UNITED NATIONS
HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER

EXPERT MECHANISM ON THE RIGHTS OF INDIGENOUS PEOPLES

Frequently Asked Questions about the Application and Selection Process

What is the Expert Mechanism on the Rights of Indigenous Peoples?

The Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) was established by the Human Rights Council in 2007 in its resolution 6/36 as a subsidiary expert mechanism of the Council. The mandate was amended in 2016 by Council resolution 33/25.

The Expert Mechanism is now made up of seven independent experts on the rights of Indigenous Peoples. It provides the Council with expertise and advice on the rights of Indigenous Peoples and assists States and Indigenous Peoples, upon request, in achieving the objectives of the United Nations Declaration on the Rights of Indigenous Peoples through its country engagement mandate, including by providing technical advice on legislation and policies and supporting the implementation of recommendations issued by the universal periodic review, treaty bodies, special procedures and other relevant human rights mechanisms.

How are the independent experts appointed?

The members of the Expert Mechanism are not special procedure mandate holders but are subject to the same procedures and criteria for nomination, selection and appointment.

According to Council resolution 33/25, members of the Expert Mechanism shall serve a three-year term and may be reappointed for one additional term. Therefore, following an initial three-year term, members may be reappointed for one additional term, provided that they reapply for the mandate and are successful in the selection process.

Which regions are represented in the Expert Mechanism?

In its resolution 33/25, the Council decided that the Expert Mechanism would consist of seven independent experts, one from each of the seven Indigenous sociocultural regions. These regions are:

- Africa;
- Arctic;
- Asia;
- Central and Eastern Europe, the Russian Federation, Central Asia and Transcaucasia;
- Central and South America, and the Caribbean;
- North America; and
- Pacific.

How are the seven Indigenous sociocultural regions defined?

The seven Indigenous sociocultural regions were identified following broad consultations with Indigenous Peoples during the process of establishing the United Nations Permanent Forum on Indigenous Issues, a subsidiary body of the United Nations Economic and Social Council established in its resolution 2000/22. There is no formal definition of these regions specifying which Member States belong to each region. The seven regions provide broad representation of the world's Indigenous Peoples.

Who is Indigenous?

The question of who is, or is not, an Indigenous person or group has been difficult to address. Some countries state that they have no Indigenous Peoples living within their borders, while groups of people living in those countries who have distinct languages and cultures consider themselves Indigenous to the lands on which they live, and are actively seeking to protect their cultures and their right to their lands and resources. Although there is no single universally accepted definition and self-identification remains a fundamental principle, a widely cited description of Indigenous Peoples can be found in the study by José R. Martínez Cobo:[1]

> *"Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal systems."*

This historical continuity, according to Mr. Martínez Cobo, may consist of occupation of ancestral lands, common ancestry, common culture, language or other relevant factors. On an individual basis, the principle of self-identification applies: an Indigenous person is one who identifies themselves as belonging to such a group, and who is accepted by the group.

For which vacancy/Indigenous sociocultural region should interested candidates apply?

Due regard should be given to candidates who are experts of Indigenous origin or descent or experts with recognized competence and experience in the rights of Indigenous Peoples of a particular Indigenous sociocultural region. Candidates are requested to indicate, in their Word application form, the Indigenous sociocultural region for which they are applying and to include in the motivation letter why they are applying for that specific Indigenous sociocultural region.

Candidates may submit up to three reference letters in support of their application. Candidates are encouraged to consider submitting letters from organizations or entities representing Indigenous Peoples.

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[1] José R. Martínez Cobo, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. Study of the problem of discrimination against indigenous populations. Volume 5, Conclusions, proposals and recommendations (UN Doc. E/CN.4/Sub.2/1986/7/Add.4, paragraph 379).