UNDP and Indigenous Peoples
Towards effective partnerships for human rights and development

Max Ooft, November 2006

Acknowledgements

In this acknowledgment I would like to start with a quote from the end of this paper:
It is hoped that this paper provides food for thought and even more importantly, input for concrete action that should lead to visible and tangible results. In the end, we are not working for ourselves; we are servants of the ones that demand their legitimate rights to be honored and equity to be practiced. That was for me also the beginning of this fellowship journey: the wish to trigger a different course of action, or as I have been telling friends: to rock the boat! Changes and improvements do not happen automatically – they need to be actively initiated, supported and monitored as we all know from daily practice.

I am therefore very grateful to the Oslo Governance Centre (OGC) and commend the OGC for its insightfulness of providing the opportunity to UNDP fellows to undertake research that may precisely do this: initiate innovations, research emerging issues and share experiences. The time I spent in the OGC has been a great learning experience and contribution to personal development. My colleagues in the OGC have been great in providing feedback and support.

I take the opportunity to warmly thank the colleagues that have been eager to share their knowledge, experiences and resources for achieving the objectives of this research, not only those in Country Offices but also in various HQ units as well as other UN agencies and non-UN organizations. Their enthusiasm about the fact that someone 'finally' dedicates specific attention to this topic was a great moral support and indication that this is a timely if not belated undertaking. Many thanks also go to my colleagues in the Suriname office, who have been dealing with ongoing issues under my portfolio during my absence, and my Resident Representative for releasing me from my regular duties. Last but certainly not least to the various Practice Network Facilitators, for their support in shaping and posting the query and the Consolidated Reply on the thematic networks, and to various persons for providing technical support to the survey and document posting processes (MPN Facilitator; Knowledge Services Assistant; OGC staff).

I sincerely hope that all these concerted efforts will be of practical use and I am open to comments or suggestions for follow-up!

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List of Abbreviations

AECI	Agencia Española de Cooperación Internacional
BDP	Bureau for Development Policy (UNDP)
BMZ	German Agency for Development Cooperation
BRSP	Bureau for Resources and Strategic Partnerships (UNDP)
CBD	Convention on Biological Diversity
CBOs	Community-Based Organizations
CCA	Common Country Assessment
CDG	Capacity Development Group
CEDAB	Central Evaluation Database (UNDP)
CERD	Convention on the Elimination of All Forms of Racial Discrimination
CHR	Commission on Human Rights
CPR	Crisis Prevention and Recovery
CSO	Civil Society Organization
CWI	Community Water Initiative
DANIDA	Danish Agency for International Development Assistance
DFID	Department for International Development (UK Government)
DG	Democratic Governance
DGG	Democratic Governance Group (UNDP)
DGIS	Dutch Directorate General for International Cooperation
E&E	Energy and Environment
ECOSOC	Economic and Social Council (UN)
EO	Evaluation Office
EU	European Union
GEF	Global Environment Facility
HDR	Human Development Report
HDRO	Human Development Report Office (UNDP)
HR	Human Rights
HRBA	Human Rights-Based Approach
HRC	Human Rights Council
IASG	Inter-Agency Support Group (Permanent Forum on Indigenous Issues)
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICCPR	International Covenant on Civil and Political Rights
IDB	Inter-American Development Bank
IFAD	UN International Fund for Agricultural Development
ILN-LA	Information and Learning Network Latin-America
ILO	International Labor Organization
IPs	Indigenous Peoples
MDGs	Millennium Development Goals
MPN	Management Practice Network
MYFF	Multi-Year Funding Framework
NGO	Non-Governmental Organization
NORAD	Norwegian Agency for Development Cooperation
NSC	National Steering Committee (of the UNDP/GEF Small Grants Programme)
OGC	Oslo Governance Centre (UNDP)
OHCHR	Office of the High Commissioner on Human Rights
PFII	Permanent Forum on Indigenous Issues
RBA	Regional Bureau for Africa
RBAP	Regional Bureau for the Asia and Pacific Region
RBAS	Regional Bureau for the Arab States
RBEC	Regional Bureau for Eastern Europe and Commonwealth of Independent States
RBLAC	Regional Bureau for Latin-America and the Caribbean

RBMS	Results-Based Management System
RIPP	Regional Initiative on Indigenous Peoples' Rights and Development (UNDP)
ROAR	Results-Oriented Annual Report
SGP	Small Grants Programme
SRF	Strategic Results Framework
TOR	Terms of Reference
TPR	Tri-Partite Review
UN	United Nations
UNDAF	United Nations Development Assistance Framework
UNDG	United Nations Development Group
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNIFEM	United Nations Development Fund for Women
WGIP	Working Group on Indigenous Populations
WIPO	World Intellectual Property Organization

Executive Summary

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Indigenous peoples' rights have entered the mainstream human rights' normative framework, as demonstrated by the recent adoption by the UN Human Rights Council of the Draft Declaration on the Rights of Indigenous Peoples, numerous national legislation products recognizing collective indigenous peoples' rights, the increasing body of jurisdiction in national, regional and international human rights bodies and the adoption of specific policies and guidelines by development agencies and other organizations on the rights of indigenous peoples. However, indigenous peoples worldwide continue to be discriminated against, experience violation of their rights, are vastly overrepresented among the most vulnerable parts of society, are denied equal development opportunities and remain outside of mainstream development efforts and policy-making processes. In some cases, they continue to be adversely affected by development projects.

What has been the response of the UN's Development Programme (UNDP) to those facts? Given the UN's explicit mandate on human rights, equity and development: Has UNDP sufficiently engaged with indigenous and tribal peoples in promoting a rights-based approach to development of those most in need of having a powerful partner? What are UNDP's experiences in working with indigenous authorities/organizations or on indigenous issues?

These main questions were addressed during this fellowship. Using a carefully designed methodology this paper concludes that UNDP has not responded sufficiently and strategically to the emerging issue of indigenous peoples' rights – as collective rights rather than only individual human rights. There are few UNDP projects or programmes focusing specifically on indigenous peoples (IPs), and even fewer on IPs' rights. There are quite a few projects mentioning IPs across UNDP's practice areas, however often in a marginal way, together with other groups or assuming spin-off benefits of a project that was in fact designed for another principal reason. Addressing the relation between achievement of the MDGs and IPs (more in particular, the disproportionate overrepresentation of IPs among those at risk of not achieving the MDGs; the potential negative impact on IPs of national efforts to achieve the MDGs; and the data gap with regard to disaggregated data) is only slowly but increasingly being done now.

The UNDP/GEF Small Grants Programme (SGP) and other UNDP-administered community programmes have a vast amount of experience on working with indigenous peoples and communities, but there is limited linkage of this body of experience and knowledge to the overall UNDP policy agenda. Although there is a substantial amount of various initiatives related to IPs ongoing by other UN agencies such as PFII, ILO, OHCHR, GEF and CBD, those are not synergistically linked under one strategic UN umbrella approach.

Many sensitivities surrounding indigenous issues were mentioned as preventing more intensive action by UNDP, in particular the extent to which national governments have recognized collective indigenous peoples' rights or even the existence of 'indigenous peoples' in the country; the involvement of indigenous organizations in gaining political influence or in 'blaming and shaming' governments; conflicting views on development and environmental concepts and policies. The level of awareness of indigenous issues, both within UNDP offices as well as of national counterparts, seems to be another limiting factor. However, respondents unanimously recommended a more proactive engagement with indigenous peoples by UNDP.

It is recommended that UNDP adopts a proactive strategy for establishing effective and results-oriented partnerships with indigenous peoples. The arguments why UNDP should do that are elaborated upon, among others the increased need and demand for focus on indigenous peoples' rights; UN(DP)'s expressed commitment to the rights based approach to development; UNDP's advantage of being present in so many countries and its advocacy potential; but also the mere fact that IPs are disproportionately represented among those most deprived of development chances and choices and would require a much more proactive, targeted approach.

