



UNESCO submission to the UN Special Rapporteur on the Rights of Indigenous Peoples regarding Protected Areas

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CALL FOR INPUTS - U.N Special Rapporteur on the Rights of Indigenous Peoples UN General Assembly Report: Protected Areas and Indigenous Peoples' Rights: the Obligations of States and International Organizations

Overview

This submission is a contribution by the United Nations Educational, Scientific, Cultural and Communications Organisation (UNESCO) Secretariat to the request from the UN Special Rapporteur on the relationship of protected areas and indigenous peoples. Owing to the short time available to prepare this submission, it should be considered as an introduction to some of the issues, with illustrative cases. Further information is available on request. This submission has no implications with regards to the practices of Member States or implies any view of UNESCO on national territorial boundaries.

UNESCO notes the importance of UN cooperation on the promotion of human rights and a common and inter-connected approach within the UN system. As a Specialised Agency, UNESCO's approach to protected and conserved areas is framed within its mandate, the specifics of its instruments, and the overall framework of the 2030 Agenda for Sustainable Development.

UNESCO is uniquely mandated to work with Member States and Parties to create, designate and maintain different types of conserved areas, under three different instruments.

1971: Man and the [Biosphere Programme](#)

1972: [Convention concerning the Protection of the World Cultural and Natural Heritage](#)

2001: [UNESCO Global Geoparks](#)

In 2022, the current number of UNESCO designated sites which are designed for the conservation of nature include the following:

Biosphere Reserves: 727 Biosphere Reserves

World Heritage Sites: 218 natural sites and 39 mixed natural and cultural sites

Global Geoparks: 169 Global Geoparks

Total number of relevant UNESCO designated sites: 1 153

Each instrument has its own governance system, inscription and monitoring procedures, and relative operational guidelines. Currently, all operational guidelines recognise the presence of indigenous peoples and local communities. In all cases, sites are proposed and designated by the relevant national authority, and then approved or inscribed according to the procedures and regulations of the relative instrument. All instruments take into account the UN 2030 Agenda for Sustainable Development and the Sustainable Development Goals.

It should be noted that the term ‘protected area’ usually refers to a national designation of a geographic territory for the primary purpose of conservation. This is usually aligned to standards set out by the International Union for the Conservation of Nature (IUCN), in terms of governance and management goals and design. See for example: [Protected Areas](#). The UN Convention on Biological Diversity (UNCBD) adopted the Programme of Work on Protected Areas (PoWPA) in 2004, which elaborated the standards and norms for Parties to Convention in establishing, managing and developing networks of terrestrial and marine protected areas. See [CBD PoWPA](#). The PoWPA Element 2 elaborates norms and standards on *Governance, Participation, Equity and Benefit Sharing*.

Many but not all UNESCO natural sites have the status of protected areas. Sites may have a range of multiple designations. Some of the UNESCO sites fall into the range of what are considered to be Other Effective Area-based Conservation Measures ([OECM](#)), a concept that was included in Target 11 on Protected Areas defined at CBD COP 10 as part of the Aichi Targets. A formal decision on OECMs was taken by the Parties to the CBD at COP14: [OECM decision](#).

UNESCO Policy on Engagement with Indigenous Peoples

The following is extracted from the UNESCO report to the 19th session of the UN Permanent Forum on Indigenous Issues on enhancing participation of indigenous peoples in the UN system.

[UNESCO’s principles on the participation of Indigenous Peoples: the UNDRIP and the UNESCO 2017 Policy on Engaging with Indigenous Peoples](#)

UNESCO recognizes that indigenous peoples provide a valuable contribution to its mandate in the fields of education, natural, social and human sciences, culture, and communication. Its work with indigenous peoples is guided by the UNESCO Policy on Engaging with Indigenous Peoples, a document that was noted with satisfaction in October 2017 by the 202nd session of the Executive Board of UNESCO¹. The policy ensures that the Organization’s policies, planning, programming and implementation uphold the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

The UNESCO Policy considers participation to be one of the “Indigenous Peoples rights of Specific relevance for UNESCO’s work”², and explicitly adheres to article 41 of the UNDRIP, which states

¹ You can find the English version of the Policy at: <https://unesdoc.unesco.org/ark:/48223/pf0000262748>, and its French version at: https://unesdoc.unesco.org/ark:/48223/pf0000261839_fre.

