

FORMAT		
1. Name of resource	Promotion and protection of the rights of indigenous peoples with respect to their cultural heritage	
2. Location	https://www.ohchr.org/en/calls-for-input/promotion-and-protection-rights-indigenous-peoples-respect-their-cultural-heritage	
3. Alternative location		
4. Author[s]		
5. Publisher/producer/host	United Nations	
6. Year	2015	
7. Suggested citation	United Nations Expert Mechanism on the Rights of Indigenous Peoples (2015). Promotion and Protection of the Rights of Indigenous Peoples With Respect to their Cultural Heritage. United Nations General Assembly A/HRC/30/53 available at https://www.ohchr.org/en/calls-for-input/promotion-and-protection-rights-indigenous-peoples-respect-their-cultural-heritage	
8. Languages in which available	English, Arabic, Chinese, French, Russian, Spanish	
9. Geographic area resource relates to	Global	
10. Does the resource relate to a specific time frame?		
11. Type	Report	Yes
	Toolkit/Framework/Roadmap	Yes
	Sign-post to other resource (database)	
	Case studies	
	Other	
12. If this is part of an initiative, what is the initiative?		
COLLECTIONS AND COLLECTIONS-BASED INSTITUTIONS		
13. Explicit links to collections	Yes	
14. Explicit links to museums/libraries/archives	Yes	
15. Types of institutions the resource covers	Museums	X
	Archives	X
	Libraries	
	Other	X

16. Does the resource relate to specific disciplines?	Arts, humanities and social sciences: philosophy, psychology, religion, social sciences, law, politics, language, arts and recreation, architecture, literature, history, geography and ethnology, anthropology, archaeology	X
	Science, natural history, technology, medicine, engineering, manufacturing	X
17. If no explicit links to collections, justification for inclusion		
HOW IT CONTRIBUTES TO SUSTAINABLE DEVELOPMENT		
18. Collections-related activities the resource relates to (mark all that apply)		
Develop collections to protect and safeguard wider cultural and natural heritage more effectively , for example by targeting collecting to threatened forms of heritage in strategic ways		X
Use collections to promote learning and educational opportunities that contribute to sustainable development more effectively , for example education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development and/or skills development relating to collections		X
Use collections to promote cultural participation/social inclusion more effectively , for example by reducing barriers to participation, to ensure no-one is 'left behind'		X
Use collections to promote sustainable tourism more effectively , for example by developing new products based on local cultural heritage, and/or considering the rights of stakeholder groups in relation to collections		X
Use collections to support research that contributes to sustainable development (including all forms of personal and self-directed research at all levels that make use of stored collections) more effectively, for example by providing effective facilities, collections and information to meet researchers' needs		
Make decisions around collections that contribute to sustainable development more effectively		
i. employment (recruiting, staff training, staff safety)		
ii. energy consumption, greenhouse gas emissions, reduction, monitoring and reporting		

iii.	waste management and reduction of waste	
iv.	transport (forms of transport, energy use)	
v.	commercial activities including copyright and IP	X
vi.	governance and management	X
vii.	security, disaster preparedness and risk reduction	
Direct external leadership, partnerships and collaborations towards sustainable development more effectively , for example by developing impactful partnerships		X
19. Does the resource relate clearly to any international conventions (mark all that apply)?		
Culture conventions:		
1952, 71	Protection of Copyright and Neighbouring Rights	X
1954	Protection of Cultural Property in the Event of Armed Conflict	X
1970	Fighting Against the Illicit Trafficking of Cultural Property	X
1972	Protection of the World Cultural and Natural Heritage	X
2001	Protection of the Underwater Cultural Heritage	X
2003	Safeguarding of the Intangible Cultural Heritage	X
2005	Protection and Promotion of the Diversity of Cultural Expressions	X
Rio Conventions:		
Convention on Biological Diversity (CBD), Convention to Combat Desertification (UNCCD), Framework Convention on Climate Change (UNFCCC)		X
AIMS AND CONTENT		
20. What issues does the resource aim to address?	<p>“In its resolution 27/13, the Human Rights Council requested the Expert Mechanism on the Rights of Indigenous Peoples to prepare a study on the promotion and protection of the rights of indigenous peoples with respect to their cultural heritage, including through their participation in political and public life, and to present it to the Council at its thirtieth session. The present study offers a comprehensive analytical overview of the international legal framework and jurisprudence regarding the rights of indigenous peoples with respect to their cultural heritage, and addresses some of the specific issues for indigenous peoples when it comes to cultural heritage. The study concludes with Expert Mechanism advice No. 8 on the cultural heritage of indigenous peoples.”</p> <p>[Summary]</p>	
21. Intended audience of resource	[Policy makers, governments, authorities, Indigenous Peoples, museums and others housing cultural heritage]	
22. Process of development	“Through resolution 27/13, the Human Rights Council requested the Expert Mechanism to carry out a study on the promotion and protection of the rights of indigenous peoples with respect to their cultural heritage, including	

