

Virtual consultation with the Special Rapporteur on the rights of indigenous peoples on:

Tourism and the Rights of Indigenous Peoples

May 25, 2023

8:00 am – 9:30am PT

11-12:30 pm Santiago, Chile;

5-6:30 pm Geneva, Switzerland.

To check your time zone click [here](#).

Register [here](#) by May 22, 2023

The [Special Rapporteur on the rights of indigenous peoples](#) will hold a virtual consultation to inform his annual report to the United Nations General Assembly on **Tourism and the Rights of Indigenous Peoples**, to be presented at its 78th session in October 2023. According to the United Nations World Tourism Organization (UNWTO), international tourism statistics are now approaching pre-pandemic levels.¹ Tourism is an essential driver of development for many countries² that may lead to economic, social, and cultural growth. However, according to reports from Indigenous Peoples, tourism projects are often designed and implemented without respect for their rights to self-determination; lands, territories and resources; free prior and informed consent; as well as economic, social and cultural rights, such as access to water and sanitation.

The Special Rapporteur identified this theme as a focus for his study after receiving reports of violations of human rights in relation to tourism activities, including those associated with UNESCO World Heritage Sites,³ national parks,⁴ luxury resorts,⁵ sporting events⁶ and other tourism projects.⁷ The development of tourism infrastructure and projects has on many occasions caused eviction of Indigenous Peoples from their lands; contaminated natural resources; threatened livelihoods and restricted access to sacred places and resources.

Tourism projects may bring violence against Indigenous women and children, sex trafficking, militarization and labour exploitation. The cultural expressions of Indigenous Peoples are often

¹ UNWTO World Tourism Barometer and Statistical Annex, January 2020. In January 2020, international tourism was increasing in all regions as overnight arrivals reached 1.5 billion.

² UNWTO World Tourism Barometer and Statistical Annex, November 2022.

³ TZA 3/2021; THA 4/2021; THA 4/2020.

⁴ UGA5/2022; TZA 2/2019.

⁵ NPL 1/2021; BGD 8/2020.

⁶ ESP 2/2021; USA 15/2021; FRA 3/2021; IDN 5/2021.

⁷ MEX 11/2020.

highlighted as a distinct feature to attract tourism. This may risk the appropriation and commodification of Indigenous knowledge and tangible and intangible cultural property.

In recent decades, community-based approaches to tourism, such as ecotourism and ethnocultural tourism, have become increasingly popular as a sustainable development approach. If implemented under the Indigenous Peoples' human rights framework, community-based tourism projects can provide socio-economic and cultural benefits for Indigenous Peoples and the rest of society. This includes economic development; strengthening of political, legal, economic, social and cultural institutions of Indigenous Peoples; employment; education and training; revitalization of Indigenous languages, culture, and knowledge; biodiversity restoration; and other opportunities.

United Nation human rights mechanisms and specialized agencies have provided some guidance on this topic. The Expert Mechanism on the Rights of Indigenous Peoples addressed tourism and cultural heritage in its report on the "Promotion and protection of the rights of indigenous peoples with respect to their cultural heritage" (A/HRC/30/53). The General Assembly of the World Tourism Organization (UNWTO), adopted a set of Recommendations on "Sustainable Development of Indigenous Tourism" in 2019⁸ and has developed matrixes and measurements for sustainable tourism, in general terms⁹. The Secretariat of the Convention on Biological Diversity¹⁰ and IUCN¹¹ have also published guidelines on sustainable tourism. Finally, the nonprofit sector¹² has provided guidance, standards, and certification on sustainable tourism and ecotourism.

The role of Indigenous Peoples in tourism must be understood and addressed from the framework of the UN Declaration on the Rights of Indigenous Peoples and international and regional human rights instruments. These international legal standards recognize Indigenous Peoples' rights to lands, territories and resources, self-determination, cultural heritage and participation in decision-making, all of which form the basis of their collective identity and their physical, economic and cultural survival.

The report will review the ways in which tourism both negatively impacts and positively benefits Indigenous Peoples by examining the role of States, international organizations and the private sector in developing tourism facilities, including resorts, amusement parks, sporting events, World Heritage Sites, game reserves, national parks and other protected areas.

The report will highlight examples of Indigenous-led tourism ventures, as well as best practices undertaken by States and international organizations to protect Indigenous Peoples' rights in this

⁸ [World Tourism Organization \(2019\), *Recommendations on Sustainable Development of Indigenous Tourism*, UNWTO, Madrid, DOI: <https://doi.org/10.18111/9789284421299>.](https://doi.org/10.18111/9789284421299)

⁹ <https://www.e-unwto.org/doi/epdf/10.18111/9789284424061>.

