

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

Reply by the International Labour Organization¹

Executive Summary

In line with its Strategy for Action concerning indigenous and tribal peoples,² and grounded in the Indigenous and Tribal Peoples Convention, 1989 (No. 169), the ILO continued to promote the rights of indigenous and tribal peoples as an integral part of inclusive and sustainable development for all. The ILO's interventions during 2022 have directly contributed to the implementation of the UN System-wide action plan for a coherent approach to achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples (SWAP), as well as the follow-up to the Call to Action on Building an Inclusive, Sustainable and Resilient Future with Indigenous Peoples issued by the UN Chief Executive Board for Coordination (CEB) in 2020.

Several ILO activities during 2022 specifically addressed the impacts of the COVID-19 crisis on indigenous and tribal peoples and supported the development of better policies to reduce related vulnerabilities. This included research into COVID-19 impacts of indigenous women in the informal economy in Bangladesh, and a report on social protection and indigenous peoples in Latin America which provides an overview of the socio-economic characteristics of indigenous peoples and the challenges they face in accessing social protection.

A new discussion paper on traditional occupations on indigenous and tribal peoples in labour statistics provides an overview of how traditional occupations are or could be covered better in labour statistics and aims to provide a starting point for further discussion and development. Furthermore, a [policy brief on indigenous peoples and just transition for all](#) and an issue paper on child labour and education exclusion of indigenous peoples have been developed.

The ILO is currently preparing a series of profiles on laws, policies and institutions concerning indigenous and tribal peoples for selected countries in Africa and Asia, to build knowledge for supporting ratification and effective implementation of Convention No. 169. In several countries in Latin America that have ratified the Convention, the ILO is actively engaged with governments, indigenous peoples and employers' and workers' organizations to advance its implementation. This work includes supporting the development of related laws, regulations, policies, institutions, or tools in countries including Argentina, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Mexico, and Peru. In Guatemala, the ILO supported capacity building for indigenous entrepreneurs and formalization of their enterprises and implemented, in collaboration with UNODC and UN Women, a

¹ This note covers ILO activities from November 2021 to November 2022.

² The most recent discussion on the follow-up to the Strategy took place in the ILO Governing Body in March 2021. The Office report for the discussion is available here: [Follow-up to the Strategy on indigenous peoples' rights for inclusive and sustainable development, including the implementation of the strategic plan for engagement with United Nations system bodies and relevant regional organizations regarding the Indigenous and Tribal Peoples Convention, 1989 \(No. 169\) \(ilo.org\)](#). The Minutes of the Governing Body discussion are available here: [Minutes of the 341st Session of the Governing Body of the International Labour Office \(ilo.org\)](#).

project funded by the Peace Fund to facilitate safe and meaningful involvement of Guatemalan indigenous and Mestizo women in public affairs. The ILO also contributed to a World Intellectual Property Organization (WIPO) training programme for indigenous women entrepreneurs in Andean countries.

The most recent comments from the ILO Committee of Experts on the Application of Conventions and Recommendations regarding indigenous and tribal peoples include the following:

- under the Indigenous and Tribal Peoples Convention, 1989 (No. 169), a [direct request](#) addressed to Dominica; an [observation](#) and [direct request](#) addressed to Honduras; an [observation](#) and a [direct request](#) addressed to Peru;
- under the Indigenous and Tribal Populations Convention, 1957 (No. 107), an [observation](#) and a [direct request](#) addressed to Panama, and a [direct request](#) addressed to the Syrian Arab Republic;
- under the Discrimination (Employment and Occupation Convention), 1958 (No. 111), a [direct request](#) addressed to Belize, a [direct request](#) addressed to Congo, a [direct request](#) addressed to Dominica, a [direct request](#) addressed to Guyana, a [direct request](#) addressed to Honduras, a [direct request](#) addressed to Liberia, a [direct request](#) addressed to Mongolia, an [observation](#) addressed to Namibia, a [direct request](#) addressed to Panama, an [observation](#) and a [direct request](#) addressed to Peru, a [direct request](#) addressed to Suriname, a [direct request](#) addressed to Venezuela, and an [observation](#) and a [direct request](#) addressed to Viet Nam;
- under the Worst Forms of Child Labour Convention, 1999 (No. 182), a [direct request](#) addressed to Bolivia, an [observation](#) and a [direct request](#) addressed to Colombia, a [direct request](#) addressed to Congo, a [direct request](#) addressed to Dominica, and a [direct request](#) addressed to Ecuador;
- under the Minimum Age Convention, 1973 (No. 138), a [direct request](#) addressed to Congo;
- under the Forced Labour Convention, 1930 (No. 29), an [observation](#) and a [direct request](#) addressed to Bolivia, a [direct request](#) addressed to Cameroon, and a [direct request](#) addressed to Congo; and
- under the Employment Policy Convention, 1964 (No. 122), a [direct request](#) addressed to Nicaragua.