	<p>through their participation in political and public life, to be presented to the Council at its 30th session (September 2015).</p> <p>The study benefited significantly from submissions (listed below) and the presentations made at the Expert Seminar on Indigenous Peoples' Rights with respect to their Cultural Heritage (Rovaniemi, Finland, 26 and 27 February 2015), organized by OHCHR and the University of Lapland. The Seminar also provided an opportunity for exchange among academics, practitioners and other experts on issues related to the cultural heritage of indigenous peoples." [Background]</p>
23. Organisation/structure /contents	<p>I. Introduction 3</p> <p>A. Concept of cultural heritage 3</p> <p>B. Indigenous peoples and cultural heritage 4</p> <p>II. Review of the international legal framework on the rights of indigenous peoples with respect to their cultural heritage 4</p> <p>A. Human rights instruments 5</p> <p>B. United Nations Educational, Scientific and Cultural Organization, cultural heritage and indigenous peoples 6</p> <p>C. Convention on Biological Diversity and Nagoya Protocol 7</p> <p>D. World Intellectual Property Organization 7</p> <p>III. Overview of the jurisprudence on rights relating to cultural heritage 8</p> <p>A. Human rights treaty bodies 8</p> <p>B. Special procedures of the Human Rights Council 9</p> <p>C. Regional human rights institutions 9</p> <p>IV. Participation of indigenous peoples in cultural heritage policies 10</p> <p>A. Participation at the international level 11</p> <p>B. Participation at the national level 12</p> <p>V. Specific issues relating to the rights of indigenous peoples with respect to their cultural heritage 14</p> <p>A. Lands, territories and cultural heritage 14</p> <p>B. Traditional knowledge, intellectual property and cultural heritage 15</p> <p>C. Tourism and cultural heritage 15</p> <p>D. Sports and traditional games 16</p> <p>VI. Cultural appropriation, restitution and repatriation 16</p> <p>A. Cultural misappropriation and interpretation 16</p> <p>B. Restitution and repatriation 17</p> <p>C. Right to cultural revitalization 18</p>

	Annex Expert Mechanism advice No. 8 (2015): Promotion and protection of the rights of indigenous peoples with respect to their cultural heritage 20
FRAMEWORKS	
24. Framework structure	The Annex consists of a set of recommendations for international organizations, Indigenous peoples and museums that can be considered as a framework. In relation to museums it states “Museums and other places in which the cultural heritage of indigenous peoples is stored should inform the relevant indigenous peoples and develop mechanisms to facilitate the return of such cultural heritage when sought by the indigenous peoples concerned.”
25. Relevant policy considerations	Yes
26. Resources for implementation identified	Yes
27. Specific assessment points/indicators/milestones/action plan for monitoring	Yes
28. ASPECTS OF SUSTAINABILITY COVERED BY RESOURCE (mark all that apply)	
People (social sustainability)	X
Planet (environmental sustainability)	X
Prosperity (economic sustainability)	X
Peace	X
Partnerships	X
29. CROSS-CUTTING CONSIDERATIONS COVERED BY RESOURCE (mark all that apply)	
Gender perspectives	X
North and South perspectives	X
HOW THE RESOURCE CONTRIBUTES TO AGENDA 2030 AND THE SDGs	
HOW AGENDA 2030 AND THE SDGs FEATURE IN THE RESOURCE	
30. SDGs and Agenda 2030 specifically mentioned?	No
31. SDGs specifically mentioned?	No
32. SDG targets specifically mentioned?	No
33. SDG indicators specifically mentioned?	No
SDGs AND SDG TARGETS AND LINKAGES	
34. Comments on SDG linkages	The resource can help support activity for a number of SDG targets linked to effective policies and to promote the

