***United Nations Expert Mechanism on the Rights of Indigenous Peoples***

**17th session**

***Item 8: Panel discussion on the rights of Indigenous Peoples in post-conflict situations, peace negotiations, agreements, and accords***

*Concept note*

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| **Date:****Objectives:** | **Monday 08 July 2024- 15h00-18h00, Palais des Nations, Room XIX, Geneva** *(will be broadcast live and archived on* [*http://webtv.un.org*](http://webtv.un.org)*)* |  |
|  | * To examine existing good practices in the protection and advancement of the rights of Indigenous Peoples during peace negotiations, in post-conflict scenarios, and within peace agreements and accords. Emphasis will be placed on monitoring the implementation of these agreements.
* It will explore constructive approaches in peace dialogues, peace accords and agreements between Indigenous Peoples and States that could serve as good models for emerging or future negotiations, peace accords and agreements around the world between States and Indigenous Peoples.
* To identify the gaps and barriers encountered in safeguarding the rights of Indigenous Peoples during peace negotiations, in post-conflict scenarios and within peace agreements and accords.
* To identify challenges/barriers as well as good practices to ensure Indigenous Peoples’ participation at all stages as a key element to prevent conflict, negotiate peace (in own terms), and prevent conflict relapse in post-conflict settings.
* To share experiences and initiatives that have been taken by States, Indigenous Peoples, and other stakeholders in the pursuit Article 7 (2) of the Declaration, which establishes that Indigenous Peoples have the collective right to live in freedom, peace and security as distinct entities, the role of peace agreements, and other constructive arrangements becomes pivotal in resolving conflicts.
* The role of Indigenous youth, women, elders, and persons with disabilities in conflict and post-conflict societies.
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| **Chairperson:****Panellists:**  | Binota Dhamai, EMRIP member • Hindou Oumarou Ibrahim, Chair of the UNPFII • Francisco Cali, Tzay, Special Rapporteur on the Rights of Indigenous Peoples • Gam A. Shimray, Asian Indigenous Peoples Pact• Belkis Izquierdo, Judge from the Special Jurisdiction for Peace (JEP) of Colombia • Aminata Diallo, Association Tinhinan -Canada  |  |
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| **Outcome:** | A summary of the discussion will be included in the annual report of the Expert Mechanism to the Human Rights Council. |
| **Format:** | The duration of the panel discussion will be three hours. Panel Discussion: Each speaker is allocated 7min utes. Following the panelists' presentations, the Chairperson will open the floor for those who have signed up for the list of speakers. Expert Mechanism members and observers (States, Indigenous Peoples, UN agencies, NHRIs, academia, NGOs) will have a maximum of three minutes to raise issues and ask questions specific to the aims of the panel.Before the conclusion of the meeting at 17:30 pm, panelists will provide brief comments to summarize the morning session. The Chairperson will deliver concluding remarks.Interpretation will be provided in the six United Nations official languages (Arabic, Chinese, English, French, Russian and Spanish). |  |
| ***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 dedicate a panel discussion during its 17th session on the rights of Indigenous Peoples in post-conflict situations and peace negotiations, agreements, and accords.In the pursuit Article 7 (2) of the Declaration, which establishes that Indigenous Peoples have the collective right to live in freedom, peace and security as distinct entities, the role of peace agreements, and other constructive arrangements becomes pivotal in resolving conflicts. Indigenous Peoples have actively engaged in negotiating peace agreements with States to bring an end to hostilities.[[1]](#footnote-2)[1] On military activities, Article 30 of the Declaration affirms that they shall not take place in the lands or territories of Indigenous Peoples, unless justified by a relevant public interest or otherwise freely agreed with or requested by the Indigenous Peoples concerned. Further, it requires States to undertake effective consultations with the Indigenous Peoples concerned, through appropriate procedures and in particular through their representative institutions, prior to using their lands or territories for military activities. On resolution of conflicts, according to Article 40 Indigenous Peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights. |  |

1. [↑](#footnote-ref-2)