

BACKGROUND NOTE FOR THE DEVELOPMENT OF A
SYSTEM WIDE ACTION PLAN TO ENSURE A COHERENT
APPROACH TO ACHIEVING THE ENDS OF THE UNITED
NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS
PEOPLES

Background Note 9

**Policies and guidelines on indigenous peoples by the United Nations system
and other international organizations**

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Introduction

The United Nations system as well as other intergovernmental organizations have an important role to play in the implementation of the United Nations Declaration on the Rights of Indigenous Peoples.

Article 41

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 through the mobilization, inter alia, of financial cooperation and technical assistance. Ways and means of ensuring participation of indigenous peoples on issues affecting them shall be established.

Article 42

The United Nations, its bodies, including the Permanent Forum on Indigenous Issues, and specialized agencies, including at the country level, and States shall promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration.

In order to comply with the above mentioned Articles of the UN Declaration, some UN agencies and other international institutions have developed policies and programmes on indigenous peoples. Some others have produced guidelines related to the implementation of the rights of indigenous peoples and the UN Declaration, related to their specific mandate.

I. Policies on Indigenous Peoples

The Food and Agriculture Organization (FAO) Policy on Indigenous and Tribal Peoples unveiled in 2010. The central purpose of the policy is to provide a framework to guide FAO's work where indigenous peoples are concerned. It gives information about indigenous peoples' livelihoods, world views and concerns about development, including certain "core principles" which should be at the heart of joint activities.

<http://www.fao.org/docrep/013/i1857e/i1857e00.htm>

The International Fund for Agricultural Development (IFAD) Policy on Engagement with Indigenous Peoples unveiled in 2009. This policy aims to enhance IFAD's development effectiveness in its engagement with indigenous peoples' communities in rural areas. It sets out the principles of engagement IFAD will adhere to in its work with indigenous peoples, and the instruments, procedures and resources IFAD will deploy to implement them. The policy is consistent with international standards, in particular the United Nations Development Group Guidelines on Indigenous Peoples' Issues.

http://www.ifad.org/english/indigenous/documents/ip_policy_e.pdf

The United Nations Development Programme (UNDP) practice Note on Engagement with Indigenous Peoples unveiled in 2001. There are two overall objectives of UNDP engagement with indigenous peoples and their organizations. 1. To foster an enabling environment that: promotes indigenous peoples' participation in all decision-making levels;

ensures the co-existence of their economic, cultural, and socio-political systems with others; and develops the capacity of Governments to build more inclusive policies and programmes; and 2. To integrate indigenous peoples' perspectives and concepts of development into UNDP work.

http://www.undp.org/content/dam/undp/documents/partners/civil_society/publications/policies_and_strategic_documents/UNDP_and_Indigenous_Peoples_A_Practice_Note_On_Engagement_2001.pdf

The UN-REDD Operational Guidance on the Engagement of Indigenous Peoples and other Forest Dependent Communities provides best practice advice on how to consult with indigenous peoples and other forest dependent communities and links to resources for further information. It is widely distributed to UN-REDD Programme staff, UN Country Team staff, and national government and civil society counterparts who are involved in any UN-REDD Programme activities that may impact upon the rights and livelihoods of indigenous peoples or other forest dependent communities.

<http://www.un-redd.org/Events/GlobalIndigenousPeoplesConsultationonREDD/tabid/596/language/en-US/Default.aspx>

The United Nations Environment Programme (UNEP) Policy Guidance on Indigenous Peoples unveiled in 2012. The objective of the policy guidance is to better understand and build on indigenous peoples' rights, knowledge, practices and systems that provide the framework for the harmonious relations that most indigenous peoples have with their environment. Furthermore, the policy guidance aims to ensure that UNEP appropriately considers indigenous peoples in its activities, with the understanding that UNEP does not speak in the name of or represent indigenous peoples.

http://www.unep.org/civil-society/Portals/24105/documents/Guidelines/UNEP_Indigenous_Peoples_Policy_Guidance_endorsed_by_SMT_26_11_12.pdf

The UN HABITAT Policy Guide to Housing of Indigenous Peoples in Cities unveiled in 2008. According to the Guide, the development and implementation of housing policies based on international human rights is essential to the improvement of the housing and living conditions of indigenous peoples across the world. The policy guide is designed to assist with this challenge.

<http://mirror.unhabitat.org/pmss/listItemDetails.aspx?publicationID=2681>

The World Bank's Operational Policy 4.10 on Indigenous Peoples unveiled in 2005. The policy contributes to the Bank's mission of poverty reduction and sustainable development by ensuring that the development process fully respects the dignity, human rights, economies, and cultures of indigenous peoples. For all projects that are proposed for Bank financing and affect indigenous peoples, the Bank requires the borrower to engage in a process of free, prior, and informed consultation. Its current policy is under review.

