



Copenhagen, 30 June 2021

H.E. Mr. Tian Xuejun  
Vice Minister of Education and Chairperson of the National Commission of the People's  
Republic of China for UNESCO  
Chairperson of the extended 44th session of World Heritage Committee  
Email: chair@44whcfuzhou2021.cn

Ms. Mechtild Rössler  
Director World Heritage Centre  
Email: m.rossler@unesco.org

**Re: Human rights abuses occurring in the context of the World Heritage nomination of the  
Kaeng Krachan Forest Complex (Thailand)**

Your Excellency,  
Dear Ms. Rössler,

On behalf of the co-signatories, I hereby submit to you a joint statement of Indigenous Peoples' organizations and non-governmental organizations, in which we reiterate our serious concern about the persistent human rights violations faced by the Karen Indigenous communities in the Kaeng Krachan Forest Complex (KKFC). These human rights violations are of a continuing nature and are in many ways linked to Thailand's efforts to gain World Heritage status for the KKFC. We also want to express our serious concern about the intentional destruction of Karen cultural heritage during the nomination process, the exclusion of the Karen communities from the process, and the disregard for their rights, their cultural heritage and their traditional livelihoods in the submitted nomination and within the proposed Outstanding Universal Value for the site.

We consider that the manner in which the nomination process has been carried out stands in stark contrast to some of the most fundamental principles, purposes and values of UNESCO, such as the furthering of respect for human rights, the protection of cultural heritage, the safeguarding of cultural diversity, the fostering of sustainable development, and the promotion of a culture of peace.

The attached joint statement includes a number of constructive recommendations on how to remedy the situation in the KKFC and achieve a nomination that is respectful of the rights of the Karen and serves to protect, and not undermine, their relationship with the land, their traditional livelihoods and their cultural heritage. Additionally, the statement makes several forward-looking recommendations for improvements to the Operational Guidelines that could help to prevent similar problems from arising in the future and make the implementation of the World Heritage Convention more respectful of the rights and cultures of Indigenous Peoples.

We would appreciate if you would kindly bring the joint statement to the attention of the World Heritage Committee's extended 44th session, and encourage the World Heritage Committee and UNESCO to consider our recommendations.

We thank you in advance for your kind attention to these issues.

Sincerely,



Kathrin Wessendorf  
Executive Director  
International Work Group for Indigenous Affairs (IWGIA)

on behalf of: IWGIA; Asia Indigenous Peoples Pact (AIPP); International Indigenous Peoples' Forum on World Heritage (IIPFWH); Indigenous Peoples Rights International (IPRI); Network of Indigenous Peoples in Thailand (NIPT); Karen Network for Culture and Environment, Western Region (KNCE); Indigenous Peoples Foundation for Education and Environment (IPF); Highland Environmental Management Network (HEMN); Indigenous Peoples of Africa Co-ordinating Committee (IPACC); Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP); Rueda de Medicina A.C.; Rainforest Foundation UK (RFUK); Minority Rights Group International (MRG).

C.c.

Ms. Miray Hasaltun Wosinski, Rapporteur of the World Heritage Committee  
Members of the World Heritage Committee  
Ms. Audrey Azoulay, UNESCO Director-General  
Mr. Ernesto Ottone Ramírez, UNESCO Assistant Director-General for Culture  
Mr. Feng Jing, Chief of the Asia and Pacific Unit of the World Heritage Centre  
Mr. Tim Badman, Director, IUCN World Heritage Programme  
Mr. Cyril Kormos, Vice-Chair for World Heritage, World Commission on Protected Areas  
Ms. Regina Durighello, Director, ICOMOS Monitoring and Advisory Unit  
Mr. Joseph King, Unit Director, ICCROM  
Ms. Anne Nuorgam, Chair of the UN Permanent Forum on Indigenous Issues  
Ms. Rosemary Lane, Officer-in-Charge, Indigenous Peoples and Development Branch, UNDESA  
Ms. Laila Vars, Chair of the UN Expert Mechanism on the Rights of Indigenous Peoples  
Mr. Francisco Cali Tzay, UN Special Rapporteur on the rights of indigenous peoples  
Ms. Yanduan Li, Chair of the Committee on the Elimination of Racial Discrimination  
Mr. David R. Boyd, UN Special Rapporteur on human rights and the environment  
Ms. Mary Lawlor, UN Special Rapporteur on the situation of human rights defenders  
Mr. Luciano A. Hazan, Chair-Rapporteur of the UN Working Group on Enforced or Involuntary Disappearances  
Ms. Karima Bennoune, UN Special Rapporteur in the field of cultural rights  
Ms. Sanitsuda Ekachai, Columnist, Bangkok Post  
Ms. Katie J.M. Baker, BuzzFeed News Investigative Reporter  
Mr. Tom Warren, Investigations Correspondent, BuzzFeed News  
Mr. John Vidal, Environment Editor, The Guardian  
Ms. Karen McVeigh, Global development reporter, The Guardian

