TEBTEBBA FOUNDATION STATEMENT ON AGENDA ITEM 4(a) ECONOMIC AND SOCIAL DEVELOPMENT

Presented by Joji Carino

Agenda Item 4(a) Economic and Social Development

Re: Development Policies and Indigenous Peoples

Recommendations:

1. The Permanent Forum provide a platform for dialogue and expert advice on development policies and programmes affecting indigenous peoples, as well as the implementation of these policies.

2. The Permanent Forum, through the ECOSOC, underline the need to respect the human rights of indigenous peoples in the development process, including our free, prior and informed consent to all policies, programmes and projects affecting us.

3. The Permanent Forum must promote understanding of the negative impacts of mainstream development programmes, such as the extractive industries and large-scale infrastructure on the economic, cultural, social and spiritual well-being of indigenous peoples and demand mandatory safeguards to protect indigenous peoples customary land rights and to prevent forcible displacement to make way for such projects.

4. The Permanent Forum must promote advocate for rights-based approaches as the way forward towards self-determined development by indigenous peoples.

Mr. Chairman,

Earlier this week, the World Bank updated the Permanent Forum about its policy revision process relating to Indigenous Peoples. A number of other multilateral and bilateral development agencies are also in the process of updating or formulating dedicated policies on indigenous peoples for the first time.

A recent survey and comparative review of international donor and development agency policies, asked 5 questions:

1. Do they have a policy on indigenous peoples?
2. Is it global or regional?
3. Does the policy contain binding minimum standards?
4. Do they provide operational guidance?
5. Is there a formal accountability mechanism?

The study, entitled A Failure of Accountability, a reference tool and comparative guide found that: (Quote from Executive Summary)
Among its other findings and conclusions were:

1. There is a significant variation in the standards, intent and approach of different targeted agency policies.
2. Some policies do not meet internationally agreed standards on the rights of indigenous peoples.
3. Few policies have comprehensive operational standards
4. Not all policies contain binding provisions
5. Different policies suffer from a common pattern of substantive, textual and institutional shortcoming which undermine their usefulness.
6. Few policies are linked to formal accountability and appeals mechanisms.
7. There is often a lack of awareness among the staff of development agencies about the existence of a specific policy. Ambiguity also arises among different staff regarding the purpose and status of policy provisions.

The study concludes that having a dedicated policy on indigenous peoples can help development agencies to implement a rights-based approach to development and empower indigenous rights-holders and communities by providing a basis for accountability. A specific policy can also improve development effectiveness, support better targeted development assistance, and serve as a useful yardstick for monitoring and evaluation.

The review therefore recommended that multilateral and bilateral development agencies should:

1. Develop specific policies on indigenous peoples. These policies should be based on and consistent with international human rights and environmental standards and be formulated with direct and substantial input from indigenous peoples themselves.
2. Make sure that policies contain binding operational standards on the steps necessary to implement key benchmarks and requirements, particularly in relation to land ownership, tenure and resource rights, free and prior informed consent, and effective participation and protection from forced relocation.
3. Include mandatory participatory human rights impact assessments (HRIA) as part of social impact studies.
4. Make sure indigenous peoples’ representatives and experts take part in both individual agency and global intergovernmental initiatives to formulate development standards that directly or indirectly affect their rights and interests.

Mr. Chairman,

This tangled maze of external development policies and procedural requirements suggests that there must be a simpler way of supporting indigenous peoples. That is to respect indigenous peoples’ rights to self-determination and to our territories, lands and resources, and in order that we may pursue our own economic, social, and cultural development.

Indigenous peoples have always asserted that self-determination and sustainable development are two sides of the same coin.

Thank you, Mr. Chairman.