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Contribution from Denmark and Greenland to the study by the Expert Mechanism on the Rights of Indigenous Peoples on the promotion and protection of the rights of indigenous peoples with respect to their cultural heritage

UNDRIP article 31

Article 31 of the UNDRIP recognises the right of indigenous peoples to maintain, control, protect and develop *inter alia* their cultural heritage, traditional knowledge and traditional cultural expressions, and their related intellectual property rights. These rights are central to the protection of indigenous peoples' identities and to ensuring a culturally diversified world.

Denmark is committed to ensuring respect for indigenous peoples' rights, including their cultural heritage. These rights are protected by the Act on Greenland Self-Government that *inter alia* recognises Greenlandic as the official language in Greenland. Furthermore, Greenlandic pupils in Danish schools are offered mother tongue instruction.

The World Heritage Convention and indigenous peoples

In September 2012, the Danish Agency for Culture hosted a two-day international expert workshop together with the Government of Greenland and the International Work Group for Indigenous Affairs (IWGIA) on the World Heritage Convention and indigenous peoples. The workshop was organized under the theme of "How to ensure that the implementation of the World Heritage Convention is consistent with the UNDRIP" and the aim was to enable a constructive dialogue with a view to making appropriate recommendations to the World Heritage Committee, such as possible changes to the current procedures and Operational Guidelines¹. The seminar resulted in a "call for action" (included in the enclosed report).

The topic is important as numerous World Heritage sites are situated within indigenous peoples' lands and territories and therefore nomination, designation, and management of these sites may impact upon indigenous peoples' rights and livelihoods.

As described in the enclosed report, well-documented complaints have been received by all three of the UN mechanisms specific to indigenous peoples from indigenous organizations across the world regarding disrespect for indigenous peoples' rights in World Heritage sites incorporating or affecting their lands, territories or resources. It has *inter alia* been reported that certain sites have been inscribed or nominated for the World Heritage List without the adequate participation and involvement of indigenous peoples in whose territories the sites are located. Indigenous peoples have also highlighted that they are not participating in the management of the site and felt limited in their abilities to maintain their traditional and subsistence activities within the site.

In light of these concerns, the UN mechanisms have called on the World Heritage Committee, UNESCO and the Advisory Bodies to take corrective action. The UNPFII has encouraged the

¹ The workshop report is enclosed for further information.

Committee to revise the Convention's procedures and Operational Guidelines in order to ensure that the rights of indigenous peoples are respected in World Heritage areas. It has also called for the establishment of an appropriate mechanism whereby indigenous experts can provide advice to the World Heritage Committee and the World Heritage Centre.

While further improvement is needed, some positive steps have already been taken. For instance, the World Heritage Committee has encouraged States to involve indigenous peoples in decision-making, monitoring and evaluation of the state of conservation of World Heritage sites and to respect the rights of indigenous peoples when nominating, managing and reporting on World Heritage sites within indigenous peoples' territories². Another important step was the amendment adopted in 1992 to the Operations Guidelines for the Implementation of the World Heritage Convention to include "cultural landscapes" as a new category of World Heritage Site.

World Heritage sites in Greenland

In the context of World Heritage, much emphasis has been placed on ensuring local participation. So far the only World Heritage Site in Greenland is the Ilulissat ice fjord, listed as a natural property in 2004 because of its superlative natural features, including a huge ice sheet and a fast moving glacial ice-stream carving into a fjord covered by icebergs. The area also contains archaeological sites that are very important for all the Inuit people in the Arctic, including the ancient settlements of Qajaa and Sermermiut.

The local population of Ilulissat is today around 4,500. Their main income comes from fishing, hunting and tourism. The World Heritage designation of the ice fjord has led to a considerable increase in tourism in the area and that the income from tourism derives from hotels, hostels, boat tours, dog sledge tours and handicraft products. The ice fjord has always been an important hunting area for the Inuit, as well as the pre-Inuit inhabitants of Greenland. Today sustainable fishing and hunting is allowed in the World Heritage area, which is managed in collaboration between the Greenland Government's Environmental and Nature Protection Agency, the municipality of Qaasuitsuq, and the Danish Agency for Culture. An ice fjord office in Ilulissat makes arrangements for the locals and involves the population of Ilulissat in the World Heritage Site.

Two other areas in Greenland have been placed on the Danish list of candidates nominated for inclusion on UNESCO's World Heritage List. One is South Greenlandic agriculture (interior parts of the deep Southern Greenlandic fjords) that contain ruins of ancient Norse settlements as well as modern Inuit sheep farming settlements and the cultural landscapes of Aasivissuit and Arnangarnup Qooruatjat that used to be an important inland and coastal hunting area for the Inuit population of Western Greenland and is planned for nomination as a serial cultural landscape.

² Decision 35 COM 12E (2011).