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Statement by Guy Ryder, Director-General of the ILO

My Office closely followed the elaboration of the annual study of Expert Mechanism on the Rights of Indigenous Peoples ([A/HRC/39/62](#)) and provided [inputs](#) regarding the provisions of ILO Convention No. 169 concerning indigenous and tribal peoples.

It is of great concern to the ILO that the study has not taken into account these contributions, selectively cites the guidance of the ILO supervisory bodies, and reflects and calls for erroneous interpretations of the Convention.

Article 6 of the Convention is clear and unambiguous. Ratifying Member States have the obligation to consult with indigenous and tribal peoples whenever consideration is being given to legislative or administrative measures which may affect them directly. Consultations shall be undertaken, in good faith and in a form appropriate to the circumstances, with the objective of achieving agreement or consent to the proposed measures.

Let there be no doubt: The ILO fully supports the UN Declaration on the Rights of Indigenous Peoples. The ratification and full implementation of Convention No. 169 is essential for achieving the Declaration's objectives.

The ILO stands ready to collaborate with the Council, its mandates and mechanisms, and the High Commissioner to create synergies and to speak with one voice, one message, on the defence of the rights of indigenous and tribal peoples world-wide.

The ILO Committee of Experts on the Application of Conventions and Recommendations, which is responsible for supervising compliance with Convention No. 169 is a body of 20 high-level legal experts exercising their mandate in independence and impartiality since 1926.

A call for the independent ILO supervisory bodies to align their "interpretation of the ILO Convention" with a suggested "emerging consensus of human rights bodies" would not only be inappropriate, but also unhelpful in providing needed support and guidance to Members States that have freely decided to accept international obligations by ratifying the only legally binding instrument specifically dedicated to the protection of indigenous and tribal peoples' rights.