

Questionnaire to Governments

Please submit your completed questionnaire at your earliest convenience but no later than **31 January 2014** to:

Secretariat of the Permanent Forum on Indigenous Issues
Division for Social Policy and Development
Department of Economic and Social Affairs
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The full questionnaire can also be completed online or downloaded in word format from <http://undesadspd.org/IndigenousPeoples/UNPFISessions/Thirteenth/Questionnaire.aspx>

Introduction

This questionnaire is divided into two sections and is designed to obtain information for the United Nations Permanent Forum's thirteenth session 12 - 23 May 2014 as well as information on the achievements of the Second International Decade of the World's Indigenous People (2005 – 2014) in accordance with General Assembly A/RES/67/153, para 13, adopted on 20 December 2012.

This resolution requests the Secretary-General, in collaboration with Member States, the Office of the United Nations High Commissioner for Human Rights, the Special Rapporteur on the rights of indigenous peoples, the International Labour Organization, the United Nations Development Programme, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and other relevant funds, programmes and specialized agencies of the United Nations system, to prepare a comprehensive last report on the achievement of the goal and objectives of the Second Decade, and its impact on the Millennium Development Goals, which shall serve as an input to the preparatory process for the World Conference and to the discussion on the United Nations development agenda beyond 2015.

SECTION 1 - Evaluation of the achievement of the goal and objectives of the Second International Decade of the World's Indigenous People

Q1. In accordance with the objectives of the Second International Decade of the World's Indigenous Peoples, please provide information on:

- Your Government's provision to secure the political representation of indigenous peoples within the governing structures on a local, regional level as well as their inclusion in the national system;
- Constitutional provisions, Government laws, policies, resources, programmes and projects that are specifically addressed to indigenous peoples;
- Government guidelines on formulating public policies with the participation and involvement of indigenous peoples;
- Budgetary allocations for projects/activities for indigenous peoples;
- Use of indigenous languages in the State apparatus and public service;
- Highlight any good practices.

Q1.

Reference is made to the report on the Greenland Self-Government and the introduction of the Greenland Self-Government (E/C.19.2009/4/Add.4) in which the Governance structure (parliamentary democracy) as well as the political and economic relations between Denmark and Greenland are described.

It may further be informed that the Government of Denmark has adopted a strategy (2013-2016) aimed at socially disadvantaged persons from Greenland living in Denmark to improve their living conditions. A total of DKK 13.4 million has been allocated for the implementation of the strategy.

Q2. In accordance with the objectives of the Second International Decade of the World's Indigenous People, please provide information on:

- Your Government's implementation of indigenous peoples involvement in national public policies in the areas of education, culture, health, human rights, environment, or social and economic development;
- Integration of indigenous learning systems and traditional knowledge in national education curriculum;
- Integration of indigenous peoples' culture and traditional knowledge in public health policies and plans at national/regional and local level;
- Application by Government of the principle of free, prior and informed consent in the negotiations with indigenous peoples regarding access and use of their traditional lands and territories and natural resources, especially in case of mega-infrastructure and development projects;
- Involvement of indigenous peoples into the country's land titling laws / land reform processes.

Q2.

By the acts establishing the Greenland Home Rule and subsequently Self-Government in Greenland, the Greenland Government has full competences in the areas described above.

In January 2013, the Greenland Human Rights Council was established. The Council was established on the basis of The Inatsisartut Act No. 23 of 3 December 2012 on Greenland's Human Rights Council. The Greenland Human Rights Council

cooperates with the Danish Institute for Human Rights in monitoring the human rights situation in Greenland.

Q3. In accordance with the objectives of the Second International Decade of the World's Indigenous People, please provide information on:

- Your Government's initiatives to develop and/or implement measures for protecting and promoting cultural diversity and inter-culturality;
- Initiatives to recover or preserve and protect indigenous peoples' heritage sites and other parts of their tangible and intangible heritage;
- Public mechanisms or institutions focused on the protection of indigenous peoples' traditional knowledge and genetic resources.

Q3.

Greenland has developed its own legislation for the preservation and protection of heritage sites and of tangible and intangible heritage.

In addition to legislation on the preservation of cultural heritage, there are rules and procedures regarding the inclusion of local and traditional knowledge.

In November 2006, the Greenland Parliament adopted an act on the commercial and scientific use of biological resources. The act regulates the exploration and utilisation of genetic resources for the benefit of the people in Greenland.

Q4. In accordance with the objectives of the Second International Decade of the World's Indigenous People, please provide information on:

Q4(a) Does your Government have a particular focus, programmes, laws and institutions to address indigenous children and youth in your country? If "Yes", please provide a brief description of these programmes.