Such strategy could be framed in a rights based approach to development within the Democratic Governance programme area. The focus could be particularly on empowerment of rights-holders and stakeholders to achieve recognition of indigenous peoples' rights, simultaneously strengthening the capacities of those bearing the duty to fulfill such rights. Awareness building, advocacy and policy advice (including the exchange of knowledge and experiences) would be other components of this proposed strategy.

Various options on where to 'house' this emerging issue are explored, e.g. within the DGG/BDP and possibly specifically in the OGC, within UNDG in light of the One-UN Reform, as a networked initiative under the various regional bureaus or even individual Country Offices, or the Capacity Development Group. Additionally, it is recommended that UNDP upgrades its involvement in the Inter-Agency Support Group (IASG) of the Permanent Forum on Indigenous Issues (PFII) as a matter of priority in order to fulfill the necessary liaison role between the IASG and UN agencies and ensure tangible follow-up at country level for the implementation of recommendations coming from the Permanent Forum. Finally, it is recommended to further strengthen synergies with (other) programmes and agencies that have strengths on IPs' issues, among others the SGP, ILO, OHCHR and IFAD, in a more structured and programmatic manner.

I. Introduction and Context

a. The OGC Fellowship Programme

The UNDP Oslo Governance Centre (OGC) was established in 2002 as a centre of excellence designed to provide support to the work of UNDP in democratic governance. The OGC is a unit of the Democratic Governance Group (DGG) in the Bureau for Development Policy (BDP). The major purpose of the work of the OGC is to help position UNDP as a champion of democratic governance.

The OGC Fellowship Programme is intended to contribute to the OGC objectives by focused reflection and innovative thinking on specific governance issues, and addressing specific gaps in the application of existing knowledge. Fellows are selected on a competitive basis from among UNDP practitioners and undertake their fellowship at the Oslo Governance Centre for a period of up to two months. For further information please refer to http://www.undp.org/oslocentre/dgfelpro.htm

b. Objectives and Overview

This paper emerged from the conviction that UNDP could and should be more strategic and proactive in its policy and practical approach regarding engagement with indigenous peoples. In a context where this is a rapidly emerging crosscutting issue in national and international policy developments and standard setting, UNDP seems to be lagging behind.

More specifically, UNDP's focus on IPs has been limited, not only with regard to the concerning discrepancies in development choices, but also with regard to the indigenous peoples' rights debate at national and international level. Whereas IPs take a rights-based approach to the many challenges that they face, development agencies and organizations have apparently not followed suit when it comes to IPs, in spite of their specific mandate to apply such rights-based approach. In the relatively few UNDP projects that do mention IPs, the latter are often mentioned only transiently as subgroups within broader categories of 'poor, vulnerable or disadvantaged groups' rather than directly specifying IPs and identifying them as main beneficiaries, actors or partners. UNDP does not seem to work directly with indigenous organizations or authorities but rather through intermediary NGOs or with governmental institutions for indigenous affairs. The rationale for a more direct and proactive UNDP strategy is elaborated upon in chapter V.

This research intends to confirm or refute the aforementioned impressions and also to provide comparative examples for practitioners when engaging with IPs. This paper also intends to provide input for a review of the current UNDP policy and strategy on IPs and traditional authorities, based on the importance of indigenous issues on the democratic governance, human rights and conflict prevention agenda. It is argued in Chapter V that partnerships with IPs can be a strong niche area for UNDP as a trusted UN partner at country level with a strong leveraging and facilitating potential for programmatically applying the rights-based to development.

This chapter describes the context of indigenous peoples and IPs' rights, with emphasis on the differences in perspectives, but also on the emergence of new forms of partnerships. Chapter II provides information on the methodology used in this research, including its limitations. The current normative framework on IPs' rights and development policies related to IPs are explored in Chapter III. The findings of this research, with emphasis on Country Office experiences on IPs' issues, are discussed in

Chapter IV. This chapter also gives a (not exhaustive) overview of current programmes and initiatives ongoing in the UN system as related to IPs. Conclusions are drawn in the final chapter, which also provides recommendations against the background of current trends and UNDP's comparative advantages. Some thoughts are given on the strategic framework in which UNDP's further interventions could be framed, including why indigenous issues are important to UNDP and to the Democratic Governance practice in particular. The Annex 5 on Resources is a reflection of the many useful materials and links that were provided by respondents as well as obtained through desk research.

c. Indigenous Peoples
1. Identification

The practice of providing a 'definition' of IPs is being abandoned in international forums, as it makes better sense to pragmatically identify partners than to risk excluding peoples and groups because they 'do not fit' in the definition or even risk developing discriminatory and/or exclusionary definitions. Moreover, both IPs as well as governments have not found it a crucial necessity to have a watertight definition of IPs. Internationally, it is commonly understood and accepted that *'self-identification as indigenous or tribal shall be regarded as a fundamental criterion'* [1] as stated in Convention 169 of the International Labor Organization (ILO), while the Draft Declaration on the Rights of Indigenous Peoples states that *'Indigenous peoples have a collective and individual right to maintain and develop their distinct identities and characteristics, including the right to identify themselves as indigenous and to be recognized as such'.* The Secretariat of the UN Permanent Forum on Indigenous Issues, after elaborating on the understanding of the term, concluded in their background paper on the concept of IPs, presented to the 2004 Workshop on Data Collection and Disaggregation for IPs that *'the prevailing view today is that no formal universal definition of the term is necessary'* [2]. For the purposes of this paper, this view will be endorsed, although it should be noted that in many countries the attempt to formulate a definition of IPs is still continuing.

Worldwide, it is estimated that there are over 350 million indigenous persons, representing some 4,000 languages in more than 70 countries. In Latin America there is an estimated number of 50 million indigenous people who make up 11% of the region's population. Indigenous people are not always in the minority in terms of numbers, e.g. in Bolivia and Guatemala indigenous people make up more than half the population.

2. Differing perspectives

It has taken 'indigenous issues' as they are referred to in a generic manner, a long way and a long time to enter into the mainstream of national and international policy discussions and standard setting [3]. Various reasons can be mentioned for the tediousness and length of this process. These include, among other reasons, the way issues of political power are played out at national and international levels; disputes over access and control over land and natural resources within indigenous lands and territories; cultural barriers in understanding mutual perspectives, proposals and goals; very practical delaying factors such as the turnover of representatives who then require time to get up to speed about the ongoing process and negotiations. Last but not to be underestimated are the range of perspectives on indigenous issues, in particular on indigenous peoples' rights; differences of conceptual frameworks, and of points of departure.

(1)
ILO Convention 169 Concerning Indigenous and Tribal Peoples in Independent Countries
– http://www.ilo.org/public/english/indigenous/standard/index.htm

(2)
PFII/2004/WS.1/3
–http://www.un.org/esa/socdev/unpfii/documents/PFII%202004%20WS.1%203%20Definition.doc

(3)
"... increasing salience of indigenous peoples' issues and the rapid evolution of law and policy in this area …" – Benedict Kingsbury; International Law and Politics [Vol. 34:101]
http://www.iilj.org/about/BenedictKingsburyPublications.htm

This latter aspect, the conceptual framework, is an important one that is not readily acknowledged and included in the consideration of policy options or proposals for (development) action. It can be observed that many governments and development agencies approach indigenous issues mostly from a narrow development perspective and for a specific project only instead of in a programmatic manner. This leads to formulations such as 'indigenous peoples are the poorest segments of society' or 'the project will provide poor indigenous communities with possibilities to integrate into the mainstream economic processes' or 'efforts will be undertaken that should lead to the affected indigenous communities to also find employment within the economic activities being undertaken under this large-scale initiative'. Indigenous peoples (IPs) are often seen only as segments of the population in need of development assistance and of ways of joining the mainstream of society ('integration'). Indigenous issues are sometimes exploited for obtaining or fueling development resource flows. Indigenous cultures, if at all referred to in development initiatives, are all too often pictured as potential tourist attractions or to express the country's 'flavor of ethnic diversity' rather than as intrinsic part of the peoples' distinct heritage and identity. Indigenous traditional knowledge is being researched for extracting valuable information for use by pharmaceutical or other commercial companies, often without due recognition of the rights and interests of the holders and bearers of such knowledge.

