



National Action
Plans on business
and human rights –
leveraging
indigenous peoples'
rights?

National Action Plans – a means to implement the UNGPs

“Each pillar is an essential component in an inter-related and dynamic system”

Pillar One



State duty to protect

Effective policies, legislation, regulation, and adjudication

Pillar Two



Corporate responsibility to respect

Exercise human rights due diligence

Pillar Three



Access to remedy

Access by victims to effective remedies - judicial and non-judicial

A world map where countries are shaded in three colors: green, blue, and brown. Green countries include the United States, Canada, and several European nations. Blue countries include Mexico, Brazil, Argentina, Chile, India, and several nations in Africa and Asia. Brown countries include Australia, New Zealand, and several nations in Africa and Asia. The map is overlaid with text and a legend.

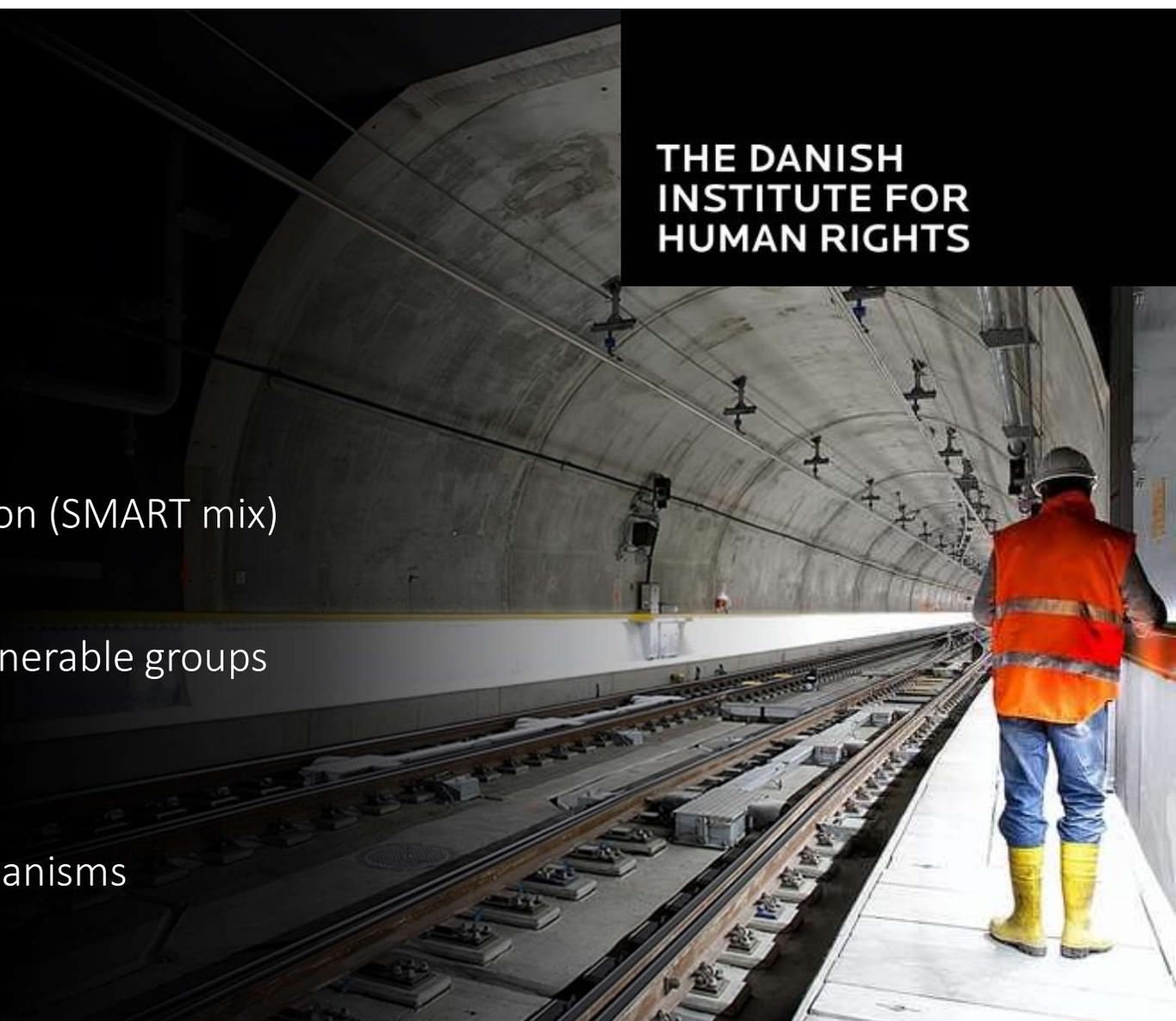
National action plans on business & human rights