² See UNESCO Policy on Engaging with Indigenous Peoples, Part A. Indigenous Peoples rights as defined in the UNDRIP, of specific relevance for UNESCO’s work, para 11 “Self-determination, participation, and informed consent”.

that “organs and specialized agencies of the United Nations System and other intergovernmental organizations” shall establish “ways and means of ensuring participation of indigenous peoples on issues affecting them”.

UNESCO also puts special emphasis on participation by indigenous women in its programme, as stated in the Policy:

“98. In its development programmes related to indigenous women, UNESCO will focus on raising awareness, encouraging **effective participation and involvement**, as well as strengthening capabilities for decision-making concerning indigenous women’s own lives. UNESCO’s programmes will also actively seek to create new and appropriate opportunities for social change and to foster the empowerment of both indigenous women and men.

99. Within each major thematic programme [...] specific gender equality elements related to indigenous women’s and men’s issues will focus on [...] (h) capacity-building for **effective participation and leadership** of indigenous women in policy and decision-making processes both within indigenous communities and at local, national and regional levels.” [emphasis added]

The UNESCO Policy on engaging with Indigenous peoples also considers, in Part C, specific mainstreaming mechanisms, including a segment on resource mobilization which explains that:

“102. The Organization provides opportunities to work with indigenous peoples through its mandates [...]. To enhance avenues for working with indigenous peoples, UNESCO takes action to:

- (a) Improve participation of indigenous peoples’ organizations through promoting official partnerships between their organizations and UNESCO.
- (b) Encourage the development of extrabudgetary funded project proposals, including intersectoral projects that directly benefit indigenous peoples.
- (c) Encourage programme sectors to allocate and decentralize funds to relevant field offices that promote the rights and priorities of indigenous peoples”.

Responses to the Questionnaire of the UN Special Rapporteur

The UNESCO Secretariat provides the following responses to the UN Special Rapporteur on the Rights of Indigenous Peoples' questionnaire regarding Protected Areas.

Responses to Questions 1 - 3

1. *Where protected areas are created on indigenous peoples' lands, are indigenous peoples participating in the management of the protected areas and/or deriving benefits, such as Payment for Ecosystem Services (PES)? If so, please provide recent examples. If not, what are the barriers to participation and free, prior and informed consent?*

While UNESCO is not responsible for creating protected areas, protected areas can benefit from an additional designation as UNESCO World Heritage sites, Man and the Biosphere sites or UNESCO Geoparks.

Example from the UNESCO Man and the Biosphere (MAB) Programme:

Context / Threat / Challenge

The [Riding Mountain](#) Biosphere Reserve (RMBR) in Canada encompasses the Riding Mountain National Park, surrounded by an area largely developed for grain cultivation and raising livestock. In the late 1990s, Bovine tuberculosis (TB) that can affect both humans and animals was detected in cattle herds and deer and elks in the area. The disease spread because elks feed on shared pastures and feed round bale feeders used by cattle.

Key action / governance model

With the goal of eradicating this disease, the biosphere reserve established in 2000 a task force of stakeholders representing federal, provincial and local government agencies, cattle producers, landowners, tourism associations, Parks Canada and the regional tribal council. Using their collective experience and knowledge, the task force-built consensus in the community to co-construct an action plan which made several recommendations to stop the spread of the disease: creation of barrier fences and introduction of livestock guardian dogs to reduce domestic-wildlife animal contact, deer and elk testing, and prescribed fires to regenerate prairie lands.

Outcome

The TB is no longer actively circulating in the RMBR and is carefully monitored by the community. These actions contribute to SDG 3 (Good Health and Well-Being) by reducing potential TB incidence.

Indigenous peoples and local communities in UNESCO Global Geoparks

UNESCO Global Geoparks actively involve local communities and indigenous peoples, preserving and celebrating their culture. By involving local communities and indigenous peoples, UNESCO Global Geoparks recognize the importance of these communities, their cultures and the link between these communities and their land. It is one of the criteria of UNESCO Global Geoparks that local and indigenous knowledge, practices and management systems, alongside science, are included in the planning and

management of the area. This involvement is assessed with a field mission and re-assessed every 4 years (re-validation process).