IPs themselves however[4], although often (but not always) acknowledging that they are parts of modern-day states and indeed in need of development assistance, have expressed a different context when engaging in development processes. They emphasize being distinct peoples, with their own history that is intrinsically bound to an ancestral geographical region, united by culture, language, lifestyle, norms and beliefs in which the world is seen as a continuum, where human beings are part, not at a level above, of an interconnected natural, spiritual and material world. IPs are proud of having been able to resist the many threats to their existence and to their cultures. They have traditional governing institutes, leadership, justice systems, consultative and dispute settlement mechanisms which are not always recognized or respected by other parts of society.

Indigenous demands, although often overlapping with or phrased as development demands, mostly ask for the recognition of rights rather than simply asking for assistance or resources. These demands and proposals are framed to maintain or strengthen their distinct identity and culture, sometimes even to ensure their survival, and also often focus on the reversal or mitigation of historic injustices.

In fact, IPs have always taken a rights-based approach, which has involved their consistent reporting to the UN of human rights violations occurring in many countries around the world. This action led in 1971 to the commissioning of a report on discrimination against IPs[5], and subsequently to the establishment of the Working Group on Indigenous Populations (WGIP) under the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the UN Commission on Human Rights[6].

When it comes to assessing or designing development interventions that either involve or impact on IPs, this difference in perspective – the rights-based framework versus a limited project intervention – can lead to miscommunication and debates over issues such as land rights and participatory rights that can be seen as 'out of context' or even 'not relevant'. Such mismatching of perspectives and reference framework is especially prominent in (international) technical forums, e.g. on biodiversity, forest management

(4)
Charter of the International Alliance of Indigenous and Tribal Peoples of the Tropical Forests, 1992 (rev 2002) – www.international-alliance.org/charter; many IPs' statements in various forums available at http://www.un.org/esa/socdev/unpfii/documents , www.docip.org and www.tebtebba.org; earlier consultations held during the development of UNDP's IPs' policy in the period 1999-2001 at http:///www.sdnpbd.org/sdi/international_days/Indigenous-people/2004/indigenous_people/document/ip_undp_october.pdf

(5)
'Study of the problem of discrimination against indigenous populations', UN Sub-Commission on the Prevention of Discrimination and Protection of Minorities, by Special Rapporteur, Mr Martinez Cobo, UN Doc. E/CN.4/Sub.2/1986/7 (1986).

(6)
http://www.unhchr.ch/html/racism/indileaflet1.doc

or intellectual property regimes, where thematic specialists are quick to separate these issues and dismiss them to 'other forums'. A frequent example is the insistence of thematic specialists that a forum on biodiversity is not the place to discuss human rights issues.

These demands for collective rights have also led to suspicion by politicians and governments that IPs are pursuing separatists agendas, for instance for secession from the state or establishing 'a state in a state', or autonomy that goes beyond what is foreseen in ongoing decentralization programmes, or for control over land and natural resources. Such suspicion is sometimes justified, particularly when legitimate demands are being misused with political objectives. Viewed the other way around, there is equal, if not greater suspicion by IPs that governments intend to continue historic processes of domination or in some cases even physical extermination. They continue to report cases of discrimination against IPs and voice their concern over apparent preference for control and exploitation of land and resources being given to others (e.g. multinationals) in order to maintain or increase income and influence by a few influential persons or companies.

Such conflicting views and mutual suspicions have long influenced the atmosphere of national and international debates with indigenous participation. These debates have led to long and sometimes painful discussions, or have distracted attention away from legitimate issues. Thankfully though, this period seems to be nearing its end and new partnerships are being formed at national and international levels based on common ground and common objectives rather than stressing differences and misperceptions over and over.

3. New partnerships

IPs have established stronger networks of information exchange and coordination among themselves across regions, and have participated consistently in technical and political policy forums where decisions affecting IPs are taken. The right to effectively participate in such decision-taking has always been a major priority and struggle for IPs, and has resulted in a number of new and still evolving partnerships between IPs and intergovernmental and non-governmental organizations. IPs were recognized as 'major group' in Agenda 21 in 1992[7] which was subsequent reiterated in the final political declaration of the 2002 Johannesburg World Summit on Sustainable Development[8].

One of the most important of such new partnerships is the UN Permanent Forum on Indigenous Issues (PFII) which resides at the level of the UN Economic and Social Council (ECOSOC). The PFII consists of 16 members of which 8 are nominated by governments and 8 by IPs from various geographic regions[9]. The PFII met for the first time in 2002 and is mandated to provide expert advice and recommendations on indigenous issues to the UN system through the Council; raise awareness and promote the integration and coordination of relevant activities within the UN system; and prepare and disseminate information on indigenous issues. With the aim of ensuring interagency coordination and supporting indigenous related mandates throughout the inter-governmental system, an Inter-Agency Support Group (IASG) to the PFII was created, consisting of 27 agencies, mostly UN agencies but also the World Bank, IDB, European Union and Fondo Indígena.

(7)
http://www.un.org/esa/sustdev/documents/agenda21/english/agenda21toc.htm

(8)
http://www.johannesburgsummit.org/html/documents/summit_docs/1009wssd_pol_declaration.htm

(9)
http://www.un.org/esa/socdev/unpfii/en/structure.html

The increased understanding and application of human rights standards across thematic areas as well as lessons from evolutions in the field of gender and racial discrimination have, among other things, advanced the understanding of indigenous peoples' rights as collective human rights and peoples' rights. A milestone in recognizing this new basis for partnership between the United Nations and IPs and standard-setting on IPs' rights has been the adoption of the Draft Declaration on the Rights of Indigenous Peoples by the newly established Human Rights Council in June 2006. This declaration is the result of many years of discussions and negotiations between IPs and UN member states (since 1985), achieved through a relatively open and participatory process. The declaration, which was discussed at length in the Working Group on Indigenous Populations (WGIP) at the level of the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights, was approved in June 2006 in the Human Rights Council at ECOSOC level. The approved Draft Declaration has been submitted to the 61st session (2006) of the General Assembly for adoption and is at the time of writing this paper under discussion in the Third Committee of the General Assembly.

By Resolution A/RES/59/174 of the General Assembly, the United Nations established a Second International Decade of the World's Indigenous People under coordination of the Under-Secretary-General for Economic and Social Affairs. This second decade was considered necessary as the objectives of the first decade (1995 – 2004) had not been achieved. The objectives which the UN has set to achieve in the period of the Second Decade are[10]:

(10)
http://www.un.org/esa/socdev/unpfii/en/second.html

- To promote non-discrimination and inclusion of indigenous peoples in the design, implementation and evaluation of international, regional and national processes regarding laws, policies, resources, programmes and projects;
- To promote full and effective participation of indigenous peoples in decisions which directly or indirectly affect their lifestyles, traditional lands and territories, their cultural integrity as indigenous peoples with collective rights or any other aspect of their lives, considering the principle of free, prior and informed consent;
- To redefine development policies that depart from a vision of equity and that are culturally appropriate, including respect for the cultural and linguistic diversity of indigenous peoples;
- To adopt targeted policies, programmes, projects and budgets for the development of indigenous peoples, including concrete benchmarks, and particular emphasis on indigenous women, children and youth;
- To develop strong monitoring mechanisms and enhancing accountability at the international, regional and particularly the national level, regarding the implementation of legal, policy and operational frameworks for the protection of indigenous peoples and the improvement of their lives.

