I would like to start by thanking the ICC and the organisers for inviting me to discuss the role of NHRI in advancing indigenous peoples’ rights before this distinguished audience. I would like to express my particular appreciation for the role that Rosslyn Noonan has played in promoting and provoking enhanced NHRI work in this area and for the excellent cooperation we have enjoyed in advancing indigenous peoples rights in various contexts.

Last several years have been an exciting period for indigenous peoples both in international for and in regional and national context.

As a result, at the UN, we now not only have three mechanisms devoted to indigenous peoples, but also comprehensive standards in the Declaration on the Rights of Indigenous Peoples, which has been approved also by all states that voted against it in 2007.

At the regional level, we have new breakthrough jurisprudence on indigenous issues, not only from the Inter-American system but also from Africa, notably Endorois case of the African Commission on Human and Peoples’ Rights.

All this rings hollow if we do not see progress at the national level. While we can all agree that such progress remains too limited, but we many countries. Indigenous peoples’ rights have been bolstered at the country level, with new promising laws adopted for example in Peru and Congo Brazzaville.

In these developments, NHRI has played an important role. As regards international mechanism, let me highlight the contributions that many of you have made to the thematic studies of the Expert mechanism; including at its July meeting, where we had a record number of NHRI present. NHRI’s have also been key advocates of the Declaration, pushing for its improved implementation and also helping to convince those states that originally opposed the Declaration to change their position.

And of course, in your everyday work many of you advance indigenous issues through awareness raising, monitoring and complaints handling and in some cases also public inquiries concerning key indigenous peoples’ issues. We will
hear some excellent examples of such work immediately after my remarks, including from Malaysia, Peru and Namibia.

This being said, the message we have received from indigenous peoples and a number of NHRIIs, that there is plenty of scope to expand NHRIIs’ engagement with indigenous rights and we at OHCHR have therefore taken a number of steps to provoke action in this area. Staring with a workshop held in Bangkok in 2009, we have held regional consultations with NHRIIs and indigenous peoples, searching good practice and sharing experiences. The most recent consultations were held in the margins of the EMRIP session in July followed by regional consultations in Bolivia in October 2011, with 15 NHRIIs participating.

As many of you know, this work will led to an operational guide on how NHRIIs can use the Declaration and support its implementation, which we are developing in partnership with the Australian Human Rights Commission and APF. It will reflect not only the results of the consultations but also the replies to a questionnaire we sent to all of you, providing rich information from all regions. I would like to thank those 20 NHRIIs that took the time to prepare their replies.

We were hoping to be able to share the draft guide already at this session, but the draft is not quite yet ready to be distributed for your comments. Let me however mention some of the key areas that the guide will highlight:

1) Indigenous participation in the work of NHRI: the Declaration is an examples of what true partnership can achieve. The guide will look at consultation and dialogue with indigenous representatives and also at ways in which the inclusion indigenous staff in the NHRI can be advanced for example through targeted hiring initiatives.

2) Access of indigenous peoples also requires that your reach covers areas, often remote, where indigenous peoples live, and that, where necessary, contacts are also possible in indigenous languages and that awareness raising and other activities are culturally appropriate manner. Here again, we have some excellent examples to build on.
Reaching indigenous territories can involve decentralization and regional offices, but it can also be achieved through other, cost effective, means such as

- deployment of field officers

- creation of consultation hubs

- engagement with indigenous peoples organizations, peak and representative bodies

- creative use of technology including the Internet and social networking media

3) Guide will also aim to address the challenges caused by the fact that whereas indigenous rights and claims are often of collective nature, many NHRI's have traditionally focused only on individual rights – again we are trying to provide practical guidance and examples, building on the standards provided by the Declaration.

Finally, let me stress how essential the Paris Principles are in the work on indigenous peoples. I have already made some points that relate for example to the plurality principle but let me conclude by stressing the importance of independence guaranteed by legislation or the constitution. Indigenous peoples' human rights problems are often linked to politically sensitive issues, ranging from land rights to language questions. It is also an area where many authorities are often reluctant to engage and indeed in a number of contexts the relevance of the entire concept of indigenous peoples' rights is contested by the authorities. In such circumstances, the independence of NHRI is paramount and a key ingredient in ensuring that indigenous peoples' concerns are effectively addressed without undue politicization.

Thank you.