

10th Session of the Permanent Forum on Indigenous Issues

Statement by UNESCO

Agenda Item: Free Prior and Informed Consent

17 May 2011

The United Nations Educational, Scientific and Cultural Organization (UNESCO) is pleased to report that the Organization will soon initiate a process to elaborate a Policy on Engaging with Indigenous Peoples, as decided by Ms Irina Bokova, Director-General of UNESCO. This process is expected to be officially launched this September at UNESCO Headquarters in close collaboration with indigenous peoples and experts. Policy development will span the breadth of UNESCO's mandate and its development will be pursued throughout 2012 with inputs from all regions. The principle of Free, Prior and Informed Consent (FPIC), as outlined in the UN Declaration of the Rights of Indigenous Peoples, will be an issue of major importance in UNESCO's policy development process with respect to Indigenous Peoples.

Currently, a variety of approaches and practices with respect to FPIC co-exist within UNESCO, reflecting the diversity of its programmes and standard-setting instruments, as well as their specific histories in relation to the adoption of the UN-DRIP by the UN General Assembly. Some UNESCO programmes and conventions address the need for FPIC directly. For example, the *Operational Directives for the Implementation of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage* requests State Parties "to demonstrate that elements proposed for inscription on the Representative List of the Intangible Cultural Heritage of Humanity ... have received the widest possible participation of the community, group or individuals concerned and with their free, prior and informed consent." UNESCO's Local and Indigenous Knowledge Systems or LINKS programme takes the approach that the FPIC process is to be applied not only at the initiation of a project, but also throughout a project's development. This includes not only consulting with local and indigenous stakeholders to shape objectives, but also strategic decision-making as a project advances and evolves.

UNESCO standard-setting instruments established well before the approval of the UN-DRIP are working towards aligning themselves with the rapidly changing international landscape in relation to indigenous peoples' issues. The World Heritage Committee following the 1972 World Heritage Convention, for example, meets on a yearly basis to examine, among others, the state of conservation of World Heritage properties and to inscribe new sites on the World

Heritage List. The Committee urges States Parties to implement its decisions, and it has been revising its Operational Guidelines to include communities, including indigenous communities, in all World Heritage processes. Notably, in 2007, the WHC added 'Communities' to its Strategic Objectives, noting in particular "the critical importance of involving indigenous, traditional and local communities in the implementation of the Convention". While the current Operational Guidelines do not explicitly make reference to the FPIC of indigenous communities, continuing efforts are being made in order to respond to this challenge.

At the 34th session of the World Heritage Committee held in Brasilia, July 2010, Ms. Victoria Tauli-Corpuz, as member and former Chair of the Permanent Forum on Indigenous Issues (PFII), drew the attention of State Parties to the need to incorporate indigenous peoples' concerns into their deliberations and procedures. To continue this dialogue, the PFII has been invited to send a member to the 35th session of the World Heritage Committee that will be taking place in Paris in June 2011. It is also noteworthy that the 40th Anniversary of the Convention is to be celebrated in 2012, under the theme of "World Heritage and sustainable development – the role of local communities". This event will provide an excellent opportunity for indigenous peoples to engage with UNESCO and the Committee and its Secretariat, in order to address concerns that have been raised within the framework of the Permanent Forum and to work towards a constructive solution to the challenges that the United Nations Declaration on the Rights of Indigenous Peoples brings to the international community as a whole.

In view of UNESCO's upcoming efforts to establish a Policy for Engaging with Indigenous Peoples, the Organization welcomes indigenous communities and indigenous NGOs to reinforce their engagement with the Organization through a variety of avenues, including through the establishment of official relations with UNESCO allowing them to participate actively in meetings of UNESCO's governing bodies and of the Committees of UNESCO Conventions.

To dialogue further with UNESCO on its programmes and policies of relevance to indigenous peoples, we warmly invite you to a Side Event on "Indigenous Peoples and UNESCO: Opportunities to Reinforce Engagement" that will take place tomorrow Wednesday from 10 to 11:30 in Conference Room B in the North Lawn Building.