

INDIGENOUS PEOPLES

Excerpt from the
UNDG Guidance Note on Human
Rights for Resident Coordinators
and UN Country Teams

2017



UNITED
NATIONS
DEVELOPMENT
GROUP

Indigenous Peoples

Key points and messages that the Resident Coordinator should know about the issue

- The international community has not adopted a definition of the term “indigenous peoples”. The prevailing view today is that no formal universal definition is necessary; self-identification as indigenous is considered a fundamental criterion and has been the practice followed by the UN and its specialized agencies.
- Applying the rubric of “indigenous peoples” to certain segments of the population continues to be a controversial issue for some governments, in particular in the Africa and Asia regions where several States have argued that all groups, in a literal sense, may be considered indigenous to the region. However, the concept of indigenous peoples should not be understood to solely be a matter of “who came first” but, rather, to refer to non-dominant groups that are indigenous to the region, self-identify as indigenous peoples and have distinct identities and ways of life, and who face particular human rights issues related to histories of various forms of oppression, such as dispossession of their lands and natural resources and denial of cultural expression.
- Indigenous peoples’ human rights are not new or special rights separate from fundamental human rights of universal application; rather, they are an elaboration of these rights in the specific cultural, historical, social and economic circumstances of indigenous peoples. Importantly, the rights related to indigenous peoples seek to protect, in addition to individual rights, their collective rights. The recognition of indigenous peoples’ collective rights, such as the right to their lands and resources and to self-determination, is necessary to ensure their continued existence and well-being as distinct peoples.
- Indigenous women suffer from multiple forms of discrimination within their communities and the larger societies in which they live. Attention should be paid to the diversity that exists among indigenous peoples, and the multiple forms of discrimination that may arise as a consequence.

Relevant international standards

- The [United Nations Declaration on the Rights of Indigenous Peoples](#) (2007) reflects the existing international consensus regarding the individual and collective rights of indigenous peoples.
- The ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) also provides significant recognition of indigenous peoples’ individual and collective rights (see also ILO’s [Indigenous & Tribal Peoples’ Rights in Practice: A Guide to ILO Convention No. 169](#)).
- Core human rights instruments, including the ICCPR, ICESCR, ICERD, CEDAW and CRC, also include important provisions related to the protection of the rights of indigenous peoples.
- Decisions of regional human rights bodies, including the Inter-American Commission and Court of Human Rights and the African Commission on Human and Peoples’ Rights, have also interpreted their respective human rights agreements to protect the rights of indigenous peoples.

Role that the Resident Coordinator and UN Country Team can play in promoting the issue

- The RC and Country Team can raise awareness of the rights of indigenous peoples and the UN [Declaration on the Rights of Indigenous Peoples](#) among government officials, policy makers, NHRIs, CSOs, indigenous peoples and the public at large, for instance through training activities and national campaigns of education on indigenous issues and by supporting participatory structures for indigenous peoples.
- They can create mechanisms to facilitate dialogue between the UN Country Team and indigenous peoples.

- They can support indigenous communities, including through the provision of technical and financial support, and their efforts to claim their human rights, including in legal proceedings.
- The RC and Country Team can assist States to implement the provisions of the UN Declaration on the Rights of Indigenous Peoples, and concluding observations and recommendations related to indigenous peoples issued by treaty bodies, expert mechanisms and special mandate holders, and recommendations issued in the context of the UPR.

Support and tools available from the United Nations system

- UNDG, [Guidelines on Indigenous Peoples' Issues](#) (2009);
- Inter-Parliamentary Union and the UN, [Implementing the UN Declaration on the Rights of Indigenous Peoples: Handbook for Parliamentarians](#) (2014);
- OHCHR, [Indigenous peoples and the United Nations Human Rights System, Fact Sheet No. 9, Rev. 2](#) (2013);
- Within the UN, the three mechanisms that deal specifically with the rights of indigenous peoples include the [Expert Mechanism on the Rights of Indigenous Peoples](#), the [Special Rapporteur on the rights of indigenous peoples](#) and the [Permanent Forum on Indigenous Issues](#). Their annual and thematic reports and recommendations provide guidance to Member States and to the UN and its specialized agencies;
- At OHCHR, an [Indigenous Peoples and Minorities Section](#) works to improve human rights protection for indigenous peoples and minorities at the international and national levels.