	<p>rights of Indigenous peoples and local communities, including 1.4 (access to basic services), 2.5 (develop seedbanks and genebanks, and associated traditional knowledge), 4.7 (Education for Sustainable Development), 8.9 (sustainable tourism), 9.1 (inclusive infrastructures), 10.2 (universal inclusion), 10.3 (reduce inequalities of outcome), 10.4 (adopt policies for social protection), 11.4 (protecting and safeguarding cultural and natural heritage), 11.7 (safe and welcoming green and public spaces), 14.7 (sharing the benefits of tourism in coastal and marine areas), 15.6 (fair sharing of benefits from use of biodiversity), 16.3 (promote the Rule of Law), 16.4 (recovery and return of stolen assets), 16.6 (effective, accountable and transparent institutions), 16.7 (inclusive decision making), 16.10 (respect for freedom of information and other human rights), 16.B (support laws and policies for sustainable development), 17.6 (international co-operation on science and innovation), 17.14 (policy coherence for sustainable development), 17.16 (international partnerships) and 17.17 (cross-sector partnerships).</p>
35. SDGs and SDG targets the resource helps advance	
<p>SDG 1: End poverty in all its forms everywhere 1.4 By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance</p>	<p>Numbers and proportions of people from particular groups using collections in comparison with demographics in broader society.</p> <p>Numbers of people accessing collections.</p> <p>Number of targeted programmes that aim to enhance access to collections by disadvantaged groups.</p> <p>Sustainable tourism that enhances local communities' access to basic services, ownership and control over land and other forms of property (including cultural and natural heritage), as well as to technology and markets.</p> <p>Involvement of people from disadvantaged groups in decision-making activities and processes relating to collections and collections-based institutions.</p>
<p>SDG 2: End hunger, achieve food security and improved nutrition and promote sustainable agriculture 2.5 By 2020, maintain the genetic diversity of seeds, cultivated plants and farmed</p>	<p>Collections development related to genetic diversity of seeds, cultivated plants, farmed and domesticated animals (notably of local or at-risk varieties) and related wild species, for example in herbaria, museums, seed and gene banks, and seed libraries.</p>

<p>and domesticated animals and their related wild species, including through soundly managed and diversified seed and plant banks at the national, regional and international levels, and promote access to and fair and equitable sharing of benefits arising from the utilization of genetic resources and associated traditional knowledge, as internationally agreed</p>	<p>Number of educational programmes related to genetic diversity of domesticated plants, animals and wild relatives.</p> <p>Number of educational programmes related to fair and equitable benefits of use of genetic resources and associated traditional knowledge, following international agreements (e.g. Nagoya Protocol).</p> <p>Number of educational and awareness programmes for people to ensure that they are aware of their rights and protections in terms of traditional knowledge, and exploitation of genetic resources.</p> <p>Number of research activities that help understand traditional knowledge, and genetic diversity of crop plants and animals.</p> <p>Ensure that producers of crop plants and animals are fairly compensated.</p> <p>Policies and procedures in place to ensure seed banks are soundly managed, in terms of risk management and emergency planning.</p> <p>Policies and procedures in place to ensure legal compliance with fair and equitable benefits of use of genetic resources and associated traditional knowledge, following international agreements (e.g. Nagoya Protocol).</p> <p>Number of partnerships at national, regional and international levels, as appropriate, to soundly manage seed and plant banks.</p>
<p>SDG 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all</p> <p>4.7 By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of</p>	<p>Numbers of people in each type of programme drawing on collections from different demographic groups.</p> <p>Increases in numbers of people in each type of programme from different demographic groups.</p> <p>Proportion of people involved in such programmes in relation to overall audience size.</p> <p>Evidence that learners have acquired knowledge and skills to promote sustainable development.</p>

<p>a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development</p>	
<p>SDG 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all 8.9 By 2030, devise and implement policies to promote sustainable tourism that creates jobs and promotes local culture and products</p>	<p>Numbers of jobs created or supported that relate to sustainable tourism drawing on local products (e.g. craft producers).</p> <p>Develop and implement plans to reduce and remove negative impacts of tourism.</p> <p>Numbers of activities and/or products drawing on local culture.</p> <p>Value to artisans and source communities of activities and products drawing on local culture.</p>
<p>SDG 9. Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation 9.1 Develop quality, reliable, sustainable and resilient infrastructure, including regional and transborder infrastructure, to support economic development and human well-being, with a focus on affordable and equitable access for all</p>	<p>Development of research-useful collections to support reliable, sustainable and resilient use by researchers and others.</p> <p>Number and proportion of collections facilities and stores that support economic development and human well-being.</p> <p>Number and proportion of collections facilities and stores that provide affordable and equitable access for all.</p> <p>Investment in collections facilities.</p> <p>Inclusion of collections information in regional and transborder initiatives, notably via digital access for discoverability.</p>
<p>SDG 10. Reduce inequality within and between countries 10.2 By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status</p>	<p>Collections development to ensure that collections effectively meet the needs of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status.</p> <p>Number and proportion of educational and participatory programmes that promote participation irrespective of social or other status.</p>