A. Follow-up to recommendations of the Permanent Forum on Indigenous Issues and input to the 2023 session

The ILO and OHCHR have led the development and launch of the United Nations Network on Racial Discrimination and Protection of Minorities' [Guidance Note on Intersectionality, Racial Discrimination & Protection of Minorities](#). The aim of this initiative is to support anyone involved in UN system efforts, particularly at the country level, to address racial discrimination and the protection of minorities, including of indigenous peoples, with specific attention paid to the experiences, needs and rights of people facing intersectional discrimination. The ILO has also actively contributed to various initiatives under the UN Call to Action for Human Rights and the Issue Management Group on Human Rights and the Environment (IMG) which highlight and mainstream the rights of indigenous peoples, including ILO Convention No. 169 as a fundamental framework for promoting indigenous peoples' rights.ⁱ

As regards the UNPFII's recommendation to the ILO to promote the ratification and implementation of Convention No. 169,ⁱⁱ the ILO continued to implement interventions under its Strategy for Action concerning indigenous and tribal peoples, including the development and implementation of training programmes on the Convention. For example, a course in November-December 2021 entitled

“Implementing the ILO Indigenous and Tribal Peoples Convention, 1968 (No. 169): Towards an inclusive, sustainable and just future” brought together representatives of indigenous peoples and their organisations, government officials responsible for matters concerning indigenous and tribal peoples, and representatives of employers and workers’ organisations from countries including Bangladesh, Cambodia, Cameroon, Central African Republic, Democratic Republic of the Congo, Nepal, Nigeria, and the Philippines. The ILO is also continuing its training and capacity-building activities related to Convention No. 169 for the Latin America and the Caribbean region, currently updating related training materials and modules. ILO also collaborated with OHCHR in the delivery of a training programme on indigenous peoples’ rights in Paraguay.

As regards the UNPFII’s recommendation addressing participation of indigenous women in decision making processes and their economic empowerment,ⁱⁱⁱ the ILO, in cooperation with UNODC and UN Women in Guatemala, finalised the Project “Creating new avenues of resilience to sustain peace: Kaqchiquel, Q’eqchi’ and mestizo women pathfinders for peace at the center” in December 2021. This UN Peacebuilding Fund project contributed to facilitate the safe and meaningful involvement of Guatemalan Indigenous and mestizo women in public affairs. The ILO also contributed to the regional edition of the WIPO Training, Mentoring and Matchmaking Program on Intellectual Property for Women Entrepreneurs from Indigenous Peoples and Local Communities (the WEP) for Andean Countries, with a presentation on the relevance of the cooperative model for indigenous women entrepreneurs.^{iv} Additionally, the ILO is implementing a programme to provide assistance related to Convention No. 169 focusing on support for indigenous women’s economic independence in Bolivia, which also involves collaboration with the Fund for the Development of Indigenous Peoples of Latin America and the Caribbean (FILAC).^v

In March 2022, the ILO launched a guide on [Gender equality and women’s empowerment in the world of work in fragile, conflict and disaster settings](#). This guide emphasises the importance of taking indigenous or tribal belonging, among other intersectional dimensions, into account in the design and implementation of all forms of interventions to address the potential impacts of compounded discrimination. The guide also contains a specific box on how to ensure the participation of women, drawing on the recent ILO study “Exploring and tackling barriers to indigenous women’s participation and organization: A study based on qualitative research in Bangladesh, Bolivia, Cameroon and Guatemala”.

A number of ILO activities relate to various recommendations by the UNPFII related to climate change and the environment.^{vi} As part of the [Stockholm Forum on Peace and Development \(23-25 May 2022\)](#), the ILO, together with the Indigenous Major Group for Sustainable Development and the Right Energy Partnership with Indigenous Peoples, facilitated an online roundtable session on indigenous peoples, climate change and the role of decent work for a just and peaceful transition. During the session, the discussants highlighted a number of areas for future strategic action, including effective and meaningful participation in decision-making, strengthened and comprehensive support to indigenous peoples in the context of climate change mitigation and adaptation, as well as the need to apply rights-based approaches, as a just and peaceful transition, and conflict prevention and peacebuilding efforts, in full respect and protection of indigenous peoples’ rights.

