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UNITED NATIONS



NATIONS UNIES

DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS  
Division for Social Policy and Development  
Secretariat of the Permanent Forum on Indigenous Issues

**Expert Group Meeting**

**Programme of Work**

**Dialogue on an optional protocol to the United Nations Declaration on the Rights of  
Indigenous Peoples**

**28-29 January 2015**

Prepared by the Secretariat of the United Nations Permanent Forum on Indigenous Issues  
Division for Social Policy and Development  
Department of Economic and Social Affairs  
United Nations

**Wednesday 28 January 2015**

*10.00am – 10.30am*

Opening Remarks by United Nations Under-Secretary-General for Economic and Social Affairs, Mr. Wu Hongbo

Item 1 Election of Chairperson and Rapporteur

Item 2 Adoption of agenda and organization of work

*10.30am – 1pm*

*Opening Presentations by Megan Davis and Dalee Sambo Dorough*

**Theme 1 Why is an optional protocol required in relation to the UN Declaration on the Rights of Indigenous Peoples?**

- i. Is there an implementation gap?
- ii. What are the compelling reasons for the creation of a supervisory body for the UN Declaration?
- iii. Is there a implementation gap and is it more acute in some areas of UN Declaration i.e. lands, territories and resources?

*Presentations by James Anaya and Gulia Kutsenko*  
General Discussion

*3 – 6pm*

*3 - 4:30 pm*

**Theme 2 What are the limitations of the current international human rights law system in regard to monitoring of rights? Does it encourage ‘rights ritualism’?**

- i. Given the recent treaty body reform how does the creation of another body address some of the concerns States and human rights mechanisms have about the effectiveness of such bodies, the workload and issues of duplication?
- ii. Given the burgeoning literature on the failure of the carrot and stick approach to human rights implementation including the concept of ‘rights ritualism’ how could this body be different?
- iii. What are the limitations of taking this approach?

*Presentation by Fleur Adcock*

General Discussion

4:30 - 6 pm

**Theme 3 What are some of the problems with the implementation of the UN Declaration pertaining to lands, territories and resources?**

- i. What are the limitations of State based mechanisms pertaining to lands, territories and resources?

*Presentations*

General Discussion

**Thursday 29 January 2015**

10.00am – 1pm

10am - 11am

**Theme 4 What are the lessons that can be learned from other mechanisms?**

- i. How do regional mechanisms work? Are they effective? How are they different from UN mechanisms?
- ii. What lessons could be drawn from other optional protocol supervisory bodies?

*Presentation by Subas Chakma*

General Discussion

11 am – 12 pm

**Theme 5 What would be the features of an oversight mechanism? Who would be subject to review and what would the admissibility requirements be?**

- i. What types of models may be appropriate for the UN Declaration?
- ii. How would admissibility requirements work?
- iii. What are the benefits of a voluntary mechanism?
- iv. How are cases selected?
- v. How should the body be constituted?
- vi. What should the working methods be?

*Presentation by Elifurab Laltaika*

General Discussion

12pm – 1 pm

**Theme 6 Is there an existing UN body that could be adapted to do the work of an oversight body?**

*Presentation by Mattias Abren*  
General Discussion

*3 – 6pm*

**Adoption of conclusions and recommendations**