

Questionnaire to the UN System

Questionnaire

**The theme of the Permanent Forum's session in 2017 will be:
Tenth anniversary of the United Nations Declaration on the Rights of Indigenous Peoples:
Measures taken to implement the Declaration**

A. Recommendations of the Permanent Forum on Indigenous Issues

With respect to the implementation of the recommendations of the Permanent Forum addressed specifically to your agency, fund and/or programme:¹

- i. Please provide information on measures taken or planned to implement the recommendations of the Permanent Forum addressed specifically to your organization.

While none of the Permanent Forum recommendations were directed specifically to the UN Global Compact (UNGC), the UNGC has released guidance for business to encourage full and effective participation of indigenous peoples in decisions that affect them, as affirmed in the UN Declaration on the Rights of Indigenous Peoples.

In addition the UNGC encourages business to - and has featured case studies on its website - of companies supporting indigenous rights, for example, Microsoft's work to preserve and revitalize the Cherokee language: <https://www.unglobalcompact.org/take-action/action/case-example/106>

- ii. What are the enabling factors that facilitate your agency's implementation of the Forum's recommendations?

The UN Global Compact receives its mandate from the UN General Assembly to engage businesses to act more responsibly and support broader UN goals, including the Sustainable Development Goals. The UNGC's 10 Principles call on business to act responsibly and pursue opportunities to support human rights, decent work, environmental stewardship and anti-corruption. As of November 2016, the Global Compact had over 12,000 signatories, of which over 9,000 are businesses. As a multi-stakeholder initiative, the UNGC has partnered with business, NGOs, and UN partners including UN Women, UNICEF, SPFII, OHCHR and ILO, on key initiatives to advance its mandate. We have over 80 Local Networks around the world.

- iii. What are some of the obstacles your agency has encountered in implementing the recommendations of the Permanent Forum?

Although the recommendations were not directed at the UNGC, one obstacle we have seen is the lack of data on company impacts and engagement with indigenous peoples.

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

As requested in the Outcome Document of the World Conference on Indigenous Peoples (2014), a system-wide action plan (SWAP) to ensure a coherent approach to achieving the ends of the UN Declaration on the Rights of Indigenous Peoples was launched by the Secretary General at the UN Permanent Forum in May 2016. The Permanent Forum will follow up on progress made in the implementation of the system-wide action plan during its 2017 session². For ease of reference, the questions have been framed under the six key elements of the SWAP-Indigenous Peoples as follows:

1. Raising awareness of the UN Declaration

Please provide information on any activities that raise awareness of the UN Declaration on the Rights of Indigenous Peoples, including key messages, advocacy and other media and outreach initiatives. Please provide information on publications, films, audio material, maps, or other materials that feature or focus on the UN Declaration and on indigenous peoples. Please also provide links to the relevant websites and other sources.

- The UN Global Compact has published a *Business Reference Guide to the UN Declaration on the Rights of Indigenous Peoples* (available in English, Spanish, French and Russian) which was launched at the 2013 Annual Forum on Business and Human Rights in Geneva. <https://www.unglobalcompact.org/library/541>
- A *Practical Supplement* to the Guide accompanies the Guide to provide relevant company examples. URL: <https://www.unglobalcompact.org/library/1451>
- Webinars:
 - Business and Indigenous Peoples' Rights: Emerging Trends, New Tools and Resources (2014): <https://www.unglobalcompact.org/library/821>
 - Business and the realization of Indigenous Peoples' rights (2013): <https://www.unglobalcompact.org/library/2641>

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

i. Please provide information on the measures that have been taken by your agency, fund or programme to support national partners in reform and implementation of legal frameworks, policies, strategies and plans to implement the UN Declaration on the Rights of Indigenous Peoples including through joint programming. Please also include information on indigenous women in your responses.