Every 9 August, the Global Geoparks Network celebrates the International Day of Indigenous Peoples to reflect their involvement in the direct management of these sites, their rich diversity, their spoken and written languages. <http://en.globalgeopark.org/News/News/14111.htm>

Herewith are several examples (not exhaustive):

Canada – Cliffs of Fundy UGGp: The indigenous people of the region, the Mi'kmaq, have lived in the area for thousands of years, making it one of the earliest known sites of human habitation in north-eastern North America. Passed down through the ages, their stories explain many geosites and the communities of Cliffs of Fundy are committed to preserving them for future generations: <https://en.unesco.org/global-geoparks/cliffs-of-fundy>

Chile: Kütralkura UGGp: The site includes four main urban centres: Curacautín, Vilcún, Lonquimay, and Melipeuco and several Mapuche-Pewenche indigenous communities. Slightly over half of the population live in rural zones. This area is inhabited by the Mapuches-Pehuenches communities, who have their own worldview where they highlight the divine character of the volcanoes and the knowledge related to the use of medicinal plants. The Kütralkura Geopark is expected to improve the quality of life of its inhabitants, contribute to education and research of the Earth sciences at the local, regional and national levels, and inspire the establishment of future Geoparks in Chile. In this territory, active volcanoes are a popular tourist attraction, and it is therefore imperative that the local communities and visitors are well informed about the associated dangers and emergency procedures for possible eruptions. <https://en.unesco.org/global-geoparks/k%C3%BCtralkura>

China: Shilin UGGp: The indigenous Sani People of Yi have lived in the Shilin UNESCO Global Geopark for more than 2,000 years and are closely bound to the karst landscape. Their widely loved epic Ashima and a suite of other cherished cultural elements have spread across China. The rich culture combines with the stone forest in a harmony that celebrates geoheritage. <https://en.unesco.org/global-geoparks/shilin>

China: Dali-Cangshan UGGp: Mount Cangshan is a sacred mountain and displays unusual natural beauty. The unique and colourful traditions of the Bai indigenous people have helped make the site a popular tourist destination. <https://en.unesco.org/global-geoparks/dali-cangshan>

Ecuador: Imbabura UGGp: The cultural heritage of the region can be traced back to the prehistoric era, and is currently inhabited by the Caranqui people, including ethnic groups of the Otavalos, Zuletas, Natabuelas plus the Afro-Ecuadorian people, Montuvio, the Awa, and all the diverse locals. These groups are renowned for their unique traditions and artisan expressions. <https://en.unesco.org/global-geoparks/imbabura>

Indonesia: Ciletuh-Palabuhanratu UGGp: The Geopark comprises of 74 villages distributed over eight sub-districts (Cisolok, Cikakak, Palabuhanratu, Simpenan, Ciemas, Ciracap, Waluran and Surade). The total population of these villages reaches nearly 500,000 inhabitants (2014), dominated by the Sundanese, native tribal settlers in coastal areas. Presently, several cultural village communities still adopt the ancestral Kasepuhan tradition, particularly in the field of agriculture such a rice paddy farming called *tatanen*. Cultural diversity is one of the main pillars of Ciletuh - Palabuhanratu UNESCO Global Geopark. Recognizing the connection between culture and human values, the welfare of local communities is of particular significance as it strengthens community life and is an indicator for social welfare. The involvement of local communities in

initiatives related to Geopark conservation, education and promotion is therefore a principal factor in the sustainable development program of the Geopark. Through a community empowerment program, Ciletuh - Palabuhanratu UNESCO Global Geopark aims to grant greater access and independence to the public. These programs include participation, transparency and accountability as a means to learn collectively for a better future. <https://en.unesco.org/global-geoparks/ciletuh-palabuhanratu>

Indonesia: Toba Caldera UGGp: The area of TCG is estimated to have a population of 263.978 distributed in seven regencies, belonging to the North Sumatra Province. Settlements occupy the plains, where they practice their daily activities. This area locally inhabited by Batak Toba, Simalungun, Karo and Pakpak ethnic communities. Batak traditional houses made by wood, with the shapes of the side wall like a boat hull and masts supported by strongly pillars, bounded to each other and placed on the stone foundations without cement, is very valuable 'local wisdom'. According to the geological conditions that Samosir is at highly at risk due to tectonic earthquake, subsidence and flooding. <https://en.unesco.org/global-geoparks/toba-caldera>

Mexico: Mixteca Alta UGGp: The name of the UNESCO Global Geopark is derived from the Mixteca civilization, which flourished between the 2nd century BC and the 15th century AD and ended at the beginning of the 16th century AD with the arrival of the Spanish conquistadores. The territory has some of the most important traces of Mesoamerican Mixteca culture. Human presence in Mixteca Alta (circa 3,400-3,500 years BP) is established based on radiocarbon dating of soil organic carbon present in agriculture terraces known locally as lamabordos. Mixteca Alta in general, and in particular the nine municipalities included in the project, are characterized by a low population density and demographic growth. Due to the lack of economic opportunities, emigration to urban areas and abroad (United States of America) is significant and keeps population in low numbers. The total population is about 7,000 inhabitants. Most of the population is indigenous and includes groups such as the Chinantecos, Mixes, Mazatecos, Zapotecos and, mainly, Mixtecos. <https://en.unesco.org/global-geoparks/mixteca-alta>

