



International
Labour
Organization

**UN Permanent Forum on Indigenous Issues
Sixteenth Session, 24 April to 5 May 2017
UN Headquarters, New York**

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

Reply by the International Labour Organization (ILO)

Geneva, 6 January 2017

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:

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

The Permanent Forum has not made any recommendations specifically addressed to the ILO during its fifteenth session. However, the ILO continues to follow-up on previous recommendations. For example, in 2011, the Permanent Forum recommended that the ILO, OHCHR and the Secretariat of the Permanent Forum continue to work on a common framework for monitoring the situation and well-being of indigenous peoples and the implementation of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). As a follow-up, the ILO was a partner in the development of the Indigenous Navigator framework, along with the Asia Indigenous Peoples Pact, Forest Peoples Programme, the International Work Group on Indigenous Affairs (IWGIA) and Tebtebba, with the support of the European Union. After a pilot phase of the initiative from 2014-2016 the Global Indigenous Navigator Initiative will be launched in 2017.

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

Promoting indigenous peoples' rights and development, through the Decent Work Agenda and based on the relevant ILO Conventions and Recommendations,

notably the Indigenous and Tribal Peoples Convention, 1989 (No. 169), is an integral part of the ILO's mandate and work. In 2015, the Governing Body of the International Labour Office discussed and endorsed a new ILO strategy for action concerning indigenous and tribal peoples (available at www.ilo.org/indigenous). This institutional and programmatic context enables the ILO to design and implement interventions in favour of indigenous and tribal peoples in an integrated manner, including action that follows-up to recommendations of the Permanent Forum.

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

No particular obstacles were encountered with regard to specific recommendations in the past. Any future recommendations will be carefully considered on a case by case basis.

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

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.

UNDRIP is often referred to and highlighted in relevant ILO publications, training and awareness raising efforts, along with the Convention No. 169 which remains the only international treaty specifically addressing the rights of indigenous peoples. UNDRIP is also systematically highlighted in the ILO's statements on the occasion of the International day of the Worlds' Indigenous Peoples.

Examples of recent ILO publications, briefs and statements featuring UNDRIP:

- *Delivering economic and social justice for indigenous and tribal peoples through decent work*, Statement by ILO Director-General Guy Ryder on the occasion of 2016 International Day of the World's Indigenous Peoples, 9 August 2016, available at http://www.ilo.org/global/about-the-ilo/how-the-ilo-works/ilo-director-general/WCMS_503716/lang--en/index.htm
- *Sustainable Development Goals: Indigenous Peoples in Focus*, ILO Information Brief, 26 July 2016, available at http://www.ilo.org/global/topics/indigenous-tribal/publications/WCMS_503715/lang--en/index.htm

- *Indigenous Peoples and Climate Change: From Victims to Change Agents through Decent Work*, Technical Note prepared for the Marrakech Climate Change Conference (7-18 November 2016), 7 November 2016, available at: http://www.ilo.org/global/topics/indigenous-tribal/WCMS_534346/lang--en/index.htm
- *Indigenous peoples in Cameroon: a guide for media professionals*, 1 December 2015, available at: http://www.ilo.org/gender/Informationresources/Publications/WCMS_438854/lang--en/index.htm

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

- 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.

During 2016-2017, the ILO is implementing targeted interventions regarding indigenous and tribal peoples in Bangladesh, Bolivia, Cameroon, Congo, Chile, Costa Rica, Guatemala, Honduras, Nicaragua, the Philippines and Peru. These interventions include capacity building and awareness raising regarding the Convention No. 169, particularly as regards national consultation mechanism; addressing and preventing forced labour and child labour in indigenous communities; surveys on employment, skills and working conditions of indigenous workers, with a specific focus on indigenous women; training for employers' organizations and supporting trade unions in their efforts to build alliances with indigenous peoples' organizations.

- 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 Decent Work Country Programmes are the ILO's programmatic framework through which the Organization contributes to UNDAFs and their implementation. Gender equality and non-discrimination, including the elimination of discrimination based on ethnicity or indigenous identity, are a cross-cutting policy driver of all ILO activities and interventions. In this context, indigenous and tribal peoples are highlighted as a group requiring specific attention in ILO programming. See *ILO Decent Work Country Programme: a practical guidebook, version 4*, 2016, available at

http://www.ilo.org/public/english/bureau/program/dwcp/download/guidebook_20161121.pdf

The new [Decent Work Country Programme for Cambodia \(2016-2018\)](#), for examples, has innovatively mainstreamed indigenous peoples' issues.

