

# Questionnaire to the UN system agencies, funds and programmes and intergovernmental organizations

## *Reply by the International Labour Organization (ILO)<sup>1</sup>*

### A. Recommendations of the Permanent Forum on Indigenous Issues

At its 16<sup>th</sup> Session in 2017, the UN Permanent Forum on Indigenous Issues (UNPFII) has recommended to the ILO to hold a technical expert meeting to consider the drafting of a Recommendation to supplement the Indigenous and Tribal Peoples Convention, 1989 (No. 169).<sup>2</sup> During its 334<sup>th</sup> Session in November-December 2018, the ILO Governing Body reviewed the follow-up of the ILO Strategy for Action concerning indigenous and tribal peoples. In this context, the possibility of an ILO Recommendation to supplement Convention No. 169 was discussed. Though there was some interest, the discussions overall pointed to broader support for developing and code of practice or guidelines to provide practical guidance on key issues addressed in the Convention. The ILO Office is therefore considering possible ways forward in this direction.<sup>3</sup>

### B. System Wide Action Plan to achieve the ends of the UN Declaration on the Rights of Indigenous Peoples

The ratification and full and effective implementation of the Indigenous and Tribal Peoples Convention, 1989 (No. 169) is a critical contribution for achieving the ends of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), as well as the realization of the Sustainable Development Goals (SDGs). As the UN system entity hosting Convention No. 169, the ILO provides support to its constituents and indigenous and tribal peoples as regards the Convention, guided by the ILO Strategy for Action concerning indigenous and tribal peoples. The Strategy is articulated in seven main blocks (1) Promoting Convention No. 169 and its implementation; (2) Strengthening institutionalized dialogue, consultation and participation; (3) Fundamental principles and rights at work, working conditions and livelihoods; (4) Extending social protection; (5) Indigenous and tribal women; (6) Closing the knowledge gap; and (7) Partnerships. Information on ILO action under the strategy can be found in document [GB.334/POL/2](#) (2 October 2018) as well as on the ILO's thematic web-portal [www.ilo.org/indigenous](http://www.ilo.org/indigenous).

The year 2019 marks the ILO's Centenary as well as the 30<sup>th</sup> anniversary of the adoption of Convention No. 169 by the International Labour Conference. As an active member of the Inter-Agency Support Group on Indigenous Issues, the ILO will serve as IASG Co-Chair for 2019 as well as Co-chair of the Regional Inter-Agency Group in Latin America.

#### **1. Raising awareness of the UN Declaration**

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<sup>1</sup> The reply covers the period 1 January to 31 December 2018.

<sup>2</sup> E/2017/43, paragraph 17.

<sup>3</sup> GB.334/POL/2, paragraphs 20 and 26.

## Questionnaire to UN system

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UNDRIP is referred to and highlighted in relevant ILO publications, training and awareness raising efforts, along with the Convention No. 169. The ILO is issuing a pocket edition of the Convention on the occasion of its 30<sup>th</sup> anniversary, which will also feature the Declaration.

### **2. Supporting the implementation of the UN Declaration, particularly at the country level**

During 2018, the ILO has been implementing targeted interventions to support ILO constituents and indigenous peoples in Bangladesh, the Plurinational State of Bolivia, Colombia, Guatemala, Honduras and Peru, and has provided more punctual assistance in several other countries. These activities included capacity building and awareness raising regarding the Convention No. 169; technical advisory services with regard to related laws and public policies, including with regard to consultation and participation; addressing and preventing forced labour and child labour in indigenous communities; promoting green jobs; studies and surveys on employment, skills and working conditions of indigenous workers, with a specific focus on indigenous women's voice, participation and economic empowerment.

