



# Forest Peoples Programme

1c Fosseway Business Centre, Stratford Road, Moreton-in-Marsh GL56 9NQ, UK  
tel: +44 (0)1608 652893 fax: +44 (0)1608 652878 info@forestpeoples.org www.forestpeoples.org

His Excellency  
Dr. Martin I. Uthmaniyah  
President of the UN Human Rights Council  
Human Rights Council Secretariat  
Office of the High Commissioner for Human Rights  
Palais des Nations, 8-14 avenue de la Paix  
CH-1211 Geneva 10  
Fax: +41-229179011

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Your Excellency,

We are writing with concern regarding the draft resolution currently in front of the Council entitled “Human Rights and Indigenous Peoples”, to be considered by the Council during its session in September 2008.

We support the position of the members of the Expert Mechanism that the draft Resolution has the potential to undermine the independence of the Expert Mechanism as an entity that is to serve as a platform for dialogue between indigenous peoples and member states on indigenous peoples’ rights.

The draft Resolution appears to pre-empt the definition of the work plan of the Expert Mechanism by requesting a study lessons learned and challenges on access and quality of the education of indigenous peoples, and to submit a progress report to the Council in 2009 (para. 2). The study on education is to be finalized by 2010 (para. 2), and a list of future topics to be suggested to the Council in 2010 (para. 4). This effectively defines the work plan of the Expert Mechanism for the next four years as being primarily focused on the right to education, potentially reducing the ability of the Expert Mechanism to define other areas of work that may emerge as being of greater immediacy to indigenous peoples.

Although the right to education is of great importance to the world's indigenous peoples, we feel that by defining such a focus over the period of 2008-2010 the Council is limiting the ability of the Expert Mechanism to respond to other areas of work and to determine its own methods of work, and the Council is failing to involve the Expert Mechanism in the creation of its own work plan and topics of focus.

We support the call of the current members of the Expert Mechanism to hold the first session of the Expert Mechanism focusing on discussion and identification of a list of topics of concern to member states and to indigenous peoples' representatives to enable the Expert Mechanism to submit to the Council topics for consideration of the Council in 2009. We believe that this will serve the purpose of building an effective working relationship between indigenous peoples, the member states and the Expert Mechanism.

Sincerely,

Lousie Henson  
Managing Director  
Forest Peoples Programme