In addition to the above mentioned resources (see Question 1), *UN Global Compact Local Networks* have undertaken the following measures to support the implementation of the UN Declaration on the Rights of Indigenous Peoples:

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Global Compact Network – Australia

In January 2014, the Global Compact Network Australia (GCNA) launched an Indigenous Engagement Working Group (IEWG) to advance the dialogue around business and Indigenous rights. Activities under the IEWG have included a workshop on corporate engagement and indigenous peoples' rights, which heard from a panel of Australian Indigenous leaders on best practice around respecting and supporting Indigenous rights, as well as company case studies. Discussions explored key themes including engagement, governance and employment to identify how business can more effectively contribute to the enjoyment of Indigenous rights in Australia.

Global Compact Regional Support Center - Latin America and the Caribbean (UNGC LAC)

With the support of the Spanish Cooperation Agency and in alliance with the Ibero-American Secretariat, the UNGC Regional Support Center for Latin America and the Caribbean (UNGC LAC) designed a program around business & indigenous engagement. Activities organized included:

- Multi-stakeholder dialogues around the themes of the rights of indigenous peoples and the economic empowerment of indigenous women, including with Nicaraguan indigenous leaders on programs to incorporate women into non-traditional and formal economic activities.
- Consultation and engagement with private sector included:
 - Worked with the largest cement company in Guatemala on Human Rights Due Diligence, with a focus on indigenous communities.
 - Analyzed the financial costs for extractive companies operating in indigenous communities, as part of the 2015 edition the C-Suite Sustainability Dialogues organized jointly with Scotia Bank Mexico. Related documents (in Spanish) can be accessed here (<http://centroregionalmal.org/web-pacto/esp/?q=node/555>).
 - Conducted an impact assessment of operations of two companies from the extractive sector.

Global Compact Network - Russia

Sakhalin Energy (a participant in the Global Network-Russia), with the Office of the UN High Commissioner for Human Rights in Russia translated the UN Declaration of the Rights of Indigenous Peoples and the Universal Declaration of Human Rights into the languages of Sakhalin's indigenous peoples. Booklets, brochures, and recordings of the texts on CD were developed, which were presented at the local and national level including to indigenous peoples and their organizations, UN agencies in Russia, and academia. It can also be accessed on website of the Sakhalin Indigenous Minorities Development Plan (SIMDP)- URL: <http://www.simdp.ru/eng.php?id=20#>

ii. Please provide information on any support provided to Member States to mainstream the UN Declaration on the Rights of Indigenous Peoples and ILO Convention No. 169 in national development plans and in the Common Country Assessment (CCA/United Nations Development Assistance Frameworks (UNDAFs).

The UNGC LAC facilitated South-South Cooperation among Member State governments to benchmark good practices and document experiences related to implementation strategies for ILO

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Convention No. 169. UNGC LAC is currently finalizing a publication on business experiences related to the ILO Convention No. 169, due to be published in January 2017.

iii. Provide information on any measures taken or planned to promote the establishment or strengthening of consultative mechanisms and platforms of dialogue under the leadership of the Resident Coordinators.

The UN Global Compact spoke about business & FPIC at an Inter-Parliamentary Union conference on indigenous peoples in April 2014, supported by the Resident Coordinator of Bolivia.

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

The Permanent Forum on Indigenous Issues will continue to address indigenous issues in the follow up and review of the 2030 Agenda for Sustainable Development.

i. Has your agency/organization taken any measures to incorporate indigenous issues into programming to implement the 2030 Agenda in line with the UN Declaration on the Rights of Indigenous Peoples?

The UN Global Compact Headquarters remains committed to continue encouraging businesses to respect and support the rights of indigenous peoples' as outlined in the UN Declaration and in alignment with Agenda 2030. This includes through the promotion of best practice, learning and sharing activities (webinars & events), and awareness-raising.

Global Compact Regional Support Center - Latin America and the Caribbean (UNGC LAC)

The UNGC LAC spoke in a side event of the Human Rights Council, on September 20th, 2016, held in Geneva, on the 'Right of indigenous peoples to free, prior, and informed consultation as a requirement for sustainable and inclusive development within the Agenda 2030.'

Global Compact Network-Russia

Sakhalin Energy (a participant in the Global Compact Network-Russia) has established a long-term partnership programme with the Sakhalin Indigenous Peoples and the Sakhalin Government called 'Sakhalin Indigenous Minorities Development Plan (SIMDP),' which was developed with respect for international standards such as the United Nations Declaration on the Rights of Indigenous Peoples and Agenda 2030 for Sustainable Development.

