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联合国教育、
科学及文化组织

The Culture Sector World Heritage Centre

Mr James Anaya
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Indigenous Peoples
United Nations
Office of the United Nations High
Commissioner for Human Rights
Palais des Nations
CH-1211 Geneva 10
Switzerland

Ref: CLT/WHC/PSM/13/CM/427 4 December 2013

Subject: Indigenous peoples' rights, interests and concerns in the nomination process of World Heritage sites

Dear Mr Anaya,

Thank you very much for your letter of 18 November 2013.

First and foremost, let me underline that UNESCO, as an UN agency, fully aligns itself with the UN Declaration on the Rights of Indigenous Peoples. Therefore, UNESCO is actively involved in implementing the Second International Decade of the World's Indigenous People (2005-2014) which is intended to strengthen international cooperation for the solution of problems faced by indigenous peoples. UNESCO is currently working on a Policy on indigenous peoples that will be discussed by its Executive Board in 2014.

In the framework of the World Heritage Convention, efforts have been made to ensure the involvement of indigenous peoples in World Heritage processes. The Operational Guidelines for the Implementation of the World Heritage Convention call on States Parties to ensure the participation of local communities, notably of indigenous peoples in World Heritage processes, including selection of sites for Tentative Lists and nominations: "States Parties to the Convention are encouraged to ensure the participation of a wide variety of stakeholders, including site managers, local and regional governments, local communities, non-governmental organizations (NGOs) and other interested parties and partners in the identification, nomination and protection of World Heritage properties" (paragraph 12).

As you are aware, in 2012, within the framework of the 40th anniversary of the World Heritage Convention with the theme "World Heritage and Sustainable Development: the Role of Local Communities", an International Expert Workshop on the World Heritage Convention and Indigenous Peoples was held in Copenhagen involving indigenous experts and representatives, human rights experts and actors in the World Heritage system. The workshop developed recommendations for revisions to the Operational Guidelines specifically with regard to issues related to indigenous peoples' free, prior and informed consent

and human rights. The full report and the recommendations of the expert workshop can be found at <http://whc.unesco.org/en/events/906>.

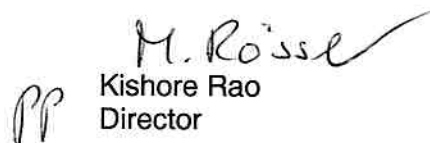
The recommendations of this International Expert Meeting have been considered at the 37th session of the Committee (Phnom Penh, 2013), and the Committee decided to re-examine the question at its 39th session in 2015, when further revisions to the Operational Guidelines will be discussed. Please note that the next cycle for any revision of the Operational Guidelines will take place only in 2015.

The Committee also considered to align further action within the framework of the World Heritage Convention with the results of the UNESCO policy on indigenous peoples: "Also notes the results of the International Expert Meeting on World Heritage Convention and Indigenous Peoples (Denmark, 2012) and decides to re-examine the recommendations of this meeting following the results of the discussions to be held by the Executive Board on the UNESCO Policy on indigenous peoples for further steps" (Decision 37 COM 12.II point 7).

Please let me assure you that efforts are underway by the World Heritage Centre and the Advisory Bodies to address indigenous peoples' rights, interests and concerns in the nomination process of World Heritage sites. May I inform you that in 2012, IUCN has published a review of the evaluation processes with regard to human rights and communities. This review deals with the issue of integrating rights-based approaches in the nomination processes: "World Heritage and Evaluation Processes. Related to Communities and Rights. An independent review" available at http://cmsdata.iucn.org/downloads/review___world_heritage___communities_and_rights_larsen_2012.pdf.

Following your request, I will transmit your letter to the Advisory Bodies and Members of the World Heritage Committee.

Please accept, Sir, the assurances of my highest consideration.


Kishore Rao
Director

cc: Members of the World Heritage Committee
ICOMOS
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