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***Toward a UNESCO
Policy on Engaging with Indigenous Peoples***

***Information Meeting with
Permanent Delegations and Observers to UNESCO
12 July 2017***



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201st session of EXB - Decision

The Executive Board,

1. Having examined document 201 EX/6 and its Annex,

...

5. Appreciates the presentation of the draft of the UNESCO policy on engaging with indigenous peoples;

*6. Considers that this draft could serve as a basis for **further consultations with Member States**;*

*7. Requests the Director-General to organize the above-mentioned consultations to work out a **revised draft to be presented to the Executive Board at its 202nd session**;*



Outcome of the Consultation

- **Submissions** received on the draft policy:
 - 19 Member States
 - 1 Permanent Observer
 - 1 UN Body (UN Permanent Forum on Indigenous Issues)
- **305 comments** - distributed as follows:
 - 15** *General comments on the overall draft Policy*
 - 12** **Introduction**
 - 66** **Part A:** Guiding principles on engaging with indigenous peoples
 - 204** **Part B:** Implications of the principles for the Organization's mandated areas of work
 - 20** **Part C:** Mechanisms for implementation



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Importance of an indigenous policy

- Contributes to implementing the **UN Declaration on the Rights of Indigenous Peoples (UNDRIP)**, the **2030 Agenda**, amongst others

“The organs and specialized agencies of the United Nations system and other intergovernmental organizations shall contribute to the full realization of the provisions of this Declaration ...” UNDRIP, Article 41

- **Fulfills ECOSOC request** to UN agencies to develop policies on engaging with indigenous peoples
- Major donors require **social & environmental safeguard policies**



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What is a UNESCO policy?

“A policy is a set of principles and long-term goals or strategies that form the basis of making rules and regulations, and give overall direction to programme planning and development of an organization.”

UNESCO Administrative Manual



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Revised Introduction – framing the policy

To clarify UNESCO's mandate with respect to indigenous peoples

- **ADD reference to the UNESCO Universal Declaration on Cultural Diversity**

The defense of cultural diversity is an ethical imperative, inseparable from respect for human dignity. It implies a commitment to human rights and fundamental freedoms, in particular the rights of persons belonging to minorities and those of indigenous peoples” (Article 4).

Recalling our current Medium-term Strategy for 2014-21 (37 C/4)

The Organization will implement the United Nations Declaration on the Rights of Indigenous Peoples across all relevant programme areas (para 20).

The development and implementation of a UNESCO wide policy on engagement with indigenous peoples will be pursued (para 46).

UNESCO programmes are actively engaging with indigenous peoples:

- e.g. Mother-tongue Education
- Local and Indigenous Knowledge Systems (LINKS)
- UNESCO-led (CI) International Year on Indigenous Languages - 2019



Revised Introduction – framing the policy

To clarify the Policy's scope and limitations -

- ***ADD new paragraph 3bis that cites in full UNDRIP Article 46***

3bis. Consistent with UNDRIP Article 46, nothing in this policy 'may be interpreted as implying for any State, people, group or person any right to engage in any activity or to perform any act contrary to the Charter of the United Nations or construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States.'

- ***DISTINGUISH between international frameworks and secretariat guidance***
 - ***Para 1: references to international frameworks (UNDRIP)***
 - ***Para 2: UNDG (UN Development Group) Guidelines – with clear indication they only apply to the UNESCO Secretariat.***



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Revised Part A – guiding principles

Guiding Principles that received several comments:

- Self-determination
- Free prior and informed consent (FPIC)
- Rights to lands, territories, resources, knowledge and cultural heritage
- Participation and inclusion



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Revised Part A – guiding principles

Align language with the UNDRIP:

- **For each guiding principle, the text is revised to cite the corresponding UNDRIP Article(s), as close to *verbatim* as possible.**

Adopt language appropriate for guiding principles:

- **Remove sentences that are action-oriented**
i.e. sentences starting with “UNESCO will ...”



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Revision: Aligning with UNDRIP

ORIGINAL

Para 7. Self-determination – Indigenous peoples have the right to self-determination (UNDRIP, Article 3). This includes inter alia the right to self-governance and autonomy in matters relating to their internal and local affairs (UNDRIP, Article 4), the right to define their own decision-making processes as regards social, cultural and economic development and the right to maintain and develop their own governance structures, traditional authorities and self-selection of representatives. ~~UNESCO will recognize and respect indigenous peoples' decision-making processes and governance structures.~~

REVISED

Para 7. Self-determination – Indigenous peoples have the right to self-determination (UNDRIP, Article 3). In exercising their right to self-determination, indigenous peoples have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions (UNDRIP, Article 4). Governance and autonomy in matters relating to Article 5 states that they have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions. They have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions (UNDRIP, Article 18).



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Revised Parts B and C

Part B –

Current title:

Implications of the principles for the Organization’s mandated areas of work

Proposed revised title:

Application of the principles to the Organization’s mandated areas

Programme sectors are examining the texts pertaining to their mandated areas of work and revising in response to the comments received.

Part C –

Current title:

Mechanisms for implementation

Proposed revised title:

Mechanisms for mainstreaming



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Next Steps towards the 202nd Session

- 1. House-wide revision and finalization of the draft *Policy on engaging with indigenous peoples*, taking into account the feedback provided by Member States and discussions at this Information Meeting (12 July);**
- 2. Submission of the final document on the draft Policy for the 202nd session of the Executive Board (by end July);**
- 3. Distribution of documents prior to the 202nd session;**
- 4. Debate on the revised draft Policy during the Executive Board and consideration of the draft Decision (October 2017).**



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Thank you
for your contributions and
continuing interest and support