	<p>Numbers and proportions of people making use of collections in relation to the demographic of the local population.</p> <p>Numbers and proportions of people involved in focused programmes aimed at promoting social, economic and political inclusion.</p> <p>Numbers and proportions of people from different demographic groups involved in decision-making processes relating to collections and collections-based institutions.</p> <p>Number and types of partnerships that build relationships with marginalized groups, individuals and communities.</p>
<p>SDG 10. Reduce inequality within and between countries 10.3 Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard</p>	<p>Identification of discriminatory policies and practices, with clear plans to address these, to ensure equal opportunity for all and reduce inequalities of outcome.</p> <p>Collections development to uphold and promote legislation and anti-discriminatory perspectives, with the aim of reducing inequality within and between countries.</p> <p>Education and participatory programmes that promote anti-discriminatory legislation, policies and action, with the aim of reducing inequality within and between countries.</p> <p>Research that supports anti-discriminatory legislation, policies and action, with the aim of reducing inequality within and between countries.</p> <p>Participation in partnerships that promote anti-discriminatory legislation, policies and action, with the aim of reducing inequality within and between countries.</p>
<p>SDG 10. Reduce inequality within and between countries 10.4 Adopt policies, especially fiscal, wage and social protection policies, and progressively achieve greater equality</p>	<p>Number and proportion of policies that proactively address equality issues relating to fiscal, wage and social protection considerations.</p>

<p>SDG 11. Make cities and human settlements inclusive, safe, resilient and sustainable 11.4 Strengthen efforts to protect and safeguard the world's cultural and natural heritage</p>	<p><i>11.4.1 Total expenditure (public and private) per capita spent on the preservation, protection and conservation of all cultural and natural heritage, by type of heritage</i></p> <p>Plans, policies and procedures in place for the safe use of collections for a variety of purposes, protecting and safeguarding both collections and those who use them.</p> <p>Plans, policies and procedures in place for the identification, safeguarding and protection of cultural and natural heritage at risk.</p> <p>Collecting programmes in place to protect, safeguard and make use of cultural and natural heritage, addressing the needs of communities and stakeholders, and ensuring that collections can be an effective resource for sustainable development.</p> <p>Number and diversity of educational, awareness-raising, research programmes, and partnerships that aim to strengthen protection of cultural and natural heritage.</p>
<p>SDG 11. Make cities and human settlements inclusive, safe, resilient and sustainable 11.7 By 2030, provide universal access to safe, inclusive and accessible, green and public spaces, in particular for women and children, older persons and persons with disabilities</p>	<p>Numbers of people accessing collecting institutions from different demographic groups, notably women, children, older people and persons with disabilities.</p> <p>Increases in numbers of people accessing collecting institutions from different demographic groups.</p> <p>Measures taken to remove barriers to access green and public spaces.</p> <p>Extent of green space provided by collections institutions.</p>
<p>SDG 14 Conserve and sustainably use the oceans, seas and marine resources for sustainable development 14.7 By 2030, increase the economic benefits to Small Island developing States and least developed countries from the sustainable use of marine resources, including through sustainable management of</p>	<p>Number of activities that support sustainable tourism relating to Small Island developing States and least developed countries.</p> <p>Economic benefits by value to Small Island Developing States and least developed countries.</p>

fisheries, aquaculture and tourism	
<p>SDG 15 Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss</p> <p>15.6 Promote fair and equitable sharing of the benefits arising from the utilization of genetic resources and promote appropriate access to such resources, as internationally agreed</p>	<p>Policies, plans and agreements in place for access and benefit sharing relating to use of collections, in line with the Nagoya Protocol (notably relating to natural history collections, gene banks, tissue banks, seed banks).</p> <p>Effective communication and dissemination methods in place to promote access to resources, and access to relevant policies, plans and agreements, in place.</p>
<p>SDG 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.</p> <p>16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all</p>	<p>Collections development that relates to the rule of law, equality before the law, and justice for all.</p> <p>Number of activities drawing on collections, for example educational, research and partnership activities, that promote the rule of law at national and international levels, and that promote a culture of lawfulness, and the right of all to justice.</p>
<p>SDG 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.</p> <p>16.4 By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime</p>	<p>Identification of stolen assets, return of stolen assets.</p> <p>Collections development, education, awareness-raising and partnership activities relating to organized crime, with a view to combatting organized crime everywhere.</p>
<p>SDG 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective,</p>	<p><i>16.6.2 Proportion of the population [audience/users/non-users] satisfied with their last experience of public services</i></p>