¹⁰ Secretariat of the Convention on Biological Diversity, *Managing tourism and biodiversity - User's manual on the CBD Guidelines on Biodiversity and Tourism Development* (2007), Montreal, <https://www.cbd.int/doc/programmes/tourism/tourism-manual-en.pdf>; Secretariat of the Convention on Biological Diversity, *Tourism Supporting Biodiversity - A Manual on applying the CBD Guidelines on Biodiversity and Tourism Development* (2015), Montreal, <https://www.cbd.int/tourism/doc/tourism-manual-2015-en.pdf>; Spenceley, A., Snyman, S. & Eagles, P., *Guidelines for tourism partnerships and concessions for protected areas: Generating sustainable revenues for conservation and development* (2017).

¹¹ Eagles, Paul F.J., McCool, Stephen F. and Haynes, Christopher D.A., *Sustainable Tourism in Protected Areas: Guidelines for Planning and Management* (2002), IUCN, Gland, Switzerland and Cambridge, UK.

¹² Among others International Ecotourism Society, Global Sustainable Tourism Council.

context, for instance, by obtaining their free, prior and informed consent before authorizing tourist activities on their lands.

AGENDA

8:00 am PT	Welcome
8:10 am PT	Remarks from the UN Special Rapporteur on the rights of indigenous peoples
8:25 am PT	Open discussion with participants: 1) the positive and negative impacts of tourism on Indigenous Peoples rights 2) the ability of Indigenous Peoples to participate in the development, implementation and management of tourism projects 3) best practices led by Indigenous Peoples, States or international organizations to promote, protect, and fulfill the rights of Indigenous Peoples in the sustainable development of tourism
9:20 pm PT	Closing statements and next steps

The Special Rapporteur wishes to receive inputs by way of response to the questions below, that will inform his report to be presented at the 78th session of the UN General Assembly in October 2023. The Special Rapporteur requests submissions from Member States and inter-governmental entities, UN agencies, funds and programs, Indigenous Peoples and organizations, civil society actors, humanitarian and development organizations, national human rights institutions, business representatives and other relevant stakeholders, to contribute to the preparation of the report. Submissions can be made to ohchr-indigenous@un.org by 25 May 2023 in English, French or Spanish. Kindly indicate in the subject of your email “Submission to 78th HRC session report.” Please limit inputs to 10 pages.

Submissions will be published as received on the mandate’s webpage. Kindly indicate if you DO NOT wish your submission to be made public.

QUESTIONNAIRE

The Special Rapporteur is particularly interested in receiving inputs on **any or all** of the following issues, including case studies and specific examples of best practices led by indigenous peoples as well as initiatives taken by States to protect the role of indigenous women as knowledge keepers and that promote the vision and approaches of indigenous peoples.

1. What are the positive and negative impacts of tourism on Indigenous Peoples’ rights? Please illustrate with concrete examples.

2. Are Indigenous Peoples participating in the development, implementation and management of tourism projects? Please provide recent concrete examples. If not, what are the barriers to participation and to obtaining their free, prior and informed consent?
3. What is the role of UN specialized agencies and of international financial institutions in ensuring that tourism development respects Indigenous Peoples' rights? Examples include but are not limited to the UN World Tourism Organization, and the World Bank Group
4. Please describe any measures taken by States to adopt legislation or other measures to ensure the protection of Indigenous Peoples' rights in regulating the tourism industry including rights to equality; culture; lands, territories and resources; participation in decision-making and meaningful consultation/consent; intellectual property; and labour rights.
5. What has been the role of corporations in the context of tourism? Please, provide examples, if any, of the private sector consulting with Indigenous Peoples and encouraging their participation in the creation, implementation and management of tourism projects. Do sustainable tourism certifications incorporate the rights of Indigenous Peoples?
6. Please identify specific examples of good practices led by States or international organizations to promote, protect, and fulfil the rights of Indigenous Peoples in the sustainable development of tourism, including management or co-management of tourism projects, incorporation of indigenous scientific knowledge, benefit sharing, funding of Indigenous-led tourism projects etc.
7. Please identify specific examples of good practices by Indigenous Peoples who are developing and managing tourism projects on their lands. What factors have furthered these initiatives?
8. What social or economic benefits do Indigenous Peoples receive from tourism projects (e.g. royalties, employment, improvements to infrastructure, education and training opportunities, etc.)? Are these benefits culturally appropriate and gender inclusive, and do they take into account intergenerational impact? Please describe how measurable project results are being shared with Indigenous Peoples.