<http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/EXTPOLICIES/EXTOPMANUAL/0,,contentMDK:20553653~menuPK:4564185~pagePK:64709096~piPK:64709108~theSitePK:502184,00.html>

The Inter-American Development Bank Operational Policy on Indigenous Peoples and Strategy for Indigenous Development unveiled in 2006. The objective of the policy is to enhance the Bank's contribution to the development of indigenous peoples by supporting the region's national governments and indigenous peoples in achieving the following objectives: (a) Support the development with identity of indigenous peoples, including strengthening their capacities for governance and (b) Safeguard indigenous peoples and their rights against adverse impacts and exclusion in Bank funded development projects.
<http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=1442299>

The Asian Development Bank Policy on Indigenous Peoples unveiled in 1998. The policy sets out policy proposals relating to indigenous peoples in Bank operations. The policy initiative is undertaken in parallel with specific development interventions of the Bank that would address the needs and concerns of indigenous peoples.
<http://www.adb.org/sites/default/files/institutional-document/33441/files/policy-indigenous-peoples.pdf>

The European Bank for Reconstruction and Development Environment and Social Polity unveiled in 2014 contains performance requirement 7 on indigenous peoples. The performance requirement recognises that projects can create opportunities for indigenous peoples to participate in and benefit from project-related activities that may help them fulfil their aspiration for economic and social development.
<http://www.ebrd.com/news/publications/policies/environmental-and-social-policy-esp.html>

II. Guidelines and Manuals on Indigenous Peoples

The UN Guidelines on Indigenous Peoples Issues was prepared by the Inter-Agency Support Group on Indigenous Issues and unveiled in 2009. The purpose of the Guidelines is to assist the United Nations system to mainstream and integrate indigenous peoples' issues in processes for operational activities and programmes at the country level. The Guidelines set out the broad normative, policy and operational framework for implementing a human rights-based and culturally sensitive approach to development for and with indigenous peoples. They provide lines of action for planning, implementation and evaluation of programmes involving indigenous peoples as well as provide a framework for duly integrating the principles of cultural diversity into United Nations country programmes. After they were adopted, the UNDG Guidelines were disseminated to all UN Country teams and they remain available to all UNCTs through the UNDG website and they are included in the UNDAF or Common Programming Tool as a supplementary element of the UNDG toolkit. The UNDG does not monitor to what extent the UNDG guidelines are being used by UNCTs.

http://www.un.org/esa/socdev/unpfii/documents/UNDG_guidelines_EN.pdf

The UN-REDD Programme's Guidelines on Free, Prior and Informed Consent outlines existing international law and emerging State practice affirming that indigenous peoples have

the right to effective participation in the decisions, policies and initiatives that affect them and that FPIC is a legal norm that imposes duties and obligations on the States.

http://www.un-redd.org/Launch_of_FPIC_Guidelines/tabid/105976/Default.aspx

The OHCHR's Manual for National Human Rights Institution unveiled in 2013 aims at increased engagement by National Human Rights in ensuring that human rights, including indigenous peoples' rights become a reality.

<http://www.ohchr.org/Documents/Issues/IPeoples/UNDRIPManualForNHRIs.pdf>

The Handbook for Parliamentarians on the UN Declaration unveiled in 2014 by the Secretariat of the Permanent Forum on Indigenous Issues, UNDP, OHCHR, IFAD and IPU. The Handbook aims to be a practical tool to assist parliamentarians to improve their understanding of the rights of indigenous people and to work in the harmonization of national legislation according to the UN Declaration.

<http://www.un.org/esa/socdev/publications/Indigenous/Handbook/EN.pdf>

The Global Compact Business Reference Guide on the UN Declaration unveiled in 2013 as well as a practical supplement and a good practice note on Free, Prior and Informed Consent. The objective of the Guide is to help business understand, respect and support the rights of indigenous peoples as established in the UN Declaration by illustrating how these rights are relevant to business activities.

<https://www.unglobalcompact.org/what-is-gc/our-work/social/indigenous-people>

The Tkarihwaí:ri Code of Ethical Conduct to Ensure Respect for the Cultural and Intellectual Heritage of Indigenous and Local Communities unveiled in 2010 by the Convention on Biological Diversity. The Code aims to promote full respect for the cultural and intellectual heritage of indigenous and local communities relevant for the conservation and sustainable use of biological diversity.

<https://www.cbd.int/doc/decisions/cop-10/cop-10-dec-42-en.pdf>

The Akwé: Kon Voluntary guidelines for the conduct of cultural, environmental and social impact assessments regarding developments proposed to take place on, or which are likely to impact on, sacred sites and on lands and waters traditionally occupied or used by indigenous and local communities unveiled in 2004 by the Convention on Biological Diversity. It is expected that impact assessment procedures and methodologies embodied in the Voluntary Guidelines will play a key role in providing information on the cultural, environmental and social impacts of proposed developments and, thereby, help to prevent their potential adverse impacts on the livelihoods of indigenous and local communities concerned.

<https://www.cbd.int/doc/publications/akwe-brochure-en.pdf>

The Indigenous Food Systems, Agroecology and the Voluntary Guidelines on Tenure unveiled in 2015 by the FAO includes the work plan based on the main suggestions made for how FAO and indigenous peoples can collaborate in the short, medium and long term. It identifies concrete steps that can be followed in relation to the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty

Eradication, known as the SSF Guidelines, indigenous food systems and fishers among others.

<http://www.fao.org/documents/card/en/c/42378a03-1e66-4d0a-9525-8bd47887a7bf/>