

# Tourism Development and Indigenous Human Rights: The Checklists



WINTA and PATA have a common goal of fostering tourism development consistent with the principles of the Larrakia Declaration. With the aforementioned goals of indigenous tourism in mind, PATA and WINTA therefore encourage use of the following checklists.

These can serve as practical tools to:

- Guide initial discussions to build trust, awareness, and respect for Indigenous and human rights.
- Use as a planning framework tool for business development with increased cooperation amongst all stakeholders.
- Support Indigenous tourism activities to provide culturally authentic experiences and implementation.

The checklists are built upon core aspects of the Larrakia framework used to identify lessons learned from Case Studies (p 60). They also identify the relevance to four stakeholder groups: the indigenous communities, private sector tourism developers (working with or from indigenous communities), public sector authorities at a local or national level that govern tourism, and non-government agencies that advocate or support responsible tourism development with indigenous peoples. The checklists are not exhaustive but seek to establish a broad foundation upon which to review the engagement of indigenous peoples and tourism activities and initiatives in any relevant setting.

As demonstrated in the checklists that follow each stakeholder group have critical roles to play. Indigenous communities agreeing/seeking to engage with tourism must be

prepared to share information and perspectives with other stakeholders for effective tourism business partnerships and related community benefits. Tourism operators have a responsibility to understand, respect and engage locals at a business development and operations level and a community level. The public sector has a responsibility to understand, consult, protect, and provide infrastructure and services to support responsible tourism. NGO's (depending on their function) have an important role to play in generating understanding, building capacity, raising awareness, and supporting appropriate development, notably at a community level. When each of the four stakeholder groups encourage adherence to the checklists, positive outcomes will result and human rights infractions on indigenous peoples will be avoided and hopefully mitigated.



# 1 Respect

## Larrakia Declaration Principle

Respect for customary law and lore, land and water, traditional knowledge, traditional cultural expressions, cultural heritage that will underpin all tourism decisions.

UNDRIP Related Articles: <ul style="list-style-type: none"> <li>■ Not to be subjected to forced assimilation or destruction of culture</li> <li>■ Full enjoyment, as a collective or as individual</li> <li>■ Free and equal to all other peoples and individuals</li> <li>■ Liberty and security of person</li> </ul>	Community	Operators	Public Sector	NGOs
<input type="checkbox"/> Have all participants read the Larrakia Declaration principles and committed to supporting these as a guide to local Indigenous tourism development?	●	●	●	●
<input type="checkbox"/> Has a written agreement been prepared and signed referencing the Larrakia principles, and stating what the community and partners expect from each other?	●	●	●	
<input type="checkbox"/> Does the product, activity or experience represent local customs and culture accurately?		●		
<input type="checkbox"/> Are community traditions and protocols made available to visitors before they arrive?	●	●		
<input type="checkbox"/> Are there guidelines in place to control the real or perceived invasion of household and individual privacy created by community visitors (e.g. unwanted attention to daily routines from visitors etc.)?		●		
<input type="checkbox"/> Have treaties or other protection of rights agreements been formed?	●		●	
<input type="checkbox"/> Has the traditional territory of the indigenous group been clearly identified, mapped, or documented?	●		●	
<input type="checkbox"/> Have parties seeking to partner with the indigenous community completed due diligence to understand the historical grievances that still require resolution/addressing from the community's viewpoint?	●	●	●	
<input type="checkbox"/> Is there a prior, mutually agreeable process between the developer and the community to address grievances that arise during collaborative projects?	●	●	●	

## 2 Protection

### Larrakia Declaration Principle

Indigenous culture and the land and waters on which it is based, will be protected and promoted through well-managed tourism practices and appropriate interpretation.