- iii.* Please 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 ILO closely collaborates with the UN Country Teams with regard to indigenous peoples' issues. This is of particular importance in countries that have ratified Convention No. 169, to ensure that mechanisms and procedures to ensure consultation by the state with indigenous peoples comply with the requirements of the Conventions. UN-system collaboration through the United Nations Indigenous Peoples Partnership (UNIPP), which currently includes ILO, OHCHR, UNDP, UNFPA and UNICEF, has been particularly fruitful in this regard.

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 ILO's strategic plan is designed to ensure that the ILO's work and interventions contribute to the achievement of specific goals and targets of the 2030 Agenda. The promotion and application of ILO Conventions and Recommendations is pursued by the ILO as a specific policy outcome and as a policy driver cutting across all programmatic outcomes. This includes a range of ILO instruments directly addressing the rights set out in UNDRIP, including, notably, Convention No. 169, but also the instruments concerning discrimination forced labour, child labour, freedom of association and collective bargaining, social protection, working conditions, employment, the informal economy, cooperatives, and other matters.

- 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.

Indigenous peoples are participants and beneficiaries of a number of ILO projects and programmes. ILO policies and guidelines require that all projects are gender mainstreamed and as far as possible include specific outcomes and outputs promoting gender equality. Increasing attention is being paid to intersectionality and addressing the rights and needs of women and men, as well as persons with disabilities from groups more vulnerable to discrimination, such as indigenous and tribal peoples. The ILO co-organized an expert meeting on indigenous persons with disabilities on 7 and 8 July 2016, jointly with the Special rapporteurs on the rights of persons with disabilities and the rights of indigenous peoples, as well as OHCHR. More information on the meeting is available at <http://www.ohchr.org/EN/Issues/Disability/SRDisabilities/Pages/IPDisabilities.aspx>

- 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).

To facilitate a better understanding of how the SDGs relate to the situation and needs of indigenous and tribal peoples, the ILO issued a dedicated information note on the subject, available at http://www.ilo.org/global/topics/indigenous-tribal/publications/WCMS_503715/lang--en/index.htm

The ILO serves as a custodian for 13 SDG indicators: 1.3.1, 5.2.2, 8.2.1, 8.3.1, 8.5.1., 8.5.2, 8.6.1, 8.7.1, 8.8.1, 8.8.2, 8.b.1, 10.4.1, 10.7.1. However, numerous other indicators are directly related to decent work and therefore of interest to the ILO, including those relating to the above-mentioned targets 1.4, 2.3, 4.5 and 10.3/16.b. In its work to build capacities of national statistical institutions and tools, the ILO pays attention to data disaggregation including regarding income, sex, age, race ethnicity, migratory status, disability, geographic location or other relevant characteristics, as appropriate, as envisaged under the 2030 Agenda.

As a partners in the Global Indigenous Navigator Initiative (see above), the ILO promotes community-based monitoring of indigenous peoples' rights and development through a framework that is aligned with the SDGs.

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 main ILO instrument regarding indigenous peoples is the Indigenous and Tribal Peoples Convention, 1989 (No. 169), which has been ratified by 22 countries so far. The earlier Indigenous and Tribal Populations Convention, 1957 (No. 107) is now considered as outdated and the ILO is following up with member States still bound by Convention No. 107 (a total of 17 countries) with a view to supporting efforts to ratify Convention No. 169. For updated ratification information regarding all ILO instruments see www.ilo.org/normlex.

The 2013 ILO Handbook on Convention No. 169 provides institutional guidance on the Convention for ILO constituents, indigenous peoples, national human rights institutions, UN human rights bodies and mechanisms, including those specifically addressing the rights of indigenous peoples, the private sector as well as other interested stakeholders. The handbook is available at www.ilo.org/indigenous.

Countries that have ratified Convention No. 169 or other relevant ILO Conventions receive guidance regarding the Conventions' application from the ILO supervisory bodies, notably the Committee of Experts on the Application of Convention and Recommendation (CEACR), the Committee on the Application of Standards (CAS) of the International Labour Conference, and, in the case of representation under article 25 of the ILO constitution, from the ILO Governing Body.

