Brief description of the Expert Mechanism on the Rights of Indigenous Peoples

Mandate

The Expert Mechanism on the Rights of Indigenous Peoples is a new United Nations mechanism on the rights of indigenous peoples. This mechanism has been created by the Human Rights Council following an informal meeting on the most appropriate mechanisms to continue the work of the Working Group on Indigenous Populations.

The new Expert Mechanism on the Rights of Indigenous Peoples is a subsidiary expert mechanism of the Human Rights Council. Composed of five experts, its mandate is to assist the Human Rights Council in the implementation of its mandate by providing thematic expertise and making proposals to the Council pertaining to the rights of indigenous peoples. This expertise will be provided in the manner and form requested by the Council:

- The thematic expertise will focus mainly on studies and research-based advice;
- The mechanism may suggest proposals to the Council for its considerations and approval, within the scope of its work as set out by the Council.

The Office of the United Nations High Commissioner for Human Rights has been requested to provide human, technical and financial assistance to the Expert Mechanism for the effective fulfillment of its mandate. The Office can be contacted for further information. E-mail address: expertmechanism@ohchr.org Fax: + 41(0) 22 928 90 66.

Experts

The Expert Mechanism on the Rights of Indigenous Peoples consists of five independent experts. Their selection takes place in accordance with the Council’s formal procedures for nominating, short-listing and appointing independent experts to any of its special procedures and mechanisms. Through this formal process, indigenous peoples’ organizations have the possibility of nominating indigenous experts. Furthermore, the resolution clearly recommends that, in the selection and appointment process, the Council should give due regard to experts of indigenous origin. The independent experts are appointed for a three-year period and may be re-elected for one further period.

The five experts appointed by the Human Rights Council in June 2008 for the period 2008-2010 are:

- Ms. Catherine Odimba Kombe (Congo)
- Ms. Jannie Lasimbang (Malaysia)
- Mr. John Henrikson (Norway)
- Mr. José Carlos Morales Morales (Costa Rica)
- Mr. José Mencio Molintas (Philippines)

Meeting date and participation

The Expert Mechanism will meet once for three days in its first year and thereafter for up to five days. The sessions can be a combination of open and private meetings.
The first meeting of the expert mechanism took place in Geneva from 1 to 3 October 2008.

The annual meeting of the Expert Mechanism is open to the participation, as observers, of states, United Nations mechanisms, bodies and specialized agencies. The meeting is also open to indigenous peoples’ organizations, non-governmental organizations, national human rights institutions, academics, etc. To ensure that the Expert Mechanism enhances cooperation and avoids duplicating the work of the Special Rapporteur and the Permanent Forum, it will invite the Special Rapporteur and a member of the Permanent Forum on Indigenous Issues to attend and contribute to its annual meetings.

Further information on the registration and accreditation will be available from the Office of the High Commissioner’s website as from the middle of July 2008.

Nomination, Selection and Appointment of the independent experts

Establishment of the Expert mechanism on the rights of indigenous peoples

Pursuant to Human Rights Council resolution 6/36 of 14 December 2007, an expert mechanism on the rights of indigenous peoples will be established. The subsidiary expert mechanism is to provide the Council with thematic expertise on the rights of indigenous peoples in the manner and form requested by the Council.

The expert mechanism shall consist of five independent experts, the selection of which shall be carried out in accordance with the procedure established in paragraphs 39 to 53 of the Human Rights Council resolution 5/1, Annex. The independent experts shall be appointed for a three-year period and may be re-elected for one additional period. In addition, in the selection and appointment process, the Human Rights Council is recommended to give due regard to experts of indigenous origin.

General criteria

According to Human Rights Council resolution 5/1, Annex, the following general criteria will be of paramount importance while nominating, selecting and appointing mandate-holders:
(a) expertise;
(b) experience in the field of the mandate;
(c) independence;
(d) impartiality;
(e) personal integrity; and
(f) objectivity.

Due consideration should be given to gender balance and equitable geographic representation, as well as to an appropriate representation of different legal systems. Eligible candidates are highly qualified individuals who possess established competence, relevant expertise and extensive professional experience in the field of human rights (paras. 39-41).

Public list of candidates
As called for in Council resolution 5/1, Annex, the Secretariat created, maintains and regularly updates a public list of candidates.

Applications

Further to Council decision 6/102 the Secretariat prepared a standardized form, specific to the expert mechanism on the rights of indigenous peoples, on the basis of the technical and objective requirements stipulated in the decision, for candidates to fill in, so as to facilitate the selection of relevant candidacies from the public list.

Information taken from:
http://www2.ohchr.org/english/issues/indigenous/ExpertMechanism/index.htm
http://www.iwgia.org/sw15081.asp