Also at national level partnerships with IPs are created or expanded. Structured relations with indigenous peoples' governments or other representative bodies of IPs have been or are being established within national processes of recognizing IPs' rights. For an increasing number of countries, such new relations are part of governments' commitments to the ILO Convention 169 on the Rights of Indigenous and Tribal Peoples in Independent Countries. There is thus an apparent trend towards new forms of partnership, namely institutional relations between state and traditional governments rather than only development-oriented, one-way communications from central to local level.

There is a continued need for strengthening and broadening such partnerships as a matter of strategy for ensuring effective solutions to human rights and development challenges (see chapter on recommendations).

II. Methodology

a. Research

The preparations for undertaking this research started with the development of a research proposal to the OGC Fellowship Programme outlining the research idea. Upon approval and actual start of the fellowship, an analysis was done of all available sources of information and methods to collect data and information, particularly within UNDP.

The following methodological steps, more or less in this sequence, were taken to collect and analyze information:

1. Collection of **general information** on relevant topics such as IPs' rights, rights-based approaches to development, existing evaluative material on direct partnerships with IPs and traditional authorities. This was done mostly through Internet research and earlier UNDP network queries[11] on similar topics;
2. Request for information and relevant experiences and/or lessons learned from:
   a. Various departments and units within UNDP with respect to **previous evaluations** related to UNDP's activities on IPs, among others the Evaluation Office[12], the Results-Based Management and Atlas Support Office;
   b. Relevant **bureaus and divisions** within UNDP that have programmes/projects/ activities related to IPs, among others the UNDP/GEF SGP, the CSO unit of BRSP, the Human Development Report Office, the Regional Initiative on Indigenous Peoples' Rights (RIPP);
   c. **Other UN agencies, organizations and programmes** that are known to be active on indigenous issues, particularly the Permanent Forum on Indigenous Issues, the Office of the High Commissioner on Human Rights, the International Labor Organization (ILO), the Secretariat of the Convention on Biological Diversity (CBD);
   d. **Other non-UN organizations** in particular development agencies;
   e. **Indigenous organizations and indigenous-support organizations.**
3. Direct requests for information to the indigenous peoples' **focal points** (approximately 15) in various offices across geographic regions, including the Hurist focal points and other programme officers that were mentioned as having programmes or projects related to IPs;
4. An analysis of **SRF/ROAR reports** of 2000 – 2003[13] as extracted from the (online accessible) results-based management system (Atlas reporting was introduced in 2004). A keyword search was performed on 'indigenous' and 'tribal' and all country reports and projects containing either or both of the keywords were included in the findings.
5. A similar analysis was performed for **Atlas reports** of 2004[14] and 2005[15], accessing the online Atlas reporting modules. Based on the identified programmes/projects mentioning the keyword 'indigenous' or 'tribal', Country Offices were selected (see Annex 2 – Criteria for case studies) for further exploration and in-depth interviews by telephone.
6. Meanwhile, a **query** (Annex 3 – Original Query) was cross-posted on the Democratic Governance network, the Human Rights Talk (Huritalk) network, the Energy and Environment network and the Poverty Reduction network. Each of these networks has an average of 700-800 members (some of whom are subscribed to more than one network). The query was further forwarded to some SGP Coordinators in various countries most of whom responded offline. It should be remarked that responses on the Networks were rather scarce, especially in comparison to the direct replies which were more numerous (which may indicate that there is either little

(11) As a mechanism for knowledge and experience exchange and codification of information, UNDP maintains a number of thematic networks, mostly e-mail based, on which members of the networks (UNDP staff members) can post their experiences, resources, respond to each other's queries, provide feedback on a discussion topic, elaborate guidelines and policies in a virtual workspace, etc.

(12) http://stone.undp.org/system2/eo_erc/index.cfm?fuseaction=ERC

(13) http://intra.undp.org/osg/results/index.html

(14) http://intra.undp.org/exo/results-management.shtml

(15) http://results.undp.org/

interest, or a certain reservation, to discuss this topic openly). Some responses also came in relatively late, after the end of the fellowship period, due to which it was difficult to follow up equally thoroughly on those pieces of information.

7. A 10-question **survey** was elaborated (with the much appreciated technical support of the Management Practice Network Facilitator) and posted on the Lyris site. A link[16] to the survey (Annex 5) was sent to approximately 110 persons, who were identified as Governance, IP, or Hurist focal points. Survey respondents could indicate their contact details for personal interviews;

8. **Telephone interviews** were held with persons (identified as mentioned above and in Annex 2) in approximately 10 countries.

In total, approximately 47 people responded, from 16 different countries, one regional programme, 13 UNDP Headquarters' units and 6 other UN Agencies or programmes. Their responses were received as a response to the network query, by direct e-mail communication with the fellow, through telephone interviews, or in person (OGC members and people interviewed in Oslo).

b. Writing

The writing process of this paper went through certain stages, namely conceptualizing; drafting; reflecting and refining; and finalizing. The conceptualizing stage consisted of drafting the outline of the paper and discussing the 'writing style', i.e. discussing who would be the readers, whether this would be a rather opinioned work or more objective or reflecting various opinions (the latter of which it became), if, how, where and to whom to introduce strategy recommendations (which became part of the body of this paper) and some brainstorming on the potential impacts and follow-up after publishing the paper. This conceptualizing was done in close consultation with the OGC.

The writing process was very reiterative, not only because during the drafting process new connections were made between various sections of the content but also because responses came in bit by bit, every time enriching the content and introducing new perspectives. Furthermore, OGC members gave feedback even during the writing process which sometimes led to rewriting or re-orienting sections of the paper. While writing, the sequence of presenting the issues also had to change various times.

Finalizing the paper took place after the official fellowship period and (therefore) took much more time than anticipated especially because of regular work pressures in a hectic time of the year.

It should finally be remarked that this paper has a number of **limitations**. First, it is well possible that not all programmes and initiatives related to IPs have been captured which would be due to the fact that such initiatives were not detected with a keyword search on 'indigenous' or 'tribal' in the ROAR and Atlas database, simply because the report does not mention those keywords (which would be a significant shortcoming in itself). Second, it does not pretend to be a full picture of all issues related to UNDP and IPs. IPs' own perspectives, for example, have not been fully incorporated although use has been made of indigenous perspectives expressed in various other opportunities, including in a previous consultation by UNDP of IPs' representatives (2000). Third, time limitations played a role in getting (more) responses and going into more detail within the various interesting activities or situations that were presented. Fourth, this paper

argues for a certain approach (the rights-based approach) towards indigenous issues, and has been written towards such a strategy. It therefore does not present the full gamut of possible options of a potential stronger engagement of UNDP with IPs. Finally, even the proposed rights-based approach has not been explored in full detail. However, this was also not the intention, being aware of the limitations of a short fellowship. Nevertheless, the intention of the OGC Democratic Fellowship has hopefully been achieved, namely to analyze an emerging trend and its relevance to UNDP.