## **Joint Statement on the persistent human rights abuses occurring in the context of the World Heritage nomination of the Kaeng Krachan Forest Complex (Thailand) –**

### **A Submission to UNESCO's World Heritage Committee**

**Jointly submitted by:** International Work Group for Indigenous Affairs (IWGIA); Asia Indigenous Peoples Pact (AIPP); International Indigenous Peoples' Forum on World Heritage (IIPFWH); Indigenous Peoples Rights International (IPRI); Network of Indigenous Peoples in Thailand (NIPT); Karen Network for Culture and Environment, Western Region (KNCE); Indigenous Peoples Foundation for Education and Environment (IPF); Highland Environmental Management Network (HEMN); Indigenous Peoples of Africa Co-ordinating Committee (IPACC); Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP); Rueda de Medicina A.C.; Rainforest Foundation UK (RFUK); Minority Rights Group International (MRG).

1. We, the undersigned Indigenous Peoples' organizations and non-governmental organizations, would like to express our serious concern about the persistent human rights violations faced by the Karen Indigenous communities in the Kaeng Krachan Forest Complex (KKFC). These human rights violations are of a continuing nature and are in many ways linked to Thailand's efforts to gain World Heritage status for the KKFC.

2. We further want to express our serious concern about the exclusion of the Karen communities from the World Heritage nomination process and the disregard for their rights, their cultural heritage and their traditional livelihoods in the submitted nomination. Over the more than ten years in which the nomination was developed, the Karen communities have never been able to meaningfully participate in its preparation, and no efforts have been made to reflect and recognize their relationship with the land and their associated cultural values within the proposed Outstanding Universal Value. The Karen communities have not provided their free, prior and informed consent to the nomination as submitted and have urged the World Heritage Committee not to approve the nomination in its current form, although they have indicated that they are not opposed in principle to the KKFC becoming a World Heritage site under the right conditions.<sup>1</sup>

3. Thirdly, we want to express our concern about the continued inadequacy of the World Heritage Convention's Operational Guidelines for ensuring that human rights violations against Indigenous Peoples do not occur in any process related to World Heritage sites (nomination, establishment, management, monitoring and other processes), that Indigenous Peoples' traditional livelihoods and cultural heritage are respected and protected in World Heritage sites, and that Indigenous Peoples are effectively involved in, and their free, prior and informed consent is obtained before nominations affecting their lands and territories are submitted to the World Heritage Committee.

#### **Human rights violations against the Karen in the KKFC**

4. The nomination process of the KKFC has been accompanied by serious and ongoing human rights violations against the Karen Indigenous communities, including, *inter alia*, violent forced

evictions of community members from their ancestral land; burning and destruction of Karen houses and properties; repeated attacks, harassment and intimidation by conservation authorities; and even murder and enforced disappearance of Indigenous human rights defenders who were involved in legal action on behalf of the Karen communities.

5. These human rights violations are well documented and have been strongly denounced by multiple UN human rights bodies and mechanisms.<sup>2</sup> UN human rights bodies have repeatedly written to the World Heritage Committee<sup>3</sup> and IUCN,<sup>4</sup> urging them not to approve the nomination of the KKFC before all human rights concerns have been resolved, the Karen land rights and livelihoods are protected, and the Karen have given their free, prior and informed consent.

6. The human rights violations that have accompanied the nomination process of the KKFC are in many ways linked to the efforts to gain World Heritage status of the area under natural criteria. Based on a misconception<sup>5</sup> that the presence and traditional resource use of the Karen communities within the area is incompatible with World Heritage status and may jeopardize listing as a natural World Heritage site, the Karen communities are essentially treated as a threat to the natural values of the area rather than as partners<sup>6</sup> in their protection.