At its November-December 2015 session, the CEACR addressed comments regarding the application of Conventions Nos. 169 and 107 (published in 2016) to the following countries: Argentina, Brazil, Central African Republic, Colombia, Costa Rica, Dominica, Guatemala, Honduras, Nepal, Nicaragua (regarding application of Convention No. 169); Angola, Bangladesh, Ghana, Haiti, India, Panama, Syrian Arab Republic (regarding application of Convention No. 107). The full texts of the comments are available [here](#). The CEACR comments adopted at its November-December 2016 session will become available in 2017.

The CAS discussed the application of Convention No. 169 by Honduras in June 2016 and issued conclusions. See [Conference Committee on the Application of Standards: Extracts from the Record of Proceedings \(ILC 2016\)](#). In 2016, the Governing Body adopted reports regarding article 24 representations concerning Convention No. 169 with regard to [Peru](#), and [Chile](#).

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

The ILO has not prepared any specific training material on UNDRIP, though the Declaration is mentioned in many publications, materials and tools regarding indigenous and tribal peoples.

- 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.

There is currently no methodology allowing for the determination of the level of funds “allocated to effectively implementing the UN Declaration”. The ILO is an active member of the Interagency Support group on Indigenous Peoples’ Issues (IASG) and the UN Partnership on UN Indigenous Peoples.

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 ILO is supporting capacity building for ILO constituents, indigenous peoples and UN staff through knowledge development, awareness raising and tools for experience sharing and training. For instance, information tools were developed to highlight the contribution of the ILO’s strategy on indigenous peoples in the context of the SDGs and climate action. An inter-regional course on “Indigenous peoples: rights and development” took place from 14-18 November 2016 at the ILO’s International Training Centre in Turin, Italy. Country-based training is provided upon request, as far as possible. The ILO’s topical web portal on indigenous and tribal peoples was redesigned and serves as a global hub for sharing of knowledge, tools, best practices and updates on projects and activities (www.ilo.org/indigenous). It features tools and publications published since November 2015 and will be populated continuously with more content.

Recent publications and tools include the following (2015-2016):

A. Reports, studies

- [Indigenous Peoples in the World of Work in Asia and the Pacific: A Status Report](#)
- [Procedures for consultations with indigenous peoples - Experiences from Norway](#)
- [Estudio sobre la situación laboral de las mujeres indígenas en el Perú](#) (English version: The Labour Situation of Indigenous Women in Peru: A Study)
- [Indigenous Persons with Disabilities: Access to Training and Employment](#)
- [Convenio núm. 169 de la OIT sobre Pueblos Indígenas y Tribales en Países Independientes y la consulta previa a los pueblos indígenas en proyectos de inversión. Reporte regional: Colombia, Costa Rica, Guatemala, Chile](#)

B. Briefs and notes

- [Sustainable Development Goals: Indigenous Peoples in Focus](#)
- [Indigenous Peoples and Climate Change: From Victims to Change Agents through Decent Work](#)
- [Securing rights, creating jobs and ensuring sustainability: A cooperative way for empowering indigenous peoples](#)
- [Indigenous Peoples in the World of Work: Snapshots from Asia](#)
- [Indigenous peoples in domestic work – Facing multiple discrimination and disadvantage](#)

C. Guides

- [Alianzas entre sindicatos y pueblos indígenas: experiencias en América Latina](#)
- [Guía para fortalecer las capacidades de los empleadores en la aplicación del convenio 169 sobre pueblos indígenas y tribales en países independientes](#)
- [Indigenous Peoples in Cameroon: A Guide for Media Professionals](#)

D. Info-graphic videos

- [Indigenous Peoples: Agents of Change](#)
- [El Convenio 169 y la consulta: algunas preguntas frecuentes](#)

E. Online portals, data-bases and platforms indigenous peoples:

- [ILO global topical web portal on indigenous and tribal peoples](#)
- [ILO library topical research guide on indigenous peoples](#)
- [Plataforma Digital sobre pueblos indígenas y tribales](#) (Regional Office for Latin America and the Caribbean)
- [NATLEX](#) database of national labour, social security and related human rights legislation – contains a subject matter section on “indigenous and tribal peoples”.
- [NORMLEX](#) data-base containing up-dated ratification information and the comments and reports issued by the ILO supervisory bodies – searchable by Convention and country

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.

Certain ILO training activities feature information on the role and functioning of the various United Nations bodies and organs addressing indigenous peoples’ issues.