- 25 – PUBLISHED
- 18 – DEVELOPING
- 25 – OTHER NON-STATE INITIATIVES

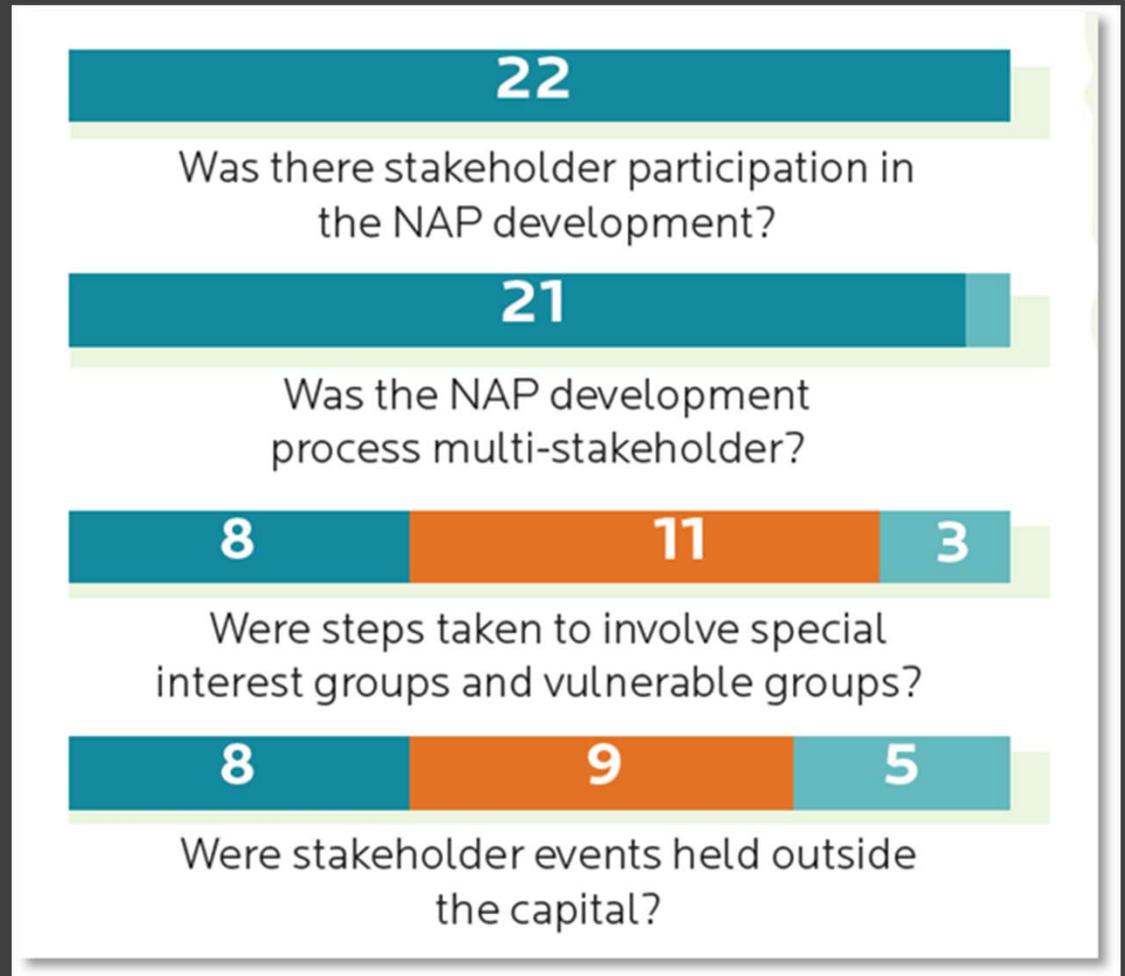
Evaluating NAPs – challenges

- Action-orientation
- Legal measures and regulation (SMART mix)
- Pillar 3 → access to remedy
- Participation and at-risk/ vulnerable groups
- Transparency
- Resources
- Follow-up framework/ mechanisms

THE DANISH
INSTITUTE FOR
HUMAN RIGHTS



NAP Development: Participation



(2018 figures)

CONTENT

ARE STAKEHOLDERS INCLUDED WITHIN THE NAPs?