#### **Disregard for the cultural heritage, traditional livelihoods and land rights of the Karen in the submitted World Heritage nomination**

7. The Karen have lived in the nominated area sustainably for hundreds of years, have proven themselves to be stewards of biodiversity conservation and are an important part of the ecosystem of the area. The rotational farming system practiced by the Karen in the KKFC, an intricate agricultural system that relies on seven to ten-year cycles, is a sustainable land-use system that is deeply connected to the nominated area and supports biodiversity.<sup>7</sup> It is in itself an outstanding (cultural) heritage, which has also been recognized as such by the Thai Government.<sup>8</sup>

8. However, no efforts have been made by the Thai Government to recognize the traditional livelihood practices of the Karen as an integral part of the Outstanding Universal Value of the KKFC, which would not only help to protect the livelihoods and the cultural heritage of the Karen, but also help ensure that the Karen will have a proper role and standing in the future management of the site, in line with their rights as Indigenous Peoples of the area. Indeed, instead of recognition and protection of the Karen cultural values through the possibilities provided by the World Heritage Convention, the actions of the Thai authorities during the nomination process have amounted to an *intentional destruction of Karen cultural heritage*.<sup>9</sup>

9. The lack of protection and regard for the traditional livelihoods and land rights of the Karen and the intentional destruction of Karen cultural heritage, as well as the forced evictions and other human rights violations that have occurred during the nomination process, run counter to some of the most fundamental principles, purposes and values of UNESCO, such as the furthering of respect for human rights, the protection of cultural heritage, the safeguarding of cultural diversity, the fostering of sustainable development, and the promotion of a culture of peace. The manner in which the nomination process has been carried out is also not in accordance with the provisions of the *UN Declaration on the Rights of Indigenous Peoples*,

application of which UNESCO and the World Heritage Committee are required to promote,<sup>10</sup> nor is it in accordance with the UNESCO Policy on Engagement with Indigenous Peoples<sup>11</sup> or the World Heritage Committee's own policies, particularly the World Heritage Sustainable Development Policy<sup>12</sup> and the *Operational Guidelines for the Implementation of the World Heritage Convention*,<sup>13</sup> which call on States to adopt a human rights-based approach in the nomination and management of World Heritage sites, respect Indigenous Peoples' rights, develop equitable governance arrangements and collaborative management systems, and effectively involve Indigenous Peoples in decision-making affecting them.

10. The lack of consideration for the traditional livelihoods, cultural heritage and stewardship role of the Karen in the nomination of the KKFC stands in stark contrast to a number of recent World Heritage designations involving the lands and territories of Indigenous Peoples where Indigenous Peoples' traditional resource use and relationship with the land have been fully recognized as an integral part of the Outstanding Universal Value. A notable example is Pimachiowin Aki, a mixed site in Canada inscribed on the World Heritage List in 2018.<sup>14</sup> Appropriate recognition and protection of Indigenous Peoples' cultural heritage and their roles in protecting and sustaining natural heritage is possible through the World Heritage Convention and is becoming more common, but the KKFC nomination represents, as it stands, a retrograde step.

**Continued inadequacy of the Operational Guidelines for ensuring the protection of Indigenous Peoples' traditional livelihoods, cultural heritage and land rights and for preventing human rights violations in World Heritage sites**

11. In recent years, the World Heritage Committee has added several provisions to the Operational Guidelines encouraging States Parties to ensure the effective, inclusive and equitable participation of Indigenous Peoples in the nomination, management and governance of World Heritage sites, including a provision requiring States Parties to obtain Indigenous Peoples' free, prior and informed consent where World Heritage nominations affect them.<sup>15</sup> It has also added a clause to the Operational Guidelines encouraging States Parties to adopt a human-rights based approach in the identification, nomination, management and protection processes of World Heritage properties.<sup>16</sup> Additionally, the Committee has adopted a *Policy for the integration of a sustainable development perspective into the processes of the World Heritage Convention*, which includes a special section on "Respecting, consulting and involving indigenous peoples and local communities".<sup>17</sup>

12. The Committee has also recently added provisions to the Operational Guidelines acknowledging that "Biological diversity and cultural diversity can be closely linked and interdependent and human activities, including those of... indigenous peoples, often occur in natural areas",<sup>18</sup> and underscoring that the management of World Heritage sites should be based on "a thorough shared understanding of the property, its universal, national and local values and its socio-ecological context by all stakeholders, including local communities and indigenous peoples", as well as "respect for diversity, equity, gender equality and human rights".<sup>19</sup>