Additionally, the ILO and the UNDP-SIWI Water Governance Facility designed a session within the World Water Week 2021 [on Leading the World: Indigenous-led partnerships and governance](#), which aimed to promote the use of indigenous values and knowledge to lead watershed management, along with providing approaches to relationship-based governance and the lessons learnt from indigenous peoples to global water managers. The purpose of the event was to illustrate the ways that indigenous values are being expressed and manifested globally and building lessons for wider water governance.

During the session, indigenous leaders presented two different projects: the ILO water and sanitation project in Mindanao Philippines and the Argentinian project Access to water to reduce child labour in rural areas.

The ILO continued to raise awareness of indigenous peoples' rights and issues in the context of climate change and a just transition, including through a series of activities and events organised at COP26 and COP27 in 2021 and 2022, respectively. A session titled "Climate change and intersectionality: Moving further, together" was included in ITCILO's 2022 [Youth and Climate Academy](#), which discussed the impacts of climate change and climate policies from an intersectional lens. Among other issues, the session focused on the challenges faced by indigenous peoples, particularly indigenous women, from climate impacts as well as some climate actions that may exclude them. It further discussed the role of traditional knowledge in climate mitigation and adaptation measures, and its potential in promoting sustainable livelihoods and decent work. The session also highlighted the importance of ILO Convention No. 169 for ensuring a just transition and empowering indigenous women and men as agents of change in climate action.

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

Research and publications

The ILO is preparing a series of *country profiles* presenting in a factual and concise manner an overview of existing laws, policies and institutions concerning indigenous and tribal peoples for a selected number of countries. The objective of this work is to obtain a better understanding of the extent to which such laws, policies and institutions exist. While covering countries where Conventions No. 107 or 169 were ratified as well as those where they have not yet been ratified, a special focus is given to African and Asian countries. The country profiles will be published on the ILO thematic portal on indigenous and tribal peoples (www.ilo.org/indigenous). They will be used as background material in capacity-building activities for constituents, including relevant training programmes.

A new discussion paper on ["Traditional Occupations of Indigenous and Tribal Peoples in Labour Statistics"](#) provides an overview of how traditional occupations are or could possibly be covered better in labour statistics, including options for a statistical definition and statistical indicators, and a basis for further discussion and development, particularly by representing a comprehensive guidance and support on the collection and compilation of statistics on traditional occupations and the preparation of future reports presenting data on indigenous peoples, for the use of staff in national statistical offices and other research agencies; researchers preparing reports and studies on traditional occupations; and representatives of indigenous and tribal peoples who want to understand the information available and help shape the development of information on traditional occupations.

Moreover, the ILO has issued a policy brief on *"Indigenous Peoples and a Just Transition for All"*, as part of a [ILO just transition policy brief series](#). This brief aims to provide a better understanding of how indigenous peoples are affected by climate change and their role as agents of change in the promotion of a just transition for all. It highlights Convention No. 169 and other international labour standards as tools for ensuring a just transition and informing effective approaches to climate change mitigation and adaptation.

An ILO issue paper on *"Child labour and education exclusion of indigenous children"* will be published shortly. The study is based on the desk review and analysis of a range of relevant reports and studies, as well as on a series of focus group discussions conducted with organisations of indigenous peoples from Cambodia, Kenya, the Russian Federation, Nepal and Tanzania. These focus group discussions

sought to gather indigenous peoples' own perspectives on child labour and education of indigenous children, and on the factors influencing them.

Country-based support for building capacities

The ILO supported the Indigenous Entrepreneurs Network (REI), which is the Guatemala chapter of the Global Network of Indigenous Entrepreneurs with funding from the Spanish Agency for International Development Cooperation (AECID). The project trained 25 facilitators from the Maya Business School in order to develop educational activities aimed at training, development and improvement of productivity and income, thus contributing to the sustainability of these companies. In 2021 and 2022, 760 indigenous entrepreneurs have benefited from capacity building. In addition, the formalisation of 19 indigenous companies and the marketing of products from 75 indigenous companies were supported.