III. Norms and Standards

a. International standards and jurisprudence

The recognition of individual and collective indigenous peoples' rights has become part of national and international norms and standards. This is evidenced by, among others:

(17)
http://daccessdds.un.org/doc/UNDOC/
LTD/G06/128/65/PDF/
G0612865.pdf?OpenElement

(18)
http://www.ilo.org/public/english/
indigenous/standard/index.htm

(19)
http://www.oas.org/OASpage/Events/
default_eng.asp?eve_code=8

(20)
http://www.forestpeoples.org/
documents/law_hr/
un_jurisprudence_comp_sept05_eng.pdf;

- The recent (June 2006) adoption of the UN Draft Declaration on the Rights of Indigenous Peoples by the UN Human Rights Council[17];
- The adoption of ILO Convention 169 in 1989 on the Rights of Indigenous and Tribal Peoples in Independent Countries[18] and its subsequent ratification by countries that have large indigenous populations including many South and Central American countries but also countries that are important development donors;
- The imminent adoption of the Inter-American Declaration on the Rights of Indigenous Peoples[19];
- The large and growing body of national legislation in countries all over the world that specify collective indigenous and tribal peoples' rights, including the increasing recognition of ancestral, aboriginal and customary rights;
- The large and growing body of jurisprudence in UN and regional legislative and human rights bodies where the major human rights instruments are being used as the fundament for courts decisions in favor of indigenous peoples' rights[20]. Those decisions have clearly taken the stance that human rights are also exercised collectively and can be vested either in a group of individuals or a collectivity within which the individual members operate, e.g. a community, tribe, people or nation. Convention 169 of the International Labor Organization (ILO) refers specifically to both individual and collective indigenous peoples' rights, while the Convention on Biological Diversity (CBD) also vests rights in 'indigenous and tribal communities'. The Convention on the Elimination of all Forms of Racial Discrimination (CERD) applies to groups and their collective rights, and article 1 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) affirms in its Article 1 that *'All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development[21]'.*

(21)
http://www.unhchr.ch/html/intlinst.htm

(22)
http://www.un.org/esa/socdev/unpfii/
documents/
engagement_background_en.pdf;
http://www.forestpeoples.org/
templates/
publications_and_reports.shtml

- There is also an abundance of material to be found on the recognition of specific aspects of IPs' rights, among others the right to land and territories, the right to development, the right to self-governance and indigenous justice systems, the right to free, prior and informed consent[22], the right to participate in decision-taking, etc.

It should thus go beyond doubt by now, that IPs' rights are human rights as well as recognized collective rights, and legislation and jurisdiction are increasingly acknowledging this.

However, while recognition is growing, sadly, infringements of those rights are continuing, including dispossession and occupancy of ancestral lands and territories, involuntary relocation of IPs, discrimination, marginalization, militarization of indigenous regions, armed conflicts, poverty, unequal opportunities for development, restrictions on access to land and natural resources, unequal provision of essential services, environmental degradation, biopiracy and misappropriation of traditional knowledge. This has led to the appointment by the UN Commission on Human Rights in 2001 "in response to the growing international concern regarding the marginalization and discrimination against indigenous people worldwide[23]" of a

(23)
http://www.ohchr.org/english/issues/
indigenous/rapporteur/

(24)
http://ap.ohchr.org/documents/
sdpage_e.aspx?m=73&t=9

Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Mr. Rodolfo Stavenhagen. He has documented human rights' violations in a number of countries, and his reports have meanwhile been presented to the General Assembly[24].

b. Rights-based approach to development

The full enjoyment of human rights has been recognized at the highest international levels as *condition sine qua non* for human development and is also entrenched in national constitutions. The UN Secretary-General's Report presented to the Millennium+5 Summit in 2005 to review the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields, titled 'In Larger Freedom', states that *'The world must advance the causes of security, development and human rights together, otherwise none will succeed. Humanity will not enjoy security without development, it will not enjoy development without security, and it will not enjoy either without respect for human rights' […] If we act boldly — and if we act together — we can make people everywhere more secure, more prosperous and better able to enjoy their fundamental human rights'*[25].

(25)
http://www.un.org/largerfreedom/
executivesummary.pdf

(26)
http://www.undp.org/governance/
docs/
HR_Guides_CommonUnderstanding.pdf

The United Nations Development Group (UNDG), consisting of all major UN development-oriented agencies and chaired by UNDP, has adopted a 'Common Understanding among UN Agencies on the Human Rights Based Approach to Development Cooperation[26], which says that:

1. All programmes of development co-operation, policies and technical assistance should further the realization of human rights as laid down in the Universal Declaration of Human Rights and other international human rights instruments;
2. Human rights standards contained in, and principles derived from, the Universal Declaration of Human Rights and other international human rights instruments guide all development cooperation and programming in all sectors and in all phases of the programming process;
3. Development cooperation contributes to the development of the capacities of 'duty-bearers' to meet their obligations and/or of 'rights-holders' to claim their rights.

(27)
http://www.undg.org/documents/
8991-
Linking Human Rights and the
Millennium Development Goals
theoretical and Practical Imlications.doc

It is furthermore recognized that fulfillment of human rights and the achievement of the Millennium Development Goals (MDGs) are intrinsically linked. Participants in a working group meeting on 'Linking MDGs and Human Rights: Theoretical and Practical Implications' held on 18 and 19 September 2006 in the UNDP Oslo Governance Centre reached the following conclusions[27]:

- Human rights (HR) help to specify who is accountable for the MDGs
- HR assist in understanding the capacity of duty bearers. Consequently a human rights based approach (HRBA) can help identify where to focus actions and what to monitor
- Linking MDGs to specific HR may provide an international framework for holding governments accountable for their MDG commitments
- The normative basis of HR can mobilize people to use the law for accountability
- It is important when mobilizing society to demand accountability, that different actors assume different roles.

c. Policies and guidelines of development agencies

Individual development agencies have also adopted policies and guidelines on working with IPs, thus adding to the body of standards regarding IPs' rights (although it should be remarked that those policies and guidelines do not always meet the endorsement of IPs themselves or do not meet existing –higher– standards[28]). The following international development agencies and organizations have adopted policies on IPs:

(28)
http://www.forestpeoples.org/
documents/law_hr/
ip_devt_stds_failure_accountability_
dec03_eng. pdf

Table 1 – Institutions with a written policy on Indigenous Peoples

Institution	Name of document	Date	Web link
World Bank	OP 4.10 Indigenous Peoples	Jan 2005	http://wbln0018.worldbank.org/Institutional/Manuals/OpManual.nsf/toc2/0F7D6F3F04DD70398525672C007D08ED?OpenDocument
European Union	Council Resolution – Indigenous peoples within the framework of the development cooperation of the Community and the Member States	Nov 1998	http://ec.europa.eu/comm/external_relations/human_rights/ip/res98.pdf
UNDP	UNDP and Indigenous Peoples: A Policy of Engagement	Aug 2001	http://www.undp.org/policy/docs/policynotes/IP%20Policy%20English.pdf
Inter-American Development Bank (IDB)	Operational Policy on Indigenous Peoples	Feb 2006	http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=776078
Asian Development Bank	Policy on Indigenous Peoples	Apr 1998	http://www.adb.org/documents/policies/indigenous_peoples/ippp.pdf
Asian Development Bank	Operations Manual and Operational Procedures Indigenous Peoples	Sep 2006	http://www.adb.org/Documents/Manuals/Operations/OMF03_25sep06.pdf
DANIDA/ Denmark	Strategy for Danish Support to Indigenous Peoples	Jul 1994	www.um.dk/danida/oprindeligefolk/ and Toolkit: http://amg.um.dk/nr/rdonlyres/7cf68baa-1820-43b0-b388-70b1ff8faf25/0/indigenouspeoplebestpracticesspanish.pdf
NORAD/ Norway	Guidelines – Norway's Efforts to Strengthen Support for Indigenous Peoples in Development Cooperation; A human rights-based approach	Nov 2004	http://odin.dep.no/ud/english/topics/dev/032001-220081/dok-bn.html
DGIS/ Netherlands	Policy Note on 'Indigenous Peoples in Foreign Policy and in Development Cooperation' (1993) and Progress Note (1998)	May 1993	English version: http://www.nativenet.uthscsa.edu/archive/nl/9307/0074.html