### **3. Supporting indigenous peoples' rights in the implementation and review of the 2030 Agenda for Sustainable Development**

In partnership with indigenous peoples' organizations, the ILO is taking part in the Indigenous Navigator Initiative (2017-2020) supported by the European Union which is a global effort to support indigenous peoples' efforts to monitor their rights and development through an integrated framework grounded in UNDRIP and Convention No. 169. The initiative supports local communities across 11 countries. Given its alignment with the Sustainable Development Goals and the outcome document of the 2014 World Conference on Indigenous Peoples, the Indigenous Navigator framework is also used to promote active participation and visibility of indigenous peoples in SDG-related processes, and national and international levels as means for ensuring that they are not left behind. The Initiative works closely with and supports the Indigenous Peoples' Major Group.

### **4. Mapping of existing standards and guidelines, capacities, training materials and resources for the effective implementation of the UNDRIP**

In Latin America, the ILO is preparing a virtual learning platform on Convention No. 169 in collaboration with the the Spanish Agency for International Cooperation Development Cooperation (AECID). Furthermore, tools for judges training on Convention No. 169 are being prepared. As mentioned above, the ILO is also considering the preparation of a code of practice or guidance to provide practical guidance for implementing the Convention. A series of case studies documenting experiences regarding consultations with indigenous and tribal peoples are being carried out to promote learning within and across countries, with first studies on Norway and Chile already publically available, while others being under preparation.

The 2013 ILO Handbook on Convention No. 169 provides institutional guidance on the Convention for ILO constituents, indigenous peoples, national human rights institutions, UN human rights bodies and mechanisms, including those specifically addressing the rights

## Questionnaire to UN system

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of indigenous peoples, the private sector as well as other interested stakeholders. The handbook is available at [www.ilo.org/indigenous](http://www.ilo.org/indigenous).

The ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) has examined reports on the application of Convention No. 169 submitted by several countries and adopted related observations and direct requests. In addition, on the occasion of the 30<sup>th</sup> anniversary of the Convention, the CEACR has issued a general observation. The CEACR report will be published in February 2019.

### **5. Developing the capacities of States, indigenous peoples, civil society and UN personnel**

The ILO's efforts to support capacity development presently ILO constituents and indigenous and tribal peoples. While developing capacities with regard to the development of knowledge on the content and scope of Convention No. 169 as a key area, the ILO uses participatory methodologies to bring together various actors and stakeholders to share experiences and perspectives, including with regard to policy design and implementation and evaluation. In collaboration with the Spanish Agency for International Cooperation Development Cooperation (AECID) and *Fondo Indígena* (FILAC), the ILO organized in April 2018 a regional training workshop on Convention No. 169 in Antigua Guatemala, Guatemala, with constituents and indigenous peoples' representatives from Bolivia, Chile, Colombia, Costa Rica, Guatemala, Honduras, Mexico, Panama, and Peru. In September 2018, constituents from Chile, Peru, Honduras and Guatemala took part in an experience sharing workshop on Convention No. 169 held in Geneva, Switzerland. Country-based projects supported by the Swedish International Development Agency (SIDA) in Guatemala, Bolivia, Bangladesh and Cameroon seek to enhance indigenous women's working conditions in selected economic sectors (such as construction, domestic work and plantations).

### **6. Advancing the participation of indigenous peoples in UN processes**

The ILO actively contributes to enabling participation of and dialogue with indigenous peoples in the context of UNCTs. ILO training activities feature information on the role and functioning of the various United Nations bodies and organs addressing indigenous peoples' issues.

### **7. ILO publications concerning indigenous and tribal peoples - 2018**

- [Social Protection for Indigenous Peoples](#)
- [Baseline Assessment of Skills and Employment of Indigenous and Tribal Peoples in Bangladesh](#)
- [Promoting decent work for indigenous and tribal people through employment and investment programs](#)
- [Transforming our world: A cooperative 2030 - Cooperative contributions to SDG 10](#)
- [Rural Women at Work: Bridging the gaps](#)
- [Global Forum on Just Transition: Climate change, decent work and sustainable development](#)
- [World Employment and Social Outlook 2018: Greening with jobs](#)