Vietnam: Dak Nong UGGp: Dak Nong is as well known for its rich ethnic identity. Originally inhabited by three indigenous peoples (M'Nong, Ede and Ma), in the late 1970s it has received numerous people from other provinces to become the homeland of more than 40 ethnic groups of Vietnam. Dak Nong as part of the "Central Highlands Gong Culture Space" was also recognized by UNESCO as Intangible Cultural Heritage <https://en.unesco.org/global-geoparks/dak-nong>

Vietnam: Dong Van Karts Plateau UGGp: Dong Van Karst Plateau UNESCO Global Geopark is home to 17 ethnic groups which creates the unique and rich cultural heritage of this area. The socio-economic life of the Geopark should be improved to achieve the Sustainable Development Goals that Viet Nam committed. Thus, the management Board of Dong Van Karst Plateau UNESCO Global Geopark has associated with its partners in seeking support from organizations to develop sustainable tourism, conservation of heritage values and Earth science research. The UNESCO Global Geopark's educational program focuses on 3 subjects: visitors, local residents and school children. Educational methods are varied like using local presenters, panels, brochures, guidebooks, posters and visual aids, and are integrated with the daily activities of the local people, school children and tourists. The educational activities have achieved good results, and the UNESCO Global Geopark is highly supported by the local people. The promotion and conservation activities are done together by local resident, tourists and the government. The number of visitors has steadily increased at a rate of 30% per year. Regional economic development is increasingly oriented to tourism economy, and contributes positively to changing the lives of the 17 ethnic groups of the area and has opened up favourable conditions to fight poverty. More and more local

people are involved in this process of sustainable tourism economic development. <https://en.unesco.org/global-geoparks/dong-van-karst>

Vietnam: Non nước Cao Bằng UGGp: Approximately 250,000 people live in Non nước Cao Bằng UNESCO Global Geopark, 92% of which belong to one of nine ethnic groups. The area is famous for its diversified ethnic cultural identity with outstanding traditions among ethnic groups, involving festivals, traditional crafts and folk arts. The geological heritage and biodiversity resulting from unique natural and geographical conditions has shaped the unique culture of Non nước Cao Bằng, revealed in the diverse cuisine, traditional costumes, rituals and way of living. Non nước Cao Bằng UNESCO Global Geopark and communities have long set a strategy for sustainable socio-economic development, nature conservation and environmental protection, a holistic approach to heritage values, while promoting geo-tourism and related services. To ensure active and comprehensive local participation, the development plans of Non nước Cao Bằng UNESCO Global Geopark focus particularly on stakeholder promotion, education and awareness raising. Due to its complex geology and diversified mineral resources, the area has long received considerable research interest. <https://en.unesco.org/global-geoparks/non-nuoc-cao-bang>.

Examples of World Heritage sites are provided under the specific section on World Heritage below.

2. Please identify examples of good practices led by indigenous peoples, States or international organizations to promote, protect, and fulfil the rights of indigenous peoples in the context of conservation and protection of biodiversity, including management or co-management schemes that incorporate indigenous scientific knowledge as well as projects targeted at the inclusion and participation of indigenous women.

The Amazon biosphere reserves project implemented by UNESCO with support from Louis Vuitton Moët Hennessy (LVMH) aims to improve resilience and halt biodiversity loss of the greater Amazon Basin, by addressing pressures, threats and priorities and creating an integrated model of landscape management for the long-term sustainability of the region's biosphere reserves (BR).

The project is being implemented in eight biosphere reserves of four countries of the Amazon region, namely Bolivia (in the [Beni BR](#) and [Pilón Lajas BR](#)), Brazil ([Central Amazon BR](#)), Ecuador ([Podocarpus-El Condor BR](#), [Sumaco BR](#), and [Yasuní BR](#)) and Peru ([Manu BR](#) and [Oaxapampa-Ashaninka-Yanesha BR](#)). The project integrates scientific analyses and knowledge co-production and participatory approaches with indigenous peoples and local communities, biosphere reserve managers and governments to mobilize scientific and Indigenous and local knowledge effectively for enhanced socio-ecological governance on four themes: 1) Climate action and disaster risk reduction (including fire management training); 2) Integrated conservation and development actions; 3) Indigenous and local knowledge-based forest conservation and fire management; 4) Restoration of water and forest systems. Specifically, the project will support the development of 1) Biosphere Reserve 2020-2030 Integrated Landscape Management plans, 2) a socio-ecological, hydrographic and geospatial database, and 3) on-going promising and new place-based sustainable initiatives.