13. However, despite these improvements, the management of many World Heritage sites continues to be marked by a disregard for Indigenous Peoples' cultural heritage, a lack of

respect for their relationship to the land and a lack of protection of their traditional livelihoods. Human rights violations against Indigenous Peoples continue to occur unabated in many World Heritage sites and processes of the World Heritage Convention. This is evidenced not only by the nomination process of the KKFC, but also by the recently published “Report of the Independent Panel of Experts of the Independent Review of allegations raised in the media regarding human rights violations in the context of WWF’s conservation work”.<sup>20</sup> This report reviewed a series of allegations of human rights abuses in protected areas supported by, or in some cases managed by, the World Wide Fund for Nature (WWF), including instances of murder, rape, torture and physical beatings committed by rangers/ecoguards and other law-enforcement agents acting under the authority of governments, which were described in a series of articles published in the media in 2019. Notable is the high proportion of World Heritage sites among the protected areas implicated in the report: of the eight protected areas included in the review, five are listed as World Heritage sites and another two are tentatively listed.<sup>21</sup>

14. What is not analyzed in the report for the WWF Independent Review, is how the decisions and recommendations of the World Heritage Committee, the Advisory Bodies and UNESCO may have contributed to the human rights violations against Indigenous Peoples that are described in the report, for instance by encouraging “voluntary relocations” of Indigenous Peoples or by identifying Indigenous Peoples’ traditional resource use as a threat to properties reviewed in the report. For example, in the case of Salonga National Park (DRC), UNESCO’s State of Conservation reports and the decisions of the World Heritage Committee have repeatedly identified “Indigenous hunting, gathering and collecting” as a threat to the Park<sup>22</sup> and encouraged the “voluntary relocation” of Indigenous communities from the Park.<sup>23</sup> All of the World Heritage sites implicated in the WWF Independent Review are listed as purely “natural sites”, without an appropriate recognition of Indigenous Peoples’ relationship to the land in the Outstanding Universal Value and in disregard of Indigenous Peoples’ holistic view of their cultural and natural heritage.

## **Recommendations**

In order to address the situations and problems mentioned above, we call on the World Heritage Committee to:

- a) *Defer* (not refer) the nomination of the Kaeng Krachan Forest Complex, as only the deferral mechanism provides an adequate framework for resolving the issues. What is needed is a substantial revision of the nomination, not just some additional information.
- b) Request Thailand to work with the Karen communities, IUCN and ICOMOS in order to figure out ways in which the Karen cultural values and their relationship with the land can be incorporated into the OUV.
- c) Not approve the nomination of the KKFC until the free, prior and informed consent of the Karen has been obtained; the Karen relationship with the land has been properly integrated into the OUV; it is ensured that the Karen communities can live and carry out their traditional livelihoods within the site; and a truly collaborative and equitable management and governance system is in place that both respects the rights, and meets the needs, of the Karen communities.

Additionally, we call on the World Heritage Committee to consider the following improvements to the Operational Guidelines (OG):

- d) The Committee should (re-)insert<sup>24</sup> references to cultural aspects and human interaction with the natural environment into the “natural criteria” (OG, para. 77, vii-x) and put an end to the practice of labelling World Heritage sites in Indigenous Peoples’ territories as purely “natural sites”. The deletion of these references from the natural criteria in 1992 has led to the classification of Indigenous Peoples’ lands and territories as “wilderness areas”, enabled the treatment of Indigenous Peoples as threats to their own traditional territories, and impeded the recognition of Indigenous Peoples’ relationship with their lands as an integral part of the Outstanding Universal Value of sites.<sup>25</sup>
- e) The requirement for States Parties to demonstrate the free, prior and informed consent of Indigenous Peoples affected by World Heritage nominations (OG, para. 123) should be incorporated into the nomination format and made part of the “completeness check” by the World Heritage Centre (OG, para. 132 and Annex 5). States Parties should also be required to clearly identify and recognize all affected Indigenous Peoples and to provide information on their involvement in the nomination process that can be objectively verified.
- f) The Tentative List Submission Format (OG, Annex 2) should be amended to ensure that States Parties comply with paragraph 64 of the Operational Guidelines, requiring States Parties to obtain the free, prior and informed consent of Indigenous Peoples before adding sites affecting Indigenous Peoples on their Tentative Lists.
- g) A provision should be added to the Operational Guidelines ensuring that all nomination documents are made publicly available upon receipt by the World Heritage Centre, so that all relevant stakeholders and rights-holders and the general public have an opportunity to review and comment on the information before the World Heritage Committee takes a decision.

