

Disko, S and H. Tugehdhat (eds.) *World Heritage Sites and Indigenous Peoples' Rights*. International Work Group for Indigenous Affairs (IWGIA), in collaboration with the Forest Peoples Programme and the Gundjeihmi Aboriginal Corporation. Copenhagen, Denmark. 2014. (pp. 545). Soft Cover, PDF. http://www.iwgia.org/publications/search-pubs?publication_id=698 (ISBN 978-87-92786-54-8). 40 EUR.

World Heritage Sites and Indigenous Peoples' Rights

This book rides on the latest wave of publications that elaborate on the need for rights-based approaches to conservation in protected areas and World Heritage sites (Ekern et al. 2012; Larsen 2012; Meskell 2013; Oviedo and Puschkarsky 2012). What makes this book unique is that it presents the current state of affairs of indigenous peoples rights in the World Heritage Convention (UNESCO 1972) by building on twenty well-documented case studies developed by and in collaboration with indigenous peoples themselves. The book focuses on their recognition and engagement in World Heritage sites by moving beyond the recollection of past injustices and violations of their rights. It successfully traces the culprit of the current lack of engagement of indigenous peoples within World Heritage sites back to the procedures and implementation of the World Heritage Convention, its organs and operational guidelines.

This book does offer critical academic analysis on the nexus of international policy, cultural relativism and human rights but there is more to it. The ample case studies based on rich ethnographic material and policy analysis provide varied emic and epic narratives that bring to live a broad range of perspectives from indigenous peoples and conservation practitioners to non-governmental organisations and policy makers. This book not only gives a voice to indigenous peoples but also lets other professionals speak about their challenges in improving engagement of indigenous peoples and their rights in World Heritage sites.

Published by the International Work Group for Indigenous Affairs (IWGIA), in collaboration with the Forest Peoples Programme and the Gundjeihmi Aboriginal Corporation, the book opens with a foreword of Ms. Victoria Tauli-Corpuz, the UN Special Rapporteur on the Rights of Indigenous Peoples. Her position embodies one of three relatively new mechanisms¹ in the UN that promote and uphold the rights of indigenous peoples. As the reader quickly learns, the Convention has not yet been attuned to these critical shifts in international policy. Ms. Tauli-Corpuz sets out the main challenge that this book successfully takes on, namely to align the world Heritage Convention with recent international developments in indigenous peoples rights, especially the implementation of the United Declaration on the Rights of Indigenous Peoples (UNDRIP 2007). As such, this book starts with the uncomfortable truth

that the World Heritage Convention currently lacks a framework for taking a rights based approach as a crosscutting principle to fulfilling its mission to preserve the cultural and natural heritage for the benefit of the world and its people.

Part one of the book elaborates on its challenge with a thorough introduction of World Heritage sites and indigenous peoples rights by the editors, Stefan Disko, Helen Tugendhat and Lola Garcia-Alix, all avid indigenous peoples rights advocates. Their backgrounds set the political tone of this introduction which does nothing less than providing a robust and well-referenced overview of indigenous peoples rights (including land and cultural rights) and the concepts enshrined therein such as self-determination, autonomy, self-governance and repatriation. All of these are reviewed in the light of the obligations and commitments of UNESCO and the implementation of the World Heritage Convention.

Part one continues to investigate the broader context of indigenous peoples rights in protected areas (Colchester 2014) as well as the interface of indigenous peoples heritage and human rights (Gilbert 2014). Beyond these conceptual and legal narratives, part one also offers an insider's perspective on the potential role the convention can play in advancing human rights which is offered by IUCN - an official advisory body to the Convention (Larsen 2012).

In part two we encounter a rich collection of well-documented case studies organised by regions that cover the entire globe, and include emblematic cases based on early nominations such as Uluru-Kata Tjuta National Park in Central Australia and recent nomination such as the Pimachiowin Aki World Heritage Project in Canada. Other unsung but important cases include '*Ignoring Indigenous Peoples Rights: The case of Lake Bogoria's designation as a World Heritage Site*', part of Kenya's serial nomination of the Great Rift Valley (Sing'Oei Abraham 2014) and '*We heard the news from the Press*': *The Central Suriname Nature Reserve and its impacts on the Rights of Indigenous peoples and Tribal peoples* (MacKay 2014).

Across these case studies a number of recurring concerns and systemic shortcomings are identified as part of the current implementation of the Convention, but opportunities to improve the defense and promotion of indigenous peoples rights under the convention are also signaled. At this point my only grievance is that the book falls short of delivering a separate concluding chapter that includes the key lessons learned and recommendations drawn from those. The key conclusions of the book's introductory chapter are clear:

¹The other two being the Permanent Forum on Indigenous Issues and the Expert mechanism on the Rights of Indigenous Peoples.

“...the repeated violation of indigenous people’s rights in World Heritage sites and the process of the World Heritage Convention are in many ways, the result of the inadequacy of the Convention’s procedures and operational guidelines” (Disko et al. 2014: 30) but unfortunately fall short in providing a clear summary of guidance for the way forward.

The lack of a recommended strategy for human rights in the Convention - despite the recent adoption of the UNESCO strategy for Human rights - casts a shadow over UNESCO’s credibility and the extent to which World Heritage sites can function as examples of recognition and implementation of UNDRIP. As an essential first step to ensure consistency with the UNDRIP, the editors recommend the Convention to follow through with the adoption of Free Prior and Informed Consent in the operational guidelines. They also suggest to improve on the idea of the installation of a World Heritage Indigenous Peoples Council of Experts by creating an advisory mechanism consisting of indigenous experts as outlined in “*World Heritage and Indigenous Peoples - A Call to Action*” annexed to the book.

Despite the difficult and often critical situations concerning indigenous peoples in World Heritage sites, the book also shows some of the more positive developments that provide hope and incentives for further improvement and showcase that World Heritage sites can be instrumental in protecting indigenous peoples’ lands, culture and ways of life. Nonetheless this book makes it painfully clear that there is still a long way to go for those of the 1000 World Heritage sites that do have an overlap with indigenous peoples’ traditional territories. In a sense the recognition of indigenous peoples rights is currently overshadowed by a preoccupation of state parties in with the prestige, tourism development and related economic benefits that World Heritage sites bring to a country (Ekern et al. 2012; Meskell 2012, 2013).

World Heritage Sites and Indigenous Peoples’ Rights (Disko and Tugendhat 2014) is directly relevant to practitioners in nature conservation, cultural heritage, human rights and appointed policy makers. It provides a must-read to World Heritage site managers and those people in UNESCO that are tasked with making the changes needed to ensure that World Heritage sites consistently support the rights and well-being of indigenous peoples and their cultures. The book is also useful in teaching graduate classes and as a perk to researchers its annexes in Part 3, contain some of the original documentation of instruments, policies and processes such as resolutions from the IUCN and the African Commission on Human and People’s Rights addressing the World Heritage convention.

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Access this article online	
Quick Response Code:	Website: www.conservationandsociety.org
	DOI: 10.4103/0972-4923.186337