UNDRIP Related Articles:	Community	Operators	Public Sector	NGOs
<ul style="list-style-type: none"> <li>■ Practice and revitalize cultural traditions and customs</li> <li>■ Revitalize, use, develop and transmit to future generations histories, languages, oral traditions, philosophies, writing systems and literatures</li> <li>■ Maintain, control, protect and develop cultural heritage, traditional knowledge and traditional cultural expressions</li> <li>■ The right to lands and resources traditionally used</li> <li>■ The right to conserve and protect lands, territories and resources</li> </ul>				
<input type="checkbox"/> Have the appropriate steps been taken to ensure that culturally sensitive activities and places are protected from visitors and others?	●		●	
<input type="checkbox"/> Is land title, ownership of resources and cultural capital understood and respected?	●	●	●	●
<input type="checkbox"/> Is freedom of spiritual and religious practices and ceremonies protected?	●	●	●	●
<input type="checkbox"/> Are sacred sites protected and their meaning presented appropriately to visitors?	●	●	●	●
<input type="checkbox"/> Are cultural sites “off-limits” to visitors clearly understood and respected?	●	●		
<input type="checkbox"/> Does the Indigenous tourism activity support the preservation of traditional medicines, animals and minerals?	●	●	●	●
<input type="checkbox"/> How are historical events being portrayed, are they from a local perspective?	●	●	●	●
<input type="checkbox"/> Does the Indigenous tourism development contribute to strengthening and revitalizing community culture and language?	●	●	●	●
<input type="checkbox"/> Is there a clear policy structure to allow for the reporting of any human rights infractions?	●	●	●	●
<input type="checkbox"/> Do all parties have reasonable access to legal counsel over issues related land access, resources, culture etc.?	●	●	●	●
<input type="checkbox"/> Have intrinsic values of the culture to the region, nation, or other wider jurisdiction been articulated and acknowledged by residents and citizens?	●			●

### 3 Empowerment

#### Larrakia Declaration Principle

Indigenous peoples will determine the extent and nature and organizational arrangements for their participation in tourism and that governments and multilateral agencies will support the empowerment of Indigenous people.

UNDRIP Related Articles:	Community	Operators	Public Sector	NGOs
<ul style="list-style-type: none"> <li>■ Autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions</li> <li>■ Maintain and develop political, economic and social systems or institutions</li> <li>■ Self determination—freely determine their political status and economic, social and cultural development</li> </ul>				
<input type="checkbox"/> Is there effective co-management of lands and resources that represents indigenous interests for related protection and/or use?			●	●
<input type="checkbox"/> Do relevant tourism organizations have clear representation of the indigenous community?	●	●		
<input type="checkbox"/> Do tourism organizations accurately and respectfully represent indigenous community interests in advocacy, promotion and other relevant forms of representation?	●	●	●	●
<input type="checkbox"/> Is the Indigenous community actively participating in community tourism planning and related management?	●	●	●	



## 4 Consultation

Larrakia Declaration Principle That governments' have a duty to consult and accommodate Indigenous peoples before undertaking decisions on public policy and programs de- signed to foster the development of Indigenous tourism	Community	Operators	Public Sector	NGOs
UNDRIP Related Articles: ■ Participation in decision-making in matters which would affect rights				
<input type="checkbox"/> Has agreement been reached between government and community on how consultations would be undertaken?	●		●	
<input type="checkbox"/> Are the methods of information communication used in the consultation process appropriate for all parties?	●	●	●	
<input type="checkbox"/> Is the communication process between the community and the business and/or government partners clear and accepted by all?	●	●	●	
<input type="checkbox"/> Are interpreters and translators provided as and when needed in consultative processes?		●	●	
<input type="checkbox"/> Are community protocols understood and being followed by all parties throughout the consultative processes?	●	●	●	
<input type="checkbox"/> Has an accurate analysis of all relevant stakeholders been conducted?	●	●	●	
<input type="checkbox"/> Has consultation occurred through an agreed upon and transparent framework?	●	●	●	
<input type="checkbox"/> Has consultation meaningfully identified and considered relevant issues and concerns?	●	●	●	
<input type="checkbox"/> Has consultation led to common agreement on outcomes and actions?	●	●	●	
<input type="checkbox"/> Have all relevant public policies and programs been identified and considered in the consultative process?		●	●	
<input type="checkbox"/> Has informed consent been obtained for the use of land and resources related to Indigenous tourism where partnership is not appropriate and/or required?		●		
<input type="checkbox"/> Has informed consent been obtained for the utilization of cultural capital?		●		
<input type="checkbox"/> Do community members understand the benefits and challenges presented by Indigenous tourism development?	●	●	●	●
<input type="checkbox"/> Have community elders been involved in a significant way?		●		

Is the community providing meaningful input into any specific business activities related to tourism and is this involvement acceptable to all?