Sakhalin Energy has worked in the area of the preservation and promotion of the cultural and linguistic heritage of Sakhalin indigenous minorities, which contributes to equal access to education as outlined in SDG 4. This priority was identified by Sakhalin's indigenous peoples as being critical in supporting their rights. Sakhalin Energy projects also comply with the provisions of the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage. The company's language-support projects include the publication of books, textbooks, and dictionaries in indigenous languages. It also includes organizing events such as the "First International Symposium in the

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Languages of the Indigenous Peoples of the Russian Far East,” held in Yuzhno-Sakhalinsk, Sakhalin Oblast, Russia in October 2014 and the “International Workshop Preservation and Promotion of Cultural and Linguistic Heritage of Sakhalin Nivkhi,” held at the UNESCO Headquarters in Paris.

ii. Have indigenous peoples participated in programs, projects or any other activities related to the implementation and review of the 2030 Agenda for Sustainable Development? Please also include information on indigenous women, persons with disabilities, older persons and children and youth in your responses.

The UN Global Compact, in collaboration with the ILO, is in the process of developing a guide to explain how the rights set out in the Convention on the Rights of Persons with Disabilities (CRPD) are relevant to business operations and activities as well as community engagement. The guide will illustrate how business can respect and support inclusion, accessibility and the rights of persons with disabilities in the workplace, marketplace and community. In addition, the guide will demonstrate how by taking such action, business can also contribute to the advancement of the Sustainable Development Goals.

iii. Please include information on reports or other documents prepared by your agency on progress in implementing the 2030 Agenda for indigenous peoples. Also include information on any measures taken or planned to gather or assist with the collection of statistical data on indigenous peoples, in particular as related to the SDG indicators for target 1.4 (secure tenure rights to land), target 2.3 (income of small-scale food producers), target 4.5 (parity in access to education) and target 10.3/16.b (experience of discrimination).

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

i. Please provide information on any specific standards and guidelines on indigenous peoples adopted or planned by your agency/organization.

The UN Global Compact launched a *Business Reference Guide to the UN Declaration on the Rights of Indigenous Peoples* in December 2013. The Guide aims to increase understanding among business of the rights of indigenous peoples and to provide practical suggestions for respecting and supporting these rights. As of December 2015, the Practical Supplement to the Reference Guide features twenty two case studies showing business initiatives that respect and support indigenous peoples’ rights in five of the Permanent Forum’s seven socio-cultural regions: 1) Asia; 2) Central and South America and the Caribbean; 3) Eastern Europe, Russia Federation, Central Asia and Transcaucasia; 4) North America and 5) The Pacific.

ii. Please provide information on any training materials prepared or planned related to the implementation of the UN Declaration.

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The UN Global Compact has developed the Human Rights and Business Dilemmas Forum (HRBDF), with a section dedicated to indigenous peoples' rights. It includes an introduction to the issue, with scenarios, dilemmas, and case examples :

<http://hrbdf.org/dilemmas/indigenous-peoples/#.VlLzRyvF800>

Training materials developed by UN Global Compact Local Networks include:

Global Compact Network – Brazil

The Global Compact Network Brazil organized a webinar in February 2016, in collaboration with Brazilian energy companies, Furnas and Eletronorte, and environmental conservation group, The Nature Conservancy Brazil. The agenda for the webinar was around the Business Reference Guide to UN DRIP, internationally recognized best practices around engagement in the area, and 'Brazilian Guidelines for Good Corporate Practices with Indigenous Peoples'.

Global Compact Network Spain

The Global Compact Spanish Network, in collaboration with the Spanish Agency for International Development organized a workshop on "Business and Human Rights, the Guiding Principles and the right to prior consultation in Latin America and the Caribbean" on March 16, 2016. The workshop was centered on legislative frameworks protecting the rights of indigenous peoples (i.e. the UN Declaration on the Rights of Indigenous Peoples and ILO Convention No. 169), and how businesses could adapt their management models to international consultation standards. Spanish companies such as Repsol, Endesa and OHL participated.