Table 1 cont. – Institutions with a written policy on indigenous peoples

Institution	Name of document	Date	Web link
BMZ/ Germany	Development Cooperation with Indigenous Peoples in Latin America and the Caribbean	Jul 2006	http://www.bmz.de/de/service/infothek/fach/konzepte/Konzept139.pdf (in German)
AECI/ Spain	La Estrategia Española de Cooperación con los Pueblos Indígenas	1997	http://www.aeci.es/indigena/2estrategia/1estrat/index.htm

(29)
http://www.un.org/esa/socdev/unpfii/

(30)
http://content.undp.org/go/practices/governance/docs/download/?d_id=1013014

(31)
http://www.undg.org/content.cfm?id=1318

(32)
http://hdr.undp.org/docs/network/hdr/thematics/HRBA_Guidelines.pdf

(33)
http://www.unhchr.ch/development/hurist.html

The Inter-Agency Support Group to the PFII and the Secretariat of the PFII[29] are currently in the process of finalizing a 'Resource Kit on Indigenous Peoples – Participation and Partnership: A Resource Kit for the United Nations to Work with Indigenous Peoples at Country Level'[30], which is to be used by UN Country Teams as a strategic planning tool in the elaboration and implementation of a Common Country Assessment (CCA) and United Nations Development Assistance Framework (UNDAF).

UNDG established a knowledge network of practitioners working on human rights' issues for the exchange of information and experiences, as 'an expression of the UN's commitment to integrating human rights into all aspects of its work'[31]. UNDP already has practical guidelines for the review and use of the human rights based approach (HRBA) to its programmes[32]. A cooperation programme for human rights strengthening ('Hurist') between UNDP and the UN Office of the High Commissioner on Human Rights (OHCHR)[33] is focused on methodology development, lessons learning and capacity-building for human rights integration in a number of UNDP's key programming areas:

1. Pro-poor human development policies;
2. HIV/AIDS;
3. Environment management and energy use;
4. Inclusive Decentralized Governance and Governing Institutions, and
5. Indigenous Peoples.

IV. Findings

a. General findings

According to the UNDP address database[34], UNDP covers 161 developing countries or autonomous territories (and has liaison or thematic offices in 6 developed countries). Of those, 47 country programmes in total, but no more than 25 in one year, have reported[35] some involvement, to a varying extent, with indigenous and tribal peoples (Annex 1 – Quick Scan). From the data obtained over the past years[36] the following general observations can be made:

Table 2 – Regional spreading of Country Offices reporting interventions related to indigenous and tribal peoples

Year	Total	RBLAC[37]	RBAP	RBEC	RBA	RBAS
2000	9	6	2	1	-	-
2001	9	6	2	1	-	-
2002	9	8	1	-	-	-
2004	25	14	6	1	4	-
2005	23	13	7	2	1	-

Source: ROAR (2000 – 2002); Atlas (2004 – 2005)

Table 3 – Thematic fields of interventions mentioning indigenous and tribal peoples*:

Year	MDGs/PR[38]	DG	E&E	CPR	UN Coord
2000	6	5	1	1	-
2001	3	9	5	1	-
2002	3	5	1	2	2
2004	8	15	24	4	1
2005	22	21	19	2	-

Source: ROAR (2000 – 2002); Atlas (2004 – 2005)

* Note: These numbers do not reflect the number of projects but rather a count of **any** reference to indigenous or tribal peoples in the annual report covering the Country Programme as they were found using a keyword search on 'indigenous' or 'tribal'. These references may refer to the same project.

In terms of types **of interventions** (development drivers), various categories can be distinguished in the country reports (in brackets is mentioned the number of references made throughout the annual reports which do not reflect the number of countries but rather, the number of references made to this type of intervention). These categories are:

1. Enhancing participation of IPs in policy dialogue or other discussions affecting them (33 references)
2. Research on inequities between IPs and other sectors of society including: MDG research, National HDR research, research on the disadvantaged position of indigenous women, access to justice (16 references)

3. Capacity strengthening of IPs, including capacity for local government, capacity for participation in natural resource management, conservation of traditional knowledge, natural disaster preparedness (22 references)
4. Capacity strengthening for government institutions dealing with IPs (4 references)
5. Local community development, including alternative livelihoods and micro-financing initiatives (10 references).

It can be carefully concluded that in general the focus of project interventions was mostly on increased participation of IPs in national policy dialogue and capacity strengthening for dealing with issues affecting them. However, from the nature of the formulation in the ROAR/Atlas reports, it was also evident that in many cases the project was not actually designed for that specific purpose, and indigenous participation was only one of the observed benefits, e.g. *"…that strengthened the capacity of government […] to improve strategies to address the poorest communities especially indigenous communities …" or " … access to justice in terms of identifying barriers and obstacles faced by disadvantaged groups such as the poor, women and indigenous communities…"*. From the reading through the ROAR/Atlas reports there were only few projects in few countries that were designed specifically (judging from the formulation under the **target setting**) on priorities such as strengthening recognition of IPs' rights or empowering IPs organizations: **in 2004 only 4 projects globally seemed to have been specifically designed for IPs and in 2005 only 2 projects.**

b. Findings on partnerships

As described in the chapter on methodology, information regarding UNDP's engagement with IPs was obtained from UNDP and non-UNDP sources, and included the following information-gathering methods and contacts:

- Cross-posted query on the Democratic Governance Practice Network, Energy and Environment Network, Poverty Reduction Practice Network and the Human Rights Talk; each of which has 700-800 members (some of whom are subscribed to more than one network);
- A direct request for information to all designated indigenous peoples' focal points (approx. 15) in various offices across geographic regions;
- A 10-question survey sent by e-mail providing a website link to approximately 110 persons;
- Telephone interviews of persons in selected Country Offices in 10 different countries[39];
- Telephone interviews and other information exchange of other, non-UNDP persons who were recommended by UNDP staff for further information;
- Specific UNDP units or programmes, among others the UNDP/GEF SGP; CWI, Equator Initiative, UNIFEM; the Civil Society Organizations' unit in BRSP, the Human Development Report Office and the Evaluation Office;
- E-mail and information exchange with other UN agencies working on IPs' issues, most notably the PFII, ILO, UNHCHR and the Secretariat of the Convention on Biological Diversity (CBD);
- Communication with other development agencies;
- Communication with IPs' organizations.

[39]
Annex 2: Criteria for selection of Country Offices for one-to-one interviews

A number of issues in UNDP's relations with IPs were highlighted more or less consistently:

1. Prioritization

Respondents consistently welcomed the initiative to revisit UNDP's engagement with IPs, and all voiced the need for UNDP to engage more proactively in this area:

- "Traditional authorities have been on the ground for many centuries, before colonization and current government systems and they are the only people we can work with at local level"
- "We must engage with IPs' networks – they are the best able to coordinate action"
- "We need a sub-practice area"
- "We must be sensitive to those [indigenous] issues"
- "This looks extremely interesting … Don't forget to look at indigenous women"
- "It is essential for UNDP's programmes involving these themes [environmental management]to recognize the necessity of empowering local communities"
- "The tribal authorities have started to speak out [at national level]"
- "When I listened to [the community leaders] my heart broke. If I had a choice I would work with them directly"
- "Five years ago you would not hear them. But now the indigenous leaders speak up"
- "Absolutely crucial for the sustainability of results"
- "UNDP is well placed to work on this issue, because of our rights-based approach"
- "UNDP should adopt affirmative actions".