Q4.(a)

Inuit in Greenland are Danish citizens. Danish citizens moving from Greenland have in general the same rights and obligations as other Danish citizens. Thus, when staying in Denmark, Inuit are covered by the Danish social welfare acts in all aspects. The Government of Denmark has recently adopted a strategy (2013-2016) addressed to socially disadvantaged Inuit living in Denmark to improve their living conditions.

The Greenland Self-Government has taken over the responsibility in all domestic areas in Greenland, including the areas of social affairs and education.

In August 2010, Greenland and UNICEF-Denmark entered into a cooperation agreement, with the objective to strengthen cooperation and efforts for creating the best possible opportunities for growth and development of children in Greenland.

In the spring of 2012 Greenland's first Children's Rights Institution with a spokesperson for children was established in Greenland.

Q4 (b) Does your Government have a particular focus, programmes, laws and institutions to address indigenous women in your country? If “Yes”, please provide a brief description of these programmes.

Q4 (b).

Please see the answer above to Q4(a)

In April 2003, the Government of Greenland adopted the act on equality between women and men.

Since the 1980s there have been shelters and counseling centers for women or men in Greenland who have been victims of violence and threats of violence or other domestic crisis. Women and men may be accompanied by their children. There are also crisis centers/shelters catering to women and children only.

In the autumn of 2013, Inatsisartut (Greenland Parliament) adopted a strategy and action plan for the years 2014-2017 to combat violence in the domestic as well as in the public sphere.

Q4 (c) Does your Government have targeted policies, programmes, projects, benchmarks and budgets for indigenous peoples in the areas of education, health, environment, social and economic development?

Q4 (c).

Please see the answer above to Q1, Q2 and Q4(a), as the Greenland Government has taken over the competence in the mentioned areas.

Q5. In accordance with the objectives of the Second International Decade of the World's Indigenous People, please provide information on:

- Existence of disaggregated data and statistics on indigenous peoples, including through national census;
- Existence of official reports or research on the situation of your country's indigenous peoples.

Q5.

The Greenland Government has its own Bureau of Statistics. Though the statistics are not disaggregated by ethnicity, much data are disaggregated by place of birth. Hereby data for people born in Greenland to a large degree are congruent with the ethnic indigenous Greenlandic population. For reference see www.stat.gl.

The Danish Institute for Human Rights is in the process of finalizing a report on human rights in Greenland focusing primarily on children, disabled, rule of law, education and extractive industries.

Q6. Does your Government have a national institution (ministry, department, ombudsman, etc.) on indigenous peoples' issues? If "Yes", please provide a brief summary of the focus and activities of the institution as well as the names and contact details of the focal point on indigenous peoples' issues.

Q6.

A number of national and regional institutions are engaged with the protection of the rights on indigenous peoples, including their human rights. These include in particular the Ministry of Foreign Affairs of Denmark, the Danish Institute for Human Rights (NHRI), the Arctic Council and the Greenland Council for Human Rights. Greenland has also its own courts of first and second instance. The Danish High Court is the highest court of appeal for Greenland.

The Danish Institute for Human Rights has described its activities in Greenland in its annual report covering 2013. The Institute has, amongst others, prepared a report regarding human rights in Greenland focusing primarily on children, disabled persons, rule of law, education and extractive industries. The Institute has also trained defence lawyers in Greenland and initiated cooperation with the child right's institution MIO in Greenland to strengthen the dissemination of the UN Convention on the Rights of the Child.

Q7. Does your Government have any formal or ad hoc capacity-building programmes on indigenous peoples' issues for civil servants? If "Yes", please provide a brief description of these programmes.

Q7.

A technical guide on indigenous peoples' rights produced in 2011 is available for civil servants and others working in the Danish government with development activities.

Q8. Please provide a brief account of some of your Governments' efforts regarding indigenous peoples and the Millennium Development Goals.

Q8.

Reference is made to the answer to question 2 in the Report for the 12th Session of the UN Permanent Forum on Indigenous Issues from Denmark and Greenland.

Q9. Please list information on how your Government currently promotes and/or implements the U.N. Declaration on the Rights of Indigenous Peoples.

Greenland and Denmark have for years worked closely together to promote indigenous peoples' rights. Denmark's first strategy in 2004 to support indigenous peoples was prepared based on a Danish/Greenland initiative. The establishment of the Self-Government arrangement for Greenland in 2009 is in itself an illustration of Greenland and Denmark's implementation of and commitment to the UN Declaration on the Rights of Indigenous Peoples. A report from 2011 concluded that the Danish/Greenland cooperation has led to groundbreaking institutional results and to improved living conditions for indigenous peoples.