UN Global Compact Spain launched the "Business and Indigenous Peoples" guide on the occasion of the International Day of Indigenous Peoples on 9th August, 2016. The guide is based on key international treaties affirming and protecting the rights of indigenous peoples. It documents frameworks and best practices, related to business engagement in this area. The publication (in Spanish):

<http://www.pactomundial.org/wp-content/uploads/2016/09/Guia-Pueblos-Ind%C3%ADgenas.pdf>

Global Compact Regional Support Center - Latin America and the Caribbean (UNGCLAC)

The Regional Support Center- LAC delivered webinars and training to Global Compact Local Network focal points and participants from Colombia, Mexico, Peru, Chile, Argentina, Panama and Guatemala, and Ecuador. This included training programs on Human Rights, SDGs, and ILO Convention no. 169, and due diligence.

iii. Please provide information on current resources and funds allocated to effectively implementing the UN Declaration. Please also provide information on any joint initiatives with other UN agencies in the implementation of the UN Declaration.

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

Please provide information on any capacity development initiatives that your organization is conducting for indigenous peoples, government officials and UN staff. Also include information on the participation of indigenous women, children and youth as well as indigenous persons with disabilities in your response.

The Global Compact developed training materials through the Human Rights and Business Dilemmas Forum (HRBDF - hrbdf.org), and for companies (such as Oil and Gas Engineers association). Additionally, it delivered human rights training to the UN Staff College Partnerships Course, which includes the UN Guiding Principles on Business & Human Rights and resources on indigenous peoples' rights.

6. Advancing the participation of indigenous peoples in UN processes

Please provide information on any support provided for the full and effective participation of indigenous peoples at relevant UN bodies. Please also provide information on any consultative mechanisms, tools and other measures to obtain free, prior and informed consent of indigenous peoples in processes that affect them.

The **UN Global Compact** prepared drafts of the Business Reference Guide to the UN DRIP and established an 18 month consultation period with indigenous peoples through both in-person and virtual consultations. This was described by one indigenous leader and economist, Rebecca Adamson, as the best example of Free, Prior, Informed Consent (FPIC) she had ever seen.

Additionally, the Global Compact has published a Good Practice Note on *Indigenous Peoples' Rights and the Role of Free, Prior Informed Consent (FPIC)*, which was peer-reviewed and endorsed by the multi-stakeholder Global Compact Human Rights and Labour Working Group in 2014.

The Good Practice Note provides background on the history of FPIC, explores the business case for obtaining FPIC and the challenges that are likely to arise in the process; outlines current company good practices to obtain FPIC; and discusses emerging practices that not only support FPIC but also long-term benefits for affected indigenous communities. See English and Spanish versions at: <https://www.unglobalcompact.org/library/931>

The **UN Global Compact Regional Support Center for Latin America and the Caribbean (UNGC LAC)** worked to promote awareness around Free, Prior, and Informed Consent (FPIC). Their activities included:

- At the 2015 United Nations Permanent Forum for Indigenous Issues, the Centre, GIZ, AECID, and OHCHR Colombia organized a session on best practices related to FPIC in the LAC. URL: <https://www.un.org/development/desa/indigenouspeoples/unpfii-sessions-2/fourteenth-session.html>

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- The 2015 edition of the LAC Business Forum included a panel on Indigenous Rights, FPIC and use of natural resources. The keynote address was delivered by the first indigenous senator of Ecuador <http://www.centroregionalpmal.org/eventos/foroempresarial2014/?q=node/149>
- The 2015 edition of the Annual Report of the Network dedicated a section on the regional status of previous consultation ILO Convention No. 169 and included lessons learned in multi-stakeholder dialogue processes. The Report (in Spanish) can be accessed here: [http://www.centroregionalpmal.org/web-pacto/esp/sites/default/files/Informe de Gesti%C3%B3n2015 0.pdf](http://www.centroregionalpmal.org/web-pacto/esp/sites/default/files/Informe%20de%20Gesti%C3%B3n2015%200.pdf)
- The LAC have also developed a web platform dedicated to FPIC. URL: <http://www.consultasindigenas.org/en>