Furthermore, respondents cited a wide variety of reasons for UNDP to prioritize indigenous issues, which are addressed in Chapter V. Two major factors were repeatedly mentioned as impeding an effective prioritization of IPs' issues: (i) Sensitivity around the issues at national level, and; (ii) Lack of awareness and capacity within UNDP Country Offices.

2. Sensitivities
Demanding rights

In many countries indigenous issues are relatively (in a few cases very) sensitive because of the demand for recognition of indigenous peoples' rights, which inherently has political connotations. IPs have consistently taken a rights-based approach and have demanded the recognition of collective rights as indigenous peoples, including the right to self-determination, right to ancestral lands and territories, right to self-government and rights to auto-define their development strategies and actions, among others. This has been interpreted as efforts towards secession from the state or in some cases even a struggle for independency. Even in less extreme cases governments may feel threatened in their political power and/or challenged for control over land and resources.

In comparison, if indigenous issues were approached from the traditional development point of departure (e.g. indigenous communities are among the poorest, the ones most in need, the ones most behind in MDG targets, the ones with least access to justice or information, etc.) UNDP's counterparts had much less difficulty in partnering with UNDP on projects that would address those issues on poverty and inequity.

Blaming and shaming

Political parties have also been cited to exploit the indigenous demands, for the purpose of achieving party-political gains and thus adding to sensitivities surrounding indigenous issues. So do practices of 'shaming' government for its unwillingness or inability to effectively address the rights and needs of those layers of society, employed by various players such as political parties, indigenous organizations, national and international NGOs including human rights organizations, though their reasons for doing so often differ.

Challenge to development concepts

There is a tendency by some to view indigenous movements as forces that delay development, particularly when it comes to the exploitation of natural resources where often clashes are reported between indigenous organizations/communities and governments and companies that want access to resources within their land and territories but are met with opposition from those organizations and communities. Also, governmental development strategies are often questioned by IPs. The result is that parts of society feel that IPs 'keep development behind' and consider indigenous issues 'time consuming', and there is a tendency to brush them aside.

Terminology

Sensitivities also arise from the use of certain terminology. Some governments recognize 'tribes' and 'tribal' or 'ethnic' communities and 'customary rights' but would refuse to use the term 'indigenous' as they do not consider one particular group or tribe to be 'more indigenous' than others. Also, they want to avoid raising the impression as if certain people, groups or tribes have 'more rights' than others – this is reported to be especially prominent in countries with communist or socialist governments and countries with a multi-ethnic composition where the balance between ethnicities needs to be carefully monitored and guided.

The lack of national legal frameworks on indigenous issues was cited to be another obstacle for UNDP to be more engaged with IPs.

In one instance, the overall governance situation in the country was described as fragile, and that made it difficult to discuss IPs' issues. In another country, there is fear for promoting or strengthening a tendency towards tribalism if indigenous or tribal peoples would be recognized as such.

Lack of awareness

In addition to sensitivities, respondents have also experienced simple disinterest or lack of awareness around indigenous issues on the part of their counterparts and programme partners, which has been ascribed to the fact that indigenous peoples are in a marginalized position and do often not have strong political and policy influence. This is changing however, as many indicated, because the indigenous movement is gaining strength and is becoming more outspoken. In several countries, IPs have consciously entered the political arena.

It should be mentioned that a number of countries, particularly in Latin America, have ratified ILO Convention 169 and adopted those international standards on indigenous and tribal peoples' rights into national legislation which has facilitated the basis for (UNDP) support to indigenous issues.

3. Capacity and strategic direction within UNDP

Various respondents mentioned that there is no clear long-term vision of corporate UNDP with regard to IPs in relation to its mandate and in spite of the body of experience that UNDP has in so many countries.

Also within UNDP offices a certain disinterest or unawareness around indigenous issues has been observed. Often top management is reluctant to devote a great deal of effort to such a sensitive field of work, nor does it want to give a 'donor-driven' impression. *'It depends very much on the attitude of top management',* was the opinion of several respondents.

Indigenous perspectives are not often known other than through national media coverage as there is limited direct contact with IPs. Illustrative may be that in one country, even though the national population consists for approximately 70% of indigenous people, only 3 out of over 100 staff members in the UNDP office are indigenous persons. Projects are designed from the traditional development perspective rather than from a rights-based perspective. There is limited direct contact with indigenous organizations in the programming cycle, with the exception of some countries where the indigenous movement is well-organized. One Programme Officer felt there is a 'cultural bias' and unfamiliarity within the UNDP office regarding traditional authorities which are seen as 'backward' or 'remnants of ancient time' – it is not being realized that these authorities are however rooted in reality and make all the practical difference.

<div style="float:left">

(40)
A Failure of Accountability – Indigenous Peoples, Human Rights and Development Agency Standards: A reference tool and comparative review – Tom Griffiths, Forest Peoples Programme, April 2003 [updated December 2003] - http://www.forestpeoples.org/documents/law_hr/ip_devt_stds_failure_accountability_dec03_eng.pdf

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At the same time, many respondents expressed the wish for increased prioritization of indigenous issues by national governments, indigenous organizations and within the UNDP office itself but are faced with the above-mentioned constraints. A number of options and suggestions are offered to address such challenges in Chapter V.

It may be worth mentioning an 'outside' perspective on UNDP's current Policy Note on Engagement with Indigenous Peoples, presented in an authoritative publication on the accountability of development agencies in their relation to IPs [40]:

❝ Policy Strengths [of the UNDP Policy Note on Engagement with Indigenous Peoples]:
· Source of standards is existing and emerging international human rights and environmental standards;
· Recognizes the need for UNDP policy and principles to be consistent with and respect international standards on the rights of indigenous peoples;
· Adopts an approach based on respect for human rights;
· Applies a bottom-up approach based on the priorities of indigenous peoples themselves;
· Recognizes the right of indigenous peoples to free and prior informed consent to development plans and activities that may affect their lands;

- Linked to other related UNDP policies such as its policy on human rights;
- Strong general principles relating to participation, gender and intellectual property rights;
- Provides some (albeit limited) specific operational guidance to country staff.

Policy weaknesses:
- Lacks binding operational provisions or rules for respecting and securing land and resource rights;
- Only contains indirect protection from forced resettlement;
- No clear instructions nor guidance to staff on the steps necessary to implement the policy in practice (e.g., By what actions may land rights be respected? How is the provision on prior informed consent to be applied?);
- No clear-cut benchmarks or mandatory preconditions that must be met before UNDP will approve or engage in a project affecting indigenous peoples and their territories (despite a strong recommendation to this effect made in its 1999 in-house study);
- There are no requirements for social and environmental assessments prior to UNDP development interventions (they are only recommended)
- No accountability mechanism to back up the policy and unclear lines of responsibility for policy compliance and effective implementation.

UNDP policies, activities and programmes affecting indigenous peoples:
As well as its specific policy on Indigenous Peoples, the UNDP also has a general policy on Integrating Human Rights with Sustainable Human Development which was adopted in 1997. With a view to implementing this policy, UNDP and the Office of the High Commissioner for Human Rights launched their joint Human Rights Strengthening Programme (HURIST) in 1999. This programme has involved several national workshops and projects at the country-level which aim to promote the mainstreaming of human rights in development planning. A central part of this programme to implement the UNDP's human rights policies has been support for the elaboration of National Human Rights Action Plans (NHRAPs).