The project implementation team is working from the outset with national governments and Indigenous peoples' organizations to ensure that free, prior, informed consent protocols are

implemented as required by law or custom. Some of the indigenous peoples and organizations involved in the project include the Tsimane', Mosen, Tacana, and Movima from the Bolivian biosphere reserves, the Quilombolas, Apurinã, Ticuna, among others in Brazil, Central Amazon BR, the Shuar and Waorani in Ecuadorian biosphere reserves, and the Quechuas, Matsigenkas, Yines, Harambut, Yanasha, Ashaninka from Peru biosphere reserves.

One of the initiatives supported in 2021 within the Amazon project was led by the Mushuk Sacha recycling association, established by young Kichwa people from the Limoncocha community of the Yasuní Biosphere Reserve. People from the Limoncocha community have no access to basic services, such as water, sanitary systems and waste treatment, and in the last years plastic pollution has become a significant problem in the banks of the Napo River in the Limoncocha area of the Yasuní Biosphere Reserve.

The Mushuk Sacha recycling association, established in 2019, created an initiative to respond to the increasing accumulation of plastic waste, by collecting and transforming plastic into new materials, generating jobs and income for indigenous youth, while also raising awareness of the importance of waste treatment for the protection of the ecosystem. With the support provided by the UNESCO-LVMH Amazon project, in 2021 the youth association was able to strengthen its technical and marketing capacities and to improve its collection and transformation infrastructure. Involvement in the project also reinforced the leadership and entrepreneurial capacities of the young participants through long-term insertion into the local economy. Specifically, the project contributed to the construction of six recycling bins located in the Limoncocha community, to the creation of 12 jobs which directly benefited 12 households (41 women and 31 men) and the promotion of 32 hours of training of youth in the reduction, reutilization, recycling and transformation of plastic waste.

UNESCO MAB initiatives in Latin America and the Caribbean

In 2022, UNESCO is working with the *Fondo para el Desarrollo de los Pueblos Indígenas de América Latina y El Caribe* (FILAC), the Indigenous Forum of Abya Yala (TBC), and the Network of MAB Committees and Biosphere Reserves of Iberoamerica and the Caribbean (IberoMAB Network) to lead a regional consultative dialogue to implement the UNESCO Policy on Engaging with Indigenous Peoples and the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) in UNESCO designated sites in the region. The process is designed to fully comply with all principles of free, prior and informed consent and full and effective participation. The aim of the initiative is to increase the participation of indigenous peoples, their organizations, and indigenous technical experts in the MAB programme and Biosphere Reserves in the LAC region.

A complementary process, to be implemented from May 2022 to December 2023, by UNESCO, FILAC, the IberoMAB Network, the Latin American and Caribbean Network of UNESCO Global Geoparks (the GeoLAC Network), MAB-Guatemala and the Indigenous Women's Biodiversity Network (RMIB-LAC) (TBC), will develop a tool for participatory social mapping of indigenous territories and land use in accordance with indigenous derived indicators. This process has the aim of rendering visible the important contribution that indigenous peoples make to sustainable management of biodiversity, ecosystems, and climate action

and facilitate the engagement of indigenous peoples as decision-makers in UNESCO-designated site governance structures.

3. *How do the following initiatives impact indigenous peoples' rights and what specific laws or policies are being undertaken to promote indigenous participation?*
 - a. *30x30*
 - b. *Post 2020 Global Biodiversity Framework*
 - c. *2030 Sustainable Development Framework*

UNESCO notes that the 2030 SDG Framework has contributed to decisions on the role of indigenous peoples and local communities in the UNESCO designated sites. In each instrument, designated sites have been associated with sustainable development, and benefit from sharing with communities. Please see the other responses in this regard.

UNESCO has also been advocating for a clearer integration of linkages between biodiversity and cultural diversity into the Global Biodiversity Framework. In this respect, UNESCO believes that culture, science and indigenous knowledge can together be an important driving force for biodiversity conservation.

4. *Has the State granted legal status legal personhood to non-human entities such as lakes, rivers, mountains, plants or animals?*

The question pertains to Member States and is not in UNESCO's purview.