Finally, we urge the World Heritage Committee and the World Heritage Centre to accelerate their efforts towards ensuring the full and effective participation of Indigenous Peoples in all relevant processes of the Convention.

## Endnotes

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<sup>1</sup> See, e.g., the [letter of Karen community members to the World Heritage Committee \(WHC\), dated 24 May 2021](#); the [Statement of the Karen Network for Culture and Environment \(KNCE\), Tanaosri region, 14 July 2016](#); or the [letter of the KNCE to the WHC and IUCN, dated 1 July 2019](#). Also see the letter from the Office of the UN High Commissioner for Human Rights to the WHC, dated 28 February 2019, UN Doc. [OL OTH 8/2019](#).

<sup>2</sup> See, e.g., Mandates of the Special Rapporteur on the rights of indigenous peoples; the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment; and the Special Rapporteur on the situation of human rights defenders, UN Docs. [AL OTH 23/2020](#) (2020), [OL OTH 8/2019](#) (2019); Committee on the Elimination of Racial Discrimination, UN Docs. [CERD/EWUAP/102nd session/2020/Thailand/CS/ks](#) (2020), [CERD/92nd/EWUAP//GH/SK/ks](#) (2017), [CERD/90th/EWUAP//GH/MJA/ks](#) (2016), [GH/SP](#) (2012).

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- <sup>3</sup> See, *inter alia*, UN Docs. [AL OTH 23/2020](#) (2020), [OL OTH 8/2019](#) (2019).
- <sup>4</sup> See, *inter alia*, UN Docs. [AL OTH 22/2020](#) (2020), [OL OTH 7/2019](#)(2019).
- <sup>5</sup> The *Operational Guidelines for the Implementation of the World Heritage Convention* (OG) explicitly recognize that “no area is totally pristine and that all natural areas are in a dynamic state, and to some extent involve contact with people... [H]uman activities, including those of traditional societies, local communities and indigenous peoples, often occur in natural areas. These activities may be consistent with the Outstanding Universal Value of the area where they are ecologically sustainable” (para. 90).
- <sup>6</sup> The *Operational Guidelines* underline that a “partnership approach, underpinned by inclusive, transparent and accountable decision-making, to nomination, management and monitoring provides a significant contribution to the protection of World Heritage properties and the implementation of the Convention”, and explicitly mention indigenous peoples as potential partners in the protection of World Heritage (paras. 39-40).
- <sup>7</sup> See, e.g., Cairns, Malcolm, ed. (2015) *Shifting Cultivation and Environmental Change: Indigenous Peoples, Agriculture and Forest conservation*. London, Routledge.
- <sup>8</sup> See the Thai Cabinet resolution of 3 August 2010 on Recovering the Karen livelihood in Thailand. One of the long-term policies of the resolution is to “Support and recognize the rotational farming systems which belong to the Karen ways of life and livelihood, and which support the sustainable use of natural resources and self-sufficiency, including promotion of the Karen rotational farming system to become a world cultural heritage”. On 13 September 2013, Thailand’s Ministry of Culture included Karen rotational farming in the national list of intangible cultural heritage (see <http://ich.culture.go.th/index.php/th/ich/register>, “knowledges and practices concerning the nature and the universe”).
- <sup>9</sup> Thailand’s actions run counter to the 2003 *UNESCO Declaration concerning the Intentional Destruction of Cultural Heritage*, which explicitly “addresses intentional destruction of cultural heritage including cultural heritage linked to a natural site” (Art. II.1). The Declaration reaffirms the commitment of the international community to fight against the intentional destruction of cultural heritage in any form so that such cultural heritage may be transmitted to the succeeding generations (Art. I). Its Preamble stresses that “cultural heritage is an important component of the cultural identity of communities, groups and individuals, and of social cohesion, so that its intentional destruction may have adverse consequences on human dignity and human rights”.
- <sup>10</sup> See Arts. 41 and 42 of the UNDRIP, according to which all UN bodies and intergovernmental organizations shall promote respect for and full application of the provisions of the Declaration.
- <sup>11</sup> See <https://en.unesco.org/indigenous-peoples/policy> (2018). See in particular paras. 75-77 of the Policy.
- <sup>12</sup> [Policy for the integration of a sustainable development perspective into the processes of the World Heritage Convention](#) (2015). See in particular paras. 20-22 of the Policy.
- <sup>13</sup> The Operational Guidelines are available at <https://whc.unesco.org/en/guidelines/>. See in particular paras. 12, 14bis., 40, 64, 90, 111, 117, 119, 123 and 211 of the Guidelines.
- <sup>14</sup> In the case of Pimachiowin Aki, the Indigenous peoples’ relationship to the land is not only recognized within the cultural criteria, but also within natural criterion (ix), where it is noted that traditional use by Anishinaabeg, including sustainable fishing, hunting and trapping, is an integral part of the boreal ecosystems in Pimachiowin Aki. See <https://whc.unesco.org/en/list/1415/>.
- <sup>15</sup> OG, para. 123.
- <sup>16</sup> OG, para. 12.
- <sup>17</sup> Paras. 21-22 of the Policy. The Policy is available at <http://whc.unesco.org/document/139747>.
- <sup>18</sup> OG, para. 90.
- <sup>19</sup> Para. 111.
- <sup>20</sup> The report of the Independent Panel of Experts (entitled “Embedding Human Rights in Nature Conservation - From Intent to Action”) is available at [https://wwf.panda.org/wwf\\_news/wwf\\_independent\\_review/](https://wwf.panda.org/wwf_news/wwf_independent_review/).
- <sup>21</sup> The World Heritage sites reviewed in the report include Salonga National Park (Democratic Republic of Congo), Lobéké National Parks (Cameroon), Dzanga Sangha Protected Area (Central African Republic), Chitwan National Park (Nepal), and Kaziranga National Park (India). Two other sites reviewed in the report, Boumba Bek National Park and Nki National Park, are included on Cameroon’s Tentative List.
- <sup>22</sup> See [https://whc.unesco.org/en/soc/?action=list&id\\_search\\_properties=280](https://whc.unesco.org/en/soc/?action=list&id_search_properties=280); and



