

# THE UNITED NATIONS PERMANENT FORUM ON INDIGENOUS ISSUES

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## Economic, Social and Cultural Rights

### BACKGROUND

Each year, the Permanent Forum devotes attention during its annual session to the issue of human rights. For its 14th session in 2015, the Permanent Forum has decided to focus special attention on the consideration of economic, social and cultural rights.

This issue is of special importance in 2014-2015 given that the international community is in the process of formulating the post-2015 development agenda.

Economic, social and cultural rights cover a range of issues relevant to the rights of indigenous peoples. They relate to various socio-economic issues, including development, health, education, poverty reduction, employment, food, housing, and water and sanitation, among others. Given the complexities and financial implications involved in securing these rights of all peoples in all countries, both developed and developing, States are expected to move towards the “progressive realization” of economic and social rights. Cultural rights are of particular relevance for indigenous peoples given that indigenous peoples are culturally distinct from the majority societies in which they live. Cultural rights involve protection for traditional and religious practices, languages, sacred sites, cultural heritage, intellectual property, oral and traditional history, etc.


The rights of indigenous peoples to a range of economic, social and cultural rights are guaranteed in various international instruments. The principal legal instrument articulating these rights in broad terms is the International Covenant on Economic, Social and Cultural Rights (ICESR). Other international instruments also include references to economic, social and cultural rights, especially for specific groups (e.g. The Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination Against Women; the Convention on the Rights of the Child; and the Convention on the Rights of Persons with Disabilities).

The UN Declaration on the Rights of Indigenous Peoples is the foremost instrument on indigenous peoples’ rights. It articulates how economic, social and cultural rights apply in the specific context of indigenous peoples. As reflected throughout relevant provisions of the Declaration, it is necessary to consider economic, social and cultural rights for indigenous peoples in light of the overarching principles of self-determination and non-discrimination.<sup>1</sup>

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<sup>1</sup> See A/69/267, Report of the Special Rapporteur on the Rights of Indigenous Peoples, Victoria Tauli Corpuz, to the United Nations General Assembly (2014).





Indigenous peoples continue to live in situations of extreme disadvantage in social and economic terms as compared to other segments of society. In this connection, there are numerous ongoing barriers to the full exercise of their economic, social and cultural rights, including in the following areas: (1) the existence of disaggregated data and other information concerning the specific social and economic situation and needs of indigenous peoples; (2) access to culturally appropriate social and economic programmes and services, including in rural and isolated areas, where indigenous peoples often live; (3) the participation of indigenous peoples in the design and delivery of social and economic programmes and services, at both the national and international levels, and the strengthening indigenous peoples' self-determined development; and (4) the recognition and protection of indigenous peoples' lands, territories and resources, which form the basis for their cultures, livelihoods and economic development.

## PREVIOUS WORK OF THE PERMANENT FORUM

Since its establishment, the Permanent Forum on Indigenous Issues has made numerous recommendations concerning the economic, social and cultural rights of indigenous peoples. These recommendations have been directed at UN agencies, as well as at Member States and indigenous peoples themselves. Recommendations relate to the following broad categories: access to culturally appropriate services in areas of education and health, as well as poverty reduction; increasing indigenous peoples self-determined development and development with cultural and identity, with a goal of increasing indigenous peoples' participation in and control over services in programmes related to their economic, social and cultural situations; the need for increased information, especially through the disaggregation of data, concerning the situation of indigenous peoples; and finally, the particular social, economic and cultural situations of indigenous women, youth, elderly and persons with disabilities.

The themes of the annual sessions of the Permanent Forum have frequently related to economic, social and cultural rights. The Permanent Forum members have also prepared several substantive reports relevant to economic, social and cultural rights.

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**More information** on the Fourteenth Session of the United Nations Permanent Forum on Indigenous Issues at: [www.un.org/indigenous](http://www.un.org/indigenous)