The ILO has provided assistance for the development of consultation mechanisms in Mexico, Costa Rica, Guatemala, Honduras, Colombia, Ecuador, Peru, and Argentina. For instance, assistance is provided to the Ministry of Mines of Guatemala for the creation of a consultation department, through the design of public management tools for the application of Convention No. 169. In Colombia, the ILO is a permanent observer member of the *Mesa Permanente de Concertación con Pueblos Indígenas*. In accordance with the ethnic chapter of the Peace Agreement in Colombia, Development Programs with a Territorial Approach (PDET) are envisaged in the territories of indigenous and Afro-Colombian communities, which must contemplate a Special Consultation Mechanism (MEC). The ILO provided assistance related to Convention No. 169 in this context. In Argentina, the National Institute of Agricultural Technology (INTA), with the support of the ILO, presented an institutional training strategy around Convention No. 169.^{vii}

The ILO engaged with the Bangladesh Bureau of Statistics for the inclusion of 50 indigenous communities in the 2022 population census of Bangladesh in collaboration with Kapaeeng Foundation, Bangladesh Indigenous Peoples Forums, the United Nations Resident Coordinator (UNRC) and the United Nations Population Fund (UNFPA).

Work of the ILO supervisory bodies

At its most recent session, in 2021, the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) issued comments including considerations on indigenous peoples in numerous countries and regarding different ILO Conventions, namely Dominica,^{viii} Honduras,^{ix} and Peru^x on the Indigenous and Tribal Peoples Convention, 1989 (No. 169); Panama^{xi} and the Syrian Arab Republic^{xii} on the Indigenous and Tribal Populations Convention, 1957 (No. 107); Belize,^{xiii} Congo,^{xiv} Dominica,^{xv} Guyana,^{xvi} Honduras,^{xvii} Liberia,^{xviii} Mongolia,^{xix} Namibia,^{xx} Panama,^{xxi} Peru,^{xxii} Suriname,^{xxiii} Venezuela,^{xxiv} and Vietnam^{xxv} on the Discrimination (Employment and Occupation) Convention (No. 111); Bolivia,^{xxvi} Colombia,^{xxvii} Congo,^{xxviii} Dominica,^{xxix} and Ecuador^{xxx} on the Worst Forms of Child Labour Convention (No. 182); Bolivia,^{xxxi} Cameroon,^{xxxii} and Congo^{xxxiii} on the Forced Labour Convention (No. 029); Congo^{xxxiv} on the Minimum Age Convention (No. 138); and Nicaragua^{xxxv} on the Employment Policy Convention (No. 122).

As a follow-up to the 2021 [conclusions](#) concerning the application of Convention No. 169 by Honduras adopted by the Committee of the Application of Standards of the International Labour Conference, the ILO dispatched a direct contact mission to Honduras in May 2022.

C. 2030 Agenda for Sustainable Development

ILO was recently involved in the advancement of indigenous peoples' rights and Sustainable Development Goal 8 on Decent Work and Economic Growth in the Gran Chaco Initiative in Argentina, Bolivia and Paraguay.^{xxxvi} The aim of this initiative is to bring together UN teams, local authorities and communities, and to identify the needs of the most vulnerable people, as well as the collaboration tools within the framework of the 2030 Agenda and commitment to leave no one behind.

D. COVID-19 pandemic

With support from AECID, the ILO prepared a report on social protection and indigenous peoples titled *"Panorama laboral de los pueblos indígenas en América Latina: La protección social como ruta hacia una recuperación inclusive frente a la pandemia de COVID-19"*. The report provides an overview of the socio-economic characteristics of indigenous peoples in Latin America and the state of their access to social protection. It aims to promote a better understanding and visibility of the existing challenges regarding effective coverage of indigenous peoples in relation to social protection in the region and the existing programmes in this area. In Bangladesh, the ILO commissioned a study on the *"Indigenous Women in the Informal Economy in Bangladesh: A rapid assessment into the impact of multiple COVID-19 waves and their implications for building an inclusive response and recovery"* in 2022, which will become available in the near future.

ⁱ This contributes to the implementation of the recommendation in paragraph 16 in report of the 4th Session of the UNPFII (2005) and the recommendation contained in paragraph 11 of the report of the 8th Session of the UNPFII (2009).

ⁱⁱ Recommendation in paragraph 13 of the report of the 16th Session of the UNPFII (2017).

ⁱⁱⁱ For more information, please visit [PBF/IRF-307: Creating new avenues | MPTF Office \(undp.org\)](#) and [ILO Development Cooperation Dashboard](#)

^{iv} See the recommendation in paragraph 59 of the report of the 3rd session of the UNPFII (2004).

^v <https://www.cancilleria.gob.bo/webmre/noticia/4917>

^{vi} See, e.g. the recommendation in paragraph 30 of the report of 7th Session of the UNPFII (2008).

^{vii} https://www.ilo.org/buenosaires/noticias/WCMS_849869/lang-es/index.htm

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xxxvi <https://unsdg.un.org/es/latest/stories/un-recorrido-por-el-gran-chaco-americano-tres-paises-unidos-por-un-mismo-objetivo>