## 5 Business

Larrakia Declaration Principle The tourism industry will respect Indigenous intellectual property rights, cultures and traditional practices, the need for sustainable and equitable business partnerships and the proper care of the environment and communities that support them.	Community	Operators	Public Sector	NGOs
UNDRIP Related Articles: <ul style="list-style-type: none"> <li>■ Determine and develop priorities and strategies for the development or use of lands or territories and other resources</li> </ul>				
<input type="checkbox"/> When a new product is being created is the community involved in concept to implementation of the venture?	●	●		
<input type="checkbox"/> Is the cultural product or service being provided acceptable to members and leaders of the community?	●	●		
<input type="checkbox"/> If you have a hotel and travel trade partners (tour operators and wholesalers) do they know what cultural information can be shared and are they encouraged to	●	●		
<input type="checkbox"/> Does the business or activity ensure that individual(s), with direct roots to the culture, own and/or participate meaningfully in the business?	●	●		
<input type="checkbox"/> Is it confirmed with the community and elders that cultural information is accurate and authentic?	●	●		
<input type="checkbox"/> Will they be, or are local people involved in the production of crafts and the preparation of traditional foods?	●	●		
<input type="checkbox"/> Has your business undertaken measures to protect, preserve and respect the sensitive cultural activities and places in and around the site?		●		
<input type="checkbox"/> Can operators demonstrate a clear understanding of why the activities and places are sensitive and are they able to describe the relative significance and		●		
<input type="checkbox"/> Are your tourism partners provided with information on the cultural differences of local people and sensitivities in dealing with and working with the local culture, community, and businesses?	●	●		
<input type="checkbox"/> Are social values as well as economic benefits of tourism business enterprise considered, articulated and implemented?	●	●		

## 6 Community

### Larrakia Declaration Principle

That equitable partnerships between the tourism industry and Indigenous people will include the sharing of cultural awareness and skills development which support the well-being of communities and enable enhancement of individual livelihoods.

UNDRIP Related Articles: <ul style="list-style-type: none"> <li>■ Establish and control their educational systems and institutions providing education in own languages</li> <li>■ Improvement of economic and social conditions</li> </ul>	Community	Operators	Public Sector	NGOs
<input type="checkbox"/> Are guests provided with an outline of what to expect from their cultural experience? Does this include an outline of acceptable behaviour and etiquette while at the facility or site?	●	●	●	●
<input type="checkbox"/> Will Indigenous people hold all or most management positions from the culture being shared?	●	●		
<input type="checkbox"/> Is there real and respectful opportunity for visitors to interact with local indigenous people during the cultural tourism experience?	●	●		●
<input type="checkbox"/> Does the Indigenous tourism activity or business reflect the values of the community?	●	●	●	●
<input type="checkbox"/> Does the Indigenous tourism activity create more community capacity, through opportunities for tourism training and/or related vocational training?	●			●
<input type="checkbox"/> Does the Indigenous tourism activity contribute to a general increase in community income?	●		●	●
<input type="checkbox"/> Does the activity contribute to improved infrastructure that is of benefit to the community (eg sanitation, utilities, facilities etc.)?	●		●	●
<input type="checkbox"/> Does the activity contribute to community health improvement?			●	●
<input type="checkbox"/> Does the activity contribute to greater access to public education?			●	●
<input type="checkbox"/> Does the Indigenous tourism activity avoid the economic exploitation of children?		●	●	●
<input type="checkbox"/> Does it contribute to protecting the freedom of spirit and activity for children in the community?		●	●	●
<input type="checkbox"/> Does the activity contribute to levels of influence and authority of women and changes over time (related to emergence of tourism economy)?		●	●	●
<input type="checkbox"/> Do the employment opportunities contribute to community self-determination?	●	●	●	●
<input type="checkbox"/> Does the Indigenous tourism activity provide a range of meaningful job opportunities, with appropriate compensation and reward?		●		

<input type="checkbox"/> Is there appropriate employment protection where relevant in the community such as employment standards?		●	●	
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