues affecting them.⁶ In the report, the Secretary-General also set out achievements, analysis and concrete recommendations on the possible further measures necessary to enable such participation.

Interactive dialogues have been realized pursuant to Human Rights Council resolutions 39/13, 42/19 and 45/12. The Expert Mechanism will focus on follow up to recent interactive discussions held in July 2021⁷ and September 2021.⁸

12. Proposals to be submitted to the Human Rights Council for its consideration and approval

Pursuant to Human Rights Council resolution 6/36, the Expert Mechanism may make proposals to the Council for its consideration and approval, within the scope of its work as set out by the Council, which may include proposals on how the thematic expertise of the Expert Mechanism could assist in the implementation of the Council's mandate and mechanisms.

⁶ [A/75/255](#).

⁷ [A/HRC/49/69](#).

⁸ [A/HRC/50/48](#).

13. Adoption of studies and reports

The Expert Mechanism will adopt its study and advice on treaties, agreements and other constructive arrangements between indigenous peoples and States, including peace accords and reconciliation initiatives, and their constitutional recognition and an annual report on its work, including its fifteenth session, with a view to submitting those documents to the Human Rights Council for consideration at the fifty-first session of the Council.