<p>accountable and inclusive institutions at all levels. 16.6 Develop effective, accountable and transparent institutions at all levels</p>	<p>Access to information, and accountability policies and mechanisms, in place.</p> <p>Effective institutional arrangements, both for own working and for working in partnership with other sectors, in place.</p> <p>Plans and arrangements in place for extraordinary circumstances such as natural and human-caused disasters.</p> <p>Effective arrangements in place to fulfil legal and social obligations and responsibilities.</p> <p>Effective arrangements in place for transparent communication and reporting of institutional performance.</p> <p>Effective arrangements in place for transparent decision-making and accountability.</p>
<p>SDG 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels</p>	<p><i>16.7.1 Proportions of positions (by sex, age, persons with disabilities and population groups) in public institutions (national and local legislatures, public service, and judiciary) compared to national distributions</i></p> <p><i>16.7.2 Proportion of population [audience/users/non-users] who believe decision-making is inclusive and responsive, by sex, age, disability and population group</i></p> <p>Decision-making addresses societal, environmental and economic challenges related to the community, considering short-term and long-term risks and opportunities.</p> <p>Decision-making draws on diverse backgrounds, viewpoints and interests, reflecting a broad base of stakeholders, and working to promote inclusion and provide effective services for all of society.</p>
<p>SDG 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. 16.10 Ensure public access to information and protect fundamental freedoms, in</p>	<p>Adopt and implement constitutional, statutory and/or policy guarantees for public access to information.</p> <p>Plans in place, and plans implemented to enhance public access to information relating to collections.</p> <p>Plans in place, and plans implemented to support fundamental freedoms, in line with human rights, national and international agreements and legislation.</p>

<p>accordance with national legislation and international agreements</p>	<p>Plans and procedures in place for public access to information relating to the operation and management of collections-based institutions.</p> <p>Complaint mechanism in place for public to use where public access to information and fundamental freedoms not supported or fulfilled.</p>
<p>SDG 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. 16.B Promote and enforce non-discriminatory laws and policies for sustainable development</p>	<p><i>16.B.1 Proportion of population [audience/users/non-users] reporting having personally felt discriminated against or harassed in the previous 12 months on the basis of a ground of discrimination prohibited under international human rights law</i></p> <p>Number and proportion of policies that incorporate sustainable development considerations, in the full sense of recognizing all three of social, economic and environmental considerations.</p>
<p>SDG 17. Partnerships for the goals 17.6 Enhance North-South, South-South and triangular regional and international cooperation on and access to science, technology and innovation and enhance knowledge-sharing on mutually agreed terms, including through improved coordination among existing mechanisms, in particular at the United Nations level, and through a global technology facilitation mechanism</p>	<p>Number and diversity of North-South, South-South and triangular co-operations and projects to support access to science, technology and innovation and enhance knowledge-sharing on mutually agreed terms.</p>
<p>SDG 17. Partnerships for the goals 17.14 Enhance policy coherence for sustainable development</p>	<p>Proportion of policies that incorporate sustainable development considerations, linking to SDGs and targets.</p> <p>Incorporation of policy considerations from outside the collections sector into policies of collections-based institutions, to facilitate partnerships and effectiveness.</p>

<p>SDG 17. Partnerships for the goals</p> <p>17.16 Enhance the global partnership for sustainable development, complemented by multi-stakeholder partnerships that mobilize and share knowledge, expertise, technology and financial resources, to support the achievement of the sustainable development goals in all countries, in particular developing countries</p>		<p>Number and/or increase in number, and diversity of global and international multi-stakeholder partnerships that share collection-related knowledge, expertise, technology and financial resources to address the SDGs, or that otherwise involve collections-based organisations and institutions.</p> <p>Number and/or increase in number, and diversity of global and international multi-stakeholder partnerships involving developing countries that share collection-related knowledge, expertise, technology and financial resources to address the SDGs.</p>			
<p>SDG 17. Partnerships for the goals</p> <p>17.17 Encourage and promote effective public, public-private and civil society partnerships, building on the experience and resourcing strategies of partnerships</p>		<p><i>17.17.1 Amount of United States dollars committed to public-private and civil society partnerships</i></p> <p>Number and/or increase in number, and diversity of local, national and regional multi-stakeholder (public, public-private and civil society) partnerships that address the SDGs drawing on collections, or that otherwise involve collections-based organisations and institutions.</p>			
1	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	