UNESCO World Heritage Sites

5. *Please describe any positive or negative impacts on indigenous peoples' rights from their lands being listed as UNESCO World Heritage sites. If possible, please refer to specific violations of UNDRIP, the UNESCO World Heritage Operational Guidelines, and the UNESCO Policy on Engaging with Indigenous Peoples.*

The inscription of sites with the presence of indigenous peoples is generally expected to have positive impact on the effective respect of their rights, in light of the global exposure inevitably consequent to the inscription. The values protected in the World Heritage sites are often of cultural significance to the indigenous peoples living in the area or can be important for their livelihoods. Through the inscription, these values benefit from the protection framework provided by the *World Heritage Convention*. For example, ancestral lands in East Rennell (in Solomon Islands), the first natural site to be inscribed on the World Heritage List under customary land ownership and management, have been protected against commercial logging and mining, while the environment and livelihoods of the communities in western part of the island (outside the World Heritage) have been negatively impacted by those destructive activities. Once a property is inscribed on the World Heritage List, the monitoring of its state of conservation becomes, beyond national boundaries, a responsibility also shared with the international community. The *Operational Guidelines for the implementation of the World Heritage Convention* foresee several monitoring mechanisms (including Reactive Monitoring missions by UNESCO and the Advisory Bodies to the World Heritage Committee on the state of conservation of specific World Heritage properties that are

under threat and periodic reports submitted by States Parties to the *World Heritage Convention* on the legislative and administrative provisions they have adopted and other actions which they have taken for its Convention implementation), directly coordinated by UNESCO, which contribute to greater transparency and more information on the management of the sites.

However, a significant number of existing World Heritage sites have legacy issues, which predate inscription and often date back to the time of the establishment of the protected area. Such issues can sometimes have an impact on the management of the inscribed property. Through the listing mechanism of the *World Heritage Convention*, management issues can be addressed through the Convention mechanisms mentioned above, thereby contributing to raising their profile, facilitating dialogue between parties involved and identifying solutions.

6. In what ways have indigenous peoples been included or excluded from UNESCO nomination, selection, management, monitoring and reporting of World Heritage sites within their traditional territory? Are there protocols that guarantee indigenous peoples' local, national and international representation in decision-making with respect to listing and site management? For example, is information about proposed listings disseminated to impacted indigenous communities in their languages?

The *Operational Guidelines for the implementation of the World Heritage Convention* as updated by the World Heritage Committee in 2019 contain specific provisions to ensure indigenous peoples' free, prior and informed consent before the inclusion of a property in the national Tentative Lists (para. 64), through the nomination process of new properties (para. 123), both in the Preliminary Assessment request of a Potential Nomination to the World Heritage List and in the official form for nomination files. The latter states: "*If the nominated property might affect the lands, territories or resources of indigenous peoples, demonstrate whether their free, prior and informed consent to the nomination has been obtained, through, inter alia, making the nomination publicly available in appropriate languages and public consultations and hearings*". Periodic Reporting, one of the key monitoring mechanisms for the implementation of the 1972 World Heritage Convention, have a set of specific questions to monitor the level of engagement of indigenous peoples in the identification, conservation, monitoring and presentation of World Heritage both at national and site levels, as well as the impacts of the World Heritage status on the quality of their life.

In terms of nominated sites, the Advisory Bodies during their evaluation process review if the above provisions were respected during the nomination process. There have been numerous cases where the Advisory Bodies proposed to refer or defer a nomination, when they considered there was insufficient participation and consultation of indigenous peoples and local communities. However, it needs to be stressed that the decision to inscribe a site on the World Heritage list falls under the responsibility of the World Heritage Committee. The World Heritage Committee is one of the governing bodies of the Convention and is composed of experts from 21 States Parties elected for a term of 4 to 6 years by the General Assembly of the Convention. While Committee Decisions are informed by the evaluations of the Advisory Bodies, the Committee is sovereign in its decision and therefore not obliged to follow these recommendations. In such cases, reactive monitoring can also help address concerns expressed at the time of inscription. Kaeng Krachan Forest Complex (Thailand) was inscribed on the World Heritage List at the extended 44th session of the World Heritage Committee in July 2021 (Decision 44 COM 8B.7), despite the Advisory Body's (IUCN) recommendation to defer the nomination in light of the need for fully resolving

concerns regarding rights of affected indigenous peoples and local communities among other issues. In the same decision, the Committee requested the State Party of Thailand to submit a report on the implementation of the Committee's decision by December 2022 for examination of the Committee at its 46th session. The state of conservation of Kaeng Krachan Forest Complex, including issues concerning the rights of indigenous peoples, will be closely monitored through the reactive monitoring mechanism under the Convention. There are other examples where the entire nomination process has been driven by indigenous people, such as the Pimachiowin Aki in Canada.

