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**Statement of**

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**Special Rapporteur on the rights of Indigenous Peoples**

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Mr./Madam Chairperson

Distinguished delegates,

Indigenous Peoples’ representatives,

Ladies and gentlemen,

It is an honour for me to address the General Assembly and present my annual report, through which I address the issue of tourism and its impact on the rights of Indigenous Peoples.

In recent decades, community-based approaches to tourism, such as ecotourism and ethnocultural tourism, have become increasingly popular as a sustainable development approach. In May 2022, the General Assembly held a high-level thematic debate on tourism, which underscored the importance of advancing a multidisciplinary, multisectoral approach to sustainable tourism by engaging all actors in designing and implementing sustainable tourism strategies and models. Other UN bodies have also provided guidance, standards and recommendations to address the matter.

While I am pleased to note some good practices promoted by States and the private sector to ensure that Indigenous Peoples can benefit from tourism projects, I would like to highlight that there are still many negative impacts of tourism activities on Indigenous Peoples which have led to the expropriation of their lands and resources, militarization of their territory, violence towards human rights defenders, commodification, loss and misuse of Indigenous culture, unfair distribution of benefits, violence towards Indigenous women and children and inequitable working conditions for Indigenous workers. Indigenous women and girls are among the most marginalized groups in the tourism industry owing to multiple and intersecting forms of discrimination based on gender, Indigenous identity, and socioeconomic status. I received reports of tourism fostering violence against women, including rape by tourists, with perpetrators rarely held accountable. Indigenous women are also likely to be subjected to sexual violence when forcibly evicted from their lands because of tourism projects.

Mr/Madam Chairperson,

The tourism development, if carried out in a sustainable, rights-based manner, can represents an important opportunity for Indigenous Peoples to strengthen their rights to self-determination, lands, territories, and resources, self-development, social and economic empowerment, and protection of natural and cultural heritage, knowledge, and skills. Indigenous-led tourism can empower Indigenous Peoples to engage in self-determined development, strengthen and revitalize Indigenous institutions and culture, generate revenues to support their social and economic growth, counter migration of youth by offering employment opportunities, and support Indigenous women’s participation and entrepreneurship. However, these benefits can only be achieved through the participation of Indigenous Peoples themselves in any project affecting them and by embracing a human rights-based approach to tourism.

The role of Indigenous Peoples in sustainable tourism development must be understood and addressed within the context of the international human rights framework on the rights of Indigenous Peoples, including the United Nations Declaration on the Rights of Indigenous Peoples and ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) and other international and regional human rights instruments recognizing Indigenous Peoples’ rights. States and companies that promote tourism projects in Indigenous territories or engage in activities concerning Indigenous culture should be particularly aware of Indigenous Peoples’ rights, and should protect, promote and respect these rights. States should provide redress through effective mechanisms in cases of misappropriation of Indigenous cultural and spiritual property. Before decisions concerning tourism activities are taken, the impacted Indigenous Peoples must be meaningfully consulted, and their free, prior and informed consent should be obtained.

Instead, the exclusion of Indigenous Peoples from the management and control of tourism projects has led to the abandonment of agriculture practices, drug and alcohol addiction, the disruption of cultural practices and communal structures, and pollution of the environment. In Africa, biodiversity conservation and safari projects may, at best, provide limited employment opportunities for Indigenous Persons that are often poorly paid, but the actual participation of Indigenous Peoples in the development of such projects and cases of co-management remain rare. Leisure tourism has led to the overdevelopment of lands in South-East Asia and caused the forced displacement of Indigenous Peoples, threatening fishing livelihoods and the cohesion of seashore communities and increasing sexual abuse of women and children. In North America, Indigenous Peoples have raised issues over damage caused by campers and hikers leaving litter at sacred places.

Sporting events and infrastructure, that attract tourists have also infringed on Indigenous Peoples’ rights to land and resources. The Asia Infrastructure Investment Bank-funded Mandalika project has resulted in forced evictions, involuntary resettlement and increased militarization of the Indigenous Sasak people, who comprise 85 per cent of the region’s inhabitants.

In some countries, the principle of shared management of protected areas by both Indigenous Peoples and the Government has been enshrined in the Constitution, as was done in the 2009 Constitution of the Plurinational State of Bolivia. However, in Latin America, there reportedly have been instances in which legislation has been passed to promote and develop sustainable Indigenous tourism as a priority, without consulting Indigenous Peoples. Lack of consultation and consent from Indigenous Peoples affected by the development of tourism infrastructure such as trains, cable cars, hotels and restaurants on Indigenous lands is a recurring issue. With their right to participation denied, Indigenous Peoples are unable to steer the development of such infrastructure in a way that supports their cultural approach and their Indigenous economy.

I call upon states to adopt adequate legal frameworks that recognize and protect the rights of Indigenous Peoples in the context of the tourism industry and to meaningfully consult with Indigenous Peoples when adopting tourism legislation and policy, and approving projects. The private sector working in this industry also has an obligation to respect the human rights of Indigenous Peoples as outlined in the UN Guiding Principles on Business and Human Rights. I also call upon states and private sector to provide adequate financial and human resources to support Indigenous entrepreneurship and leadership in the tourism sector, especially for Indigenous women, and recognize and encourage Indigenous women’s community-based tourism projects, with their full and effective participation.

I thank you for your attention.