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<https://whc.unesco.org/en/soc/3846>. Also see the report of the 2007 UNESCO/IUCN Reactive Monitoring mission, available at <https://whc.unesco.org/document/9016>.

<sup>23</sup> See, e.g., the reports of the 2007 and 2020 UNESCO/IUCN Reactive Monitoring missions, both available at <https://whc.unesco.org/en/list/280/documents/>. Also see the Decisions 31 COM 7A.7 (2007), 42 COM 7A.50 (2018), and 43 COM 7A.10 (2019) of the World Heritage Committee, all available at <https://whc.unesco.org/en/list/280/documents/>. The Statement of Outstanding Universal Value of the property, adopted retrospectively in 2012, identifies “pressure and human occupation by the Yaelima... (with accompanying impacts, such as fire, deforestation for the sowing of food crops, logging for heating purposes, honey gathering and the building of pirogues)” as a management problem requiring long-term attention.

<sup>24</sup> Until 1992, there were references to “human interaction with the natural environment” and “exceptional combinations of natural and cultural elements” in the natural criteria. These references were deleted from the text of the natural criteria concurrent with the introduction of the “cultural landscapes” category of cultural heritage sites. Already in 1995, Layton and Titchen remarked:

“We deplore the deletion of references to human agency from the natural heritage criteria. The deletions appear to revive the outmoded concept of wilderness areas purified of human action... We fear that in promoting the idea of wholly natural landscapes, UNESCO may inadvertently deny the continuing traditional use of the natural resources contained within World Heritage properties by indigenous peoples and unwittingly collude in the displacement of indigenous peoples from areas included in the World Heritage List.”

R. Layton and S. Titchen (1995) Uluru: An Outstanding Australian Aboriginal Cultural Landscape. In: B. von Droste, H. Plachter and M. Rössler (eds.), *Cultural Landscapes of Universal Value – Components of a Global Strategy*. Gustav Fischer, 174-176.

<sup>25</sup> In this regard, also see the observations and advice of the UN Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) in its study on the cultural heritage of indigenous peoples ([UN Doc. A/HRC/30/53](#)):

“55. To be included on the World Heritage List, sites must be of “outstanding universal value”, a concept which can lead to management frameworks that prioritize the protection of those heritage aspects at the expense of the land rights of indigenous peoples. As a result, the protection of world heritage can undermine indigenous peoples’ relationship with their traditional lands, territories and resources, as well as their livelihoods and cultural heritage, especially in sites where the natural values are deemed to be of outstanding universal value but the cultural values of indigenous peoples are not taken into account.” [...]

C. Advice for international organizations

29. The World Heritage Committee should adopt changes to the criteria and regulations for the assessment of “outstanding universal value” so as to ensure that the values assigned to World Heritage sites by indigenous peoples are fully and consistently recognized as part of their outstanding universal value.”