The *Operational Guidelines for the implementation of the World Heritage Convention* further recognize that an effective management system should include 'a thorough shared understanding of the property, its universal, national and local values and its socio-ecological context by all stakeholders, including local communities and indigenous peoples'. Although the responsibility for the implementation of effective management activities for a World Heritage property lies with the State Party, they should be carried out in close collaboration with 'local communities and indigenous peoples, rights-holders and stakeholders in property management, by developing, when appropriate, equitable governance arrangements, collaborative management systems and redress mechanisms.'

These provisions (whose binding level is subject to interpretation in light of the main focus on the 'Outstanding Universal Value' of nomination evaluations and conservation) conform to the provisions on respecting, consulting and involving indigenous peoples and local communities (paras 21 and 22) of the Policy Document for the Integration of a Sustainable Development Perspective into the Processes of the World Heritage Convention adopted by the General Assembly of States Parties to the World Heritage Convention at its 20th session (2015).

It is the State Party's responsibility to manage the World Heritage sites and to ensure the application of the *Operational Guidelines* as well as other internationally recognized principles such as free, prior and informed consent. While it is possible for UNESCO, as the Secretariat of the *World Heritage Convention*, to bring conservation and management issues, including those related to indigenous peoples, to the attention of the World Heritage Committee, and while the World Heritage Committee, through its decision-making process, may make recommendations to States Parties, their implementation remains the responsibility of the State Party concerned.

7. Please provide examples of best practices employed by indigenous peoples, States, conservation organizations, and UNESCO to ensure impacted indigenous peoples are made central stakeholders and rights holders in the World Heritage Site listing and management processes. Where possible, please describe any positive or negative experiences with the International Indigenous Peoples' Forum on World Heritage (IIPFWH).

Since its establishment at the 41st session of the UNESCO World Heritage Committee in Krakow, Poland, in July 2017, the International Indigenous Peoples' Forum on World Heritage (IIPFWH) participates in the sessions of the Heritage Committee with a status of observer. IIPFWH regularly consults and exchanges with the World Heritage Centre on all matters deemed pertinent for discussion.

As per the *Operational Guidelines for the Implementation of the World Heritage Convention*, indigenous peoples are considered one of the main partners in the protection and conservation of World Heritage sites in conformity with the United Nations Declaration on the Rights of Indigenous Peoples (2007) and the UNESCO Policy on Engaging with Indigenous Peoples (2018), among other relevant UN policies on indigenous peoples. States Parties are encouraged to promote and ensure the inclusive and effective participation of indigenous peoples in all activities related to the implementation of the Convention through the demonstration of their free, prior and informed consent in all the processes that may affect

their traditional livelihoods. The following are examples of activities that have been developed and rolled out in collaboration with indigenous people:

- a) Mitigating conflict and protecting rightful access to natural resources: Demarcating the western boundary of the Okapi Wildlife Reserve (Democratic Republic of Congo)
 - The Okapi Wildlife Reserve occupies about one-fifth of the Ituri forest in the northeast of the Democratic Republic of the Congo. The Reserve is inhabited by traditional nomadic pygmy Mbuti and Efe hunters, who have been suffering from widespread poverty, social alienation, and erosion of their cultural traditions. A project supported by the Government of Norway and implemented in partnership with the Wildlife Conservation Society (WCS) and the Congolese Institute for Natural Conservation (ICCN) aims to respond to resolve disputes over natural resources and improve the site's management effectiveness by supporting the engagement of these communities in the management, development, and promotion of the Reserve.
- b) Engaging local communities in the conservation of the Okavango Delta World Heritage site (Botswana)
 - Among nature's most iconic treasures, the Okavango Delta is one of the planet's very few major interior delta systems that do not flow into a sea or ocean, with a wetland system that is almost intact. The Delta has been inhabited for centuries by small numbers of indigenous people, living a hunter-gatherer existence with different groups adapting their cultural identity and lifestyle to the exploitation of particular resources (e.g. fishing or hunting). Under the Community Management of Protected Areas for Conservation (COMPACT) Initiative, supported by the Flanders Funds-In-Trust, four projects are being implemented between 2021-2023:
 - Okavango Community Trust supports the development of a herbarium lab at Eretsha Village to help safeguard plant species of the Okavango Eastern Panhandle.
 - Matute, a Mungongo Producer Co-operative Society Limited, which is focused on community mobilization for landscape conservation through revival and promotion of the Ngongo Culture of the Peoples of the Okavango by investing in the extraction of Ngongo Oil and reviving the culture around it.
 - Teemashane Community Development Trust, which is a farming project using earth ponds as an alternative way of conserving fish biodiversity in the Okavango Delta by reducing fishing pressure on natural stocks.
 - Okavango Jakotsha Community Trust consists of the restoration of the blocked channel on the edge of the Western Panhandle of the Okavango Delta to conserve and promote sustainable use of natural assets and cultural heritage of the landscape to improve socio-economic opportunities for the Jakotsha communities.
- c) †Khomani Cultural Landscape (South Africa)