(2018 figures)



Does the NAP include responsible agencies for each of the measures?



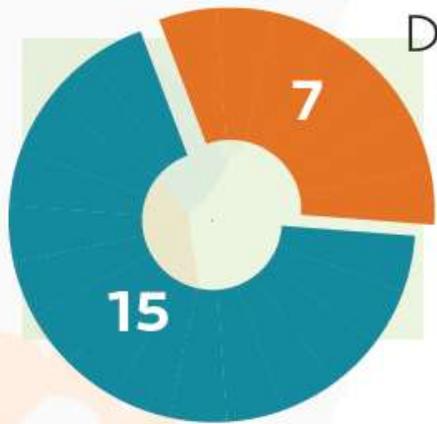
Does the NAP include stakeholder engagement in the follow-up and review?



Is there a monitoring mechanism in place overseeing the NAP?

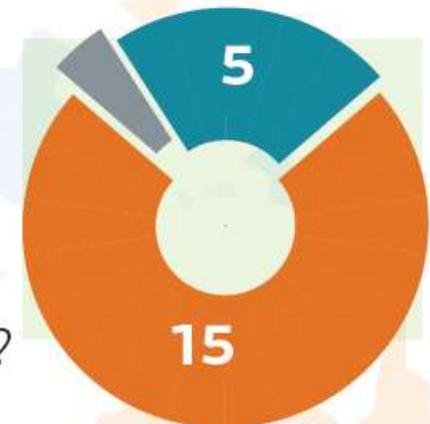
■ Yes ■ No ■ Partially

(2018 figures)



Does the NAP commit the state to providing progress reports?

Have progress reports been produced?



■ Yes ■ No ■ No Data Available

(2018 figures)

Published NAPs	References to indigenous peoples
Chile	Comprehensive measures under Min. of Energy ; some under Min. of Social Affairs
Colombia	Measures under Min. of Transport. One IP representative in Monitoring Commission
Denmark	None
Finland	Continue dialogue with UN bodies on indigenous peoples
Japan	Reference to law to not discriminate against Ainu and to consideration for indigenous peoples in development cooperation.
Kenya	Mention of cultural and historical barriers to access to land by indigenous persons. Development of guidance for business on operational-level grievance mechanism, responsive to indigenous peoples
Norway	Reference to C169 and national law; mention of the right to consultation under C169/UNDRIP
Sweden	None
Thailand	Enhance career, household income, welfare arrangements, and community development, of highland communities
Uganda	Review and enact laws guaranteeing FPIC for indigenous persons (among others)

NAPs under development

Argentina

Ecuador

Honduras

India

Indonesia

Malaysia

Mexico

Morocco

Nepal

Peru

Vietnam

Recommendations from the international human rights system

83 recommendations to develop NAPs/regulate business conduct to respect indigenous peoples' rights

Angola, Australia, Bolivia, Botswana, Brazil, Canada, Cambodia, Cameroon, Chile, China, Costa Rica, Democratic Republic of Congo, Ecuador, Ethiopia, Guatemala, Guyana, Honduras, Liberia, Mexico, Norway, Panama, Paraguay, Peru, Russia, Suriname, Thailand, United States

Ireland, Netherlands, Republic of Korea and Spain (business operations abroad),

THE DANISH
INSTITUTE FOR
HUMAN RIGHTS



IMPACTOS A LOS DERECHOS DE PUEBLOS INDÍGENAS Y OTROS GRUPOS

- Poca o no **consulta y consentimiento** de parte de pueblos indígenas antes de que lleguen las empresas
- Falta de **información** a las comunidades indígenas sobre los proyectos y los posibles impactos
- Impactos en las **tradiciones y costumbres culturales**
- Escapes de salmones causando **contaminación** en los **territorios sagrados**
- **Amenazas a las defensoras y defensores** de derechos humanos y ambientales

Resources

- Overview of NAPs, including focus on indigenous peoples: <https://globalnaps.org>
- Overview of Human Rights Recommendations pertaining to indigenous peoples <https://sdgdata.humanrights.dk>

Contact: Birgitte Feiring bife@humanrights.dk