Denmark and Greenland have historically been and are still active in a number of relevant forums where indigenous peoples' rights are discussed. For instance, Denmark and Greenland participate actively in the negotiation of resolutions relevant to the rights of indigenous peoples and in the sessions of the UNPFII and EMRIP.

Denmark supports also both with the Secretariat of the UNPFII and the ILO with junior professional officers, as well as through its financial assistance to IWGIA, the UN Voluntary Fund on Indigenous Populations, the UN Trust Fund on Indigenous Issues and the Inuit Circumpolar Council.

Finally, Denmark as a EU member state contributes actively to bring EU cooperation policies in line with the Declaration on the rights of Indigenous Peoples.

SECTION 2 - Preparation for the Thirteenth session of the UN Permanent Forum on Indigenous Issues

The report of the 12th Session of the UN Permanent Forum on Indigenous Issues provides a number of recommendations within its mandated areas, some of which are addressed to Member States.

Question 1

Briefly state what recommendations from the Twelfth Session of the United Nations Permanent Forum on Indigenous Issues (UNPFII)¹ or recommendations from previous sessions (not addressed in previous reports) were addressed by your Government.

Few of the recommendations stemming from the 12th session are directly applicable to the context of Denmark/Greenland.

As recommended by the UNPFII (see paragraph 50) Denmark has recently pledged approximately USD 450.000 (DKK 2.5 million) to the UN Voluntary Fund for Indigenous Populations and intends to pledge approximately USD 730.000 (DKK 4.0 million) to the UN Trust Fund on Indigenous Issues.

In 2014, Denmark/Greenland will be main sponsors of an expert workshop in April to celebrate the 25th anniversary of ILO Convention no. 169. The workshop aims to take stock of the Convention's contribution to rights-based development as well as to revitalize interest in and strengthen implementation of the ILO Convention.

Question 2

At its thirteenth session in 2014, UNPFII will address the follow theme "Principles of good governance consistent with the United Nations Declaration on the Rights of Indigenous Peoples: articles 3 to 6 and 46". The provisional agenda for the thirteenth session also includes Half-day discussion on the Asian region; Discussion on the World Conference on Indigenous Peoples; and Discussions on a number of ongoing priorities and themes, such as indigenous children, indigenous youth, the Second International Decade of the World's Indigenous People and the Post-2015 Development Agenda.

¹ The following paragraphs of the Report on the Twelfth Session of the Permanent Forum (E/2013/43) contain recommendations addressed to Member States: 7 (b), 7 (c), 7 (e), 12, 14, 15, 16, 17, 19, 20, 24, 28, 29, 30, 31, 32, 34, 37, 38, 41, 45, 46, 47, 48, 49, 50, 51, 52, 89, 91, 95, 96, 97, 98, 100, 102, 103, 112, 115, 118, 120, 122.

Briefly state how your Government deals with these issues in regards to indigenous peoples.

Q2 (a). The theme on Good governance

Q2 (a).

Danish support to good governance is guided by two interlinked strategies: “*Democracy & Human Rights for the Benefit of the People*” and “*Effective & Accountable Public Sector Management*”. In addition, the “*Strategy for Danish Support to Civil Society in Developing Countries*” also provides significant pointers for the Danish support to governance. A number of thematic synergies link these strategies in areas such as accountability, transparency and participating. A Human Rights based approach to development is underpinning these strategies.

As part of Denmark’s international human rights cooperation and in close cooperation with the Greenland Self-Government, Denmark promotes and protects and rights of indigenous peoples. The Danish strategy for the Government’s approach to international human rights work from 2009 identifies indigenous peoples’ rights as an issue where Denmark will make a special effort in the years ahead.

Equality and non-discrimination are key ‘building blocks’ for democracy and including as well as respecting free, prior and informed consent of indigenous peoples is one of the strategic priorities outlined in the current strategy.

Specific efforts to promote the rights of indigenous peoples and minorities are often implemented in cooperation with UN agencies.

Reference is further made to the report on the Greenland Self-Government and the introduction of the Greenland Self-Government (E/C.19.2009/4/Add.4), as regards the approach to good governance in Greenland.

Q2 (b). Ongoing priorities for indigenous children and youth

Q2 (b).

Indigenous peoples, children and youth are in general focus areas in Denmark’s development cooperation as well as in its human rights policies.