The †Khomani Cultural Landscape is located at the border with Botswana and Namibia in Siyanda District, the northern part of the country, coinciding with the Kalahari Gemsbok National Park (KGNP), part of the Kgalagadi Transfrontier Park (KTP). The large expanse of desert contains evidence of human occupation from the Stone Age to the present and is associated with the culture of the formerly nomadic †Khomani San people and the

strategies that allowed them to adapt to harsh desert conditions. The †Khomani Cultural Landscape is an excellent example of the engagement of indigenous people as central stakeholders and rightsholders because it bears testimony to the way of life that prevailed in the region. The site bears the name of the tribe to reflect their traditional knowledge, cultural practices and worldview related to the geographical features of their environment.

- d) The Katios National Park (Colombia). The property inscribed on the World Heritage List in 1994, and in 2009 on the List of World Heritage in Danger, at the request of the Colombian government, has achieved major progress in implementing Use and Management Agreements and Special Management Regime with indigenous communities. Shared management and governance policies have been put in place as part of the corrective measures adopted within the framework of the 1972 Convention to promote and reinforce participation of indigenous peoples, such as the Wounaan community of Juin Phubuur and Afro-Colombian communities, in the management of the property. These exemplary partnerships have fostered sustainable use of natural resources and improved ecological connectivity in the territory and have contributed with other measures to remove the property from the List of World Heritage in Danger. In the last decision by the World Heritage Committee (2019) concerning the state of conservation of the property, the State Party was commended for these achievements and invited to share these learning experiences as good practices.
- e) A number of World Heritage properties in Australia are implementing concrete measures/projects to ensure that indigenous peoples play central role in the safeguarding and management of the properties. For example, “Carbon Credits to Carbon Projects” are run by Traditional Owners of the relevant clan groups in Kakadu National Park based on their traditional fire management, which will provide resources to help better manage the natural and cultural resources of the property as well as further avenues of the indigenous employment and other community benefits. In Uluru-Kata Tjuta National Park, senior Anangu supervise park staff and Anangu youth in rock art preservation and land management techniques, that combine traditional ecological knowledge, cultural protocols and western science.

Concluding remarks

The UNESCO Secretariat commends the achievements of the Office of the High Commissioner for Human Rights (OHCHR) and the Special Procedures. UNESCO remains committed to a system-wide human rights-based approach to the conservation of nature and associated heritage and cultural diversity.

UNESCO welcomes the efforts of the UN Special Rapporteur to understand the relationship between protected areas and the rights of indigenous peoples. Given our special role and mandate within the UN system, UNESCO stands ready to support the linkages between human rights and the protection and conservation of our planet and its natural resources.

The notions of protected areas and conserved areas are often expressed in indigenous and local cultures and practices. The principles, norms and standards of territorial conservation are in constant evolution, and as such, it is important to recognize the diversity of such conservation measures and the diversity of experiences, roles and benefit-sharing agreements of, by and with indigenous peoples.

In 2020, the UN System Chief Executives Board for Coordination (CEB) made a [Call to Action](#) to implement the UN Systems Wide Action Plan on the UNDRIP, strengthen collective and coherent UN system efforts

by endorsing a call to action on building an inclusive, sustainable and resilient future with indigenous peoples. In 2021, the CEB endorsed the "Common approach to integrating biodiversity and nature-based solutions for sustainable development into the United Nations policy and programme planning and delivery".

UNESCO recognizes the importance to finding synergies between these two agendas, which ultimately constitute a framework for sustainable development, and the complementarity of biological and cultural diversity.