UNDP's involvement as a key player in international sustainable development initiatives means that many of its programmes and activities have a potential impact on indigenous peoples and their territories. For example, UNDP is active in support-ing the development and adoption of new World Bank-assisted Poverty Reduction Strategies (PRSPs) in highly indebted developing countries. UNDP also jointly administers with the World Bank and UNEP the Global Environment Facility (GEF) whose grants to developing country governments finance the establishment of large protected areas. The GEF also supports so-called "ecodevelopment" projects that can adversely affect the rights of indigenous communities because in practice these projects involve resettlement and impose restrictions on local access to natural and cultural resources. On a smaller scale, the UNDP also oversees the GEF's Small-grants Programme (SGP) which was set up in 1992 in order to support community-based conservation initiatives. UNDP has also been involved in traditional knowledge programmes and in partnerships with indigenous peoples' organizations. 🎔🎔

Finally, it can be noted that there is little corporate guidance and policy support to Country Offices dealing with indigenous issues, apart from the Practice Note on Engagement with Indigenous Peoples (which has the same content as the Policy Note).

The Civil Society Organizations (CSO) Unit within the Bureau for Resources and Strategic Partnership (BRSP) of UNDP has one Programme Specialist position for CSOs in general who would also be tasked with matters related to indigenous issues (in comparison, other important development agencies have specific IPs' focal points, e.g. the World Bank, IDB, ADB, NORAD, Danida, DGIS, AECI). Similarly the UNDP Oslo Governance Centre (OGC) has a CSO position which is currently vacant. The CSO Programme Specialist has intended to establish IP focal points in Country Offices around the world and has set up an e-mail network that has not been used very extensively.

4. Experiences in dealing with indigenous and tribal authorities and organizations

A number of valuable perspectives and experiences of working with indigenous and tribal authorities and organizations were mentioned by respondents in this research, mostly from UNDP Country Offices. These experiences may serve as input in the further review of UNDP's strategy of engagement with IPs. It is noted that these are experiences from various parts of the world, and there are clearly context-dependent specificities.

Given the context-specific range of experiences but also the variety in policy and political framework, it is hard and possibly even imprudent to make a simple do's and don'ts list, which should be linked to a strategic policy framework. However, there is already a great deal of value in simply documenting experiences, opinions and impressions as expressed by respondents during this research, from which practitioners can draw as appropriate to their specific circumstances:

At **conceptual and policy** level

- There is a perceived lack of awareness and understanding of indigenous issues within UNDP in general, leading to avoidance or superficially addressing those issues;
- There is an apparent discrepancy in approach of development issues affecting IPs. IPs take a collective rights based approach whereas UNDP apparently does not. Indigenous representatives could subsequently turn away from UNDP as a potential partner;
- The UNDP programmes that were reported on in the framework of this fellowship, took mostly a 'pure' development approach towards IPs' issues, many as MDG or poverty reduction initiatives. It was at the same time recognized however, that pursuing the MDGs as they currently are, may actually pose a threat to IPs, for example if it means the typical development project approach such as road construction to rural areas or investment and commercialization programmes resulting in loss of cultural, social and environmental assets within indigenous communities, lands and territories.
- In relation to the importance of dealing with traditional authorities, a general remark was made that *"there is a growing awareness, within as well as outside the UN system, that there is a big gap between 'peacekeeping' and 'development', with all the risks that this implies of falling back into violent conflicts"*;
- Various respondents argued that recognizing IPs as peoples would mean recognizing their own authorities and the right to designate their own representatives. It would also mean recognizing the right of IPs to be effectively

consulted and receive their free, prior and informed consent on development projects to be undertaken or supported that may affect them;

- Another respondent said: *"One has to respect reality [...] work with what exists. To reform what keeps a society together is better than to destroy it. Ownership is only meaningful when it includes what people have, what they respect, what they understand".*

At **inter-organizational** level

- Because of the National Execution modality and inter-governmental nature of UNDP, UNDP projects are approved by national governments and implemented mostly by governmental organizations. Most respondents indicated that their relationship with IPs' organizations and authorities was often limited to getting their view on a project that was being discussed with the government or to involve them in the implementation of an already signed project. As such, few direct partnerships were reported.
- The issue of representativeness of organizations and legitimacy of who UNDP can work with without compromising its neutrality is a difficult matter, and there is no common opinion or solution. One Country Office is engaged in an extensive initiative on indicators of definitions of 'who is indigenous' and representativeness. Another respondent however said: *"I do not get involved in the issue of legitimacy of the indigenous representatives. The question of legitimacy is often posed by opponents of indigenous rights. It is an abstract discussion and Western classifications are used to 'define' legitimacy. It would be more practical not to talk about legitimacy but about the capacity of those representatives to effectively articulate the viewpoints and positions of their constituencies, and UNDP would do better to support this process of institutionalization and indigenous empowerment instead of potentially weakening it by throwing up questions about legitimacy".* Yet another Country Office has adopted a fully open participation model in which all organizations and individuals are allowed to participate in special dialogue forums – this however, has led to dominance by certain 'experts' and the proper indigenous organizations at some point stayed away.
- Very few respondents mentioned direct contact with indigenous or tribal traditional authorities. Often intermediaries were used, including indigenous organizations and sometimes non-indigenous or non-tribal organizations who have *'a better capacity of dealing with the traditional authorities'.*
- Capacity of the counterparts was also mentioned by other respondents. *"In some cases you know it is the right organization to work with, but they may not be able to fulfill their role due to capacity constraints".* Institutional support can therefore be an essential element in the partnership.
- It was also noted that it is not so easy for indigenous organizations to access and participate in international forums, due to the lack of information, contacts and (financial) resources or even language barriers.
- Many projects and initiatives mention indigenous women as key beneficiaries or target group, as it is acknowledged that indigenous women face multiple challenges, being indigenous, female, often rural, (economic) poor and not within mainstream decision-making processes.
- One respondent indicated a preference of partnering with networked indigenous organizations in order to achieve a larger coverage and coordination, particularly for having policy impacts. Another respondent stressed the importance of working

with women organizations as being more results-oriented and sustainable but also less political.
- Although it would have been preferred to work with proper indigenous or tribal authorities and organizations, one respondent said there is a difficulty of communication and language barriers, and tribal leaders are not well-educated. The office therefore works with intermediary organizations.
- In a few cases there is a fine line between indigenous organizations and political parties, namely in countries where the indigenous movement has become politically active.
- In some countries there is a clear distinction between traditional authorities (e.g. chiefs, elders) and indigenous organizations (legally recognized organizations e.g. associations, foundations); however in other countries the legally recognized organizations are truly representative for the indigenous peoples and are some-times even the only existing form of collective representation.
- The experience of working with community leaders and local community-based organizations on specific local projects, especially in environmental efforts, local employment, microfinance and productive initiatives for women organizations, is more extensive and also more documented. A difficulty mentioned for such projects is that the impact of the project on changing policies (e.g. environmental or poverty alleviation policies) is not always clear. A few countries have strategically linked the UNDP/GEF Small Grants Programme (SGP) to the objectives to be achieved in the Country Office programme on IPs.

At **programme** level

- Very few Country Offices have an indigenous programme as such. Most of the ones that do, have established it as part of the specific Hurist initiative, a cooperation programme between UNDP and the Office of the UN High Commissioner on Human Rights (HCHR) on the potential of mainstreaming or operationalizing human rights in key UNDP's programming areas: Pro-poor human development policies; HIV/AIDS; Environment management and energy use; Inclusive decentralized governance and governing institutions, and Indigenous peoples[41].
- The UNDP/GEF Small Grants Programme (SGP) has many examples of partnerships with indigenous organizations and authorities, including their participation in the National Steering Committees (NSCs). The indigenous presence in a multi-stake-holder group without any stakeholder being overrepresented and chaired by a UN official, was repeatedly mentioned as a good example of achieving meaningful and direct indigenous participation in decision-taking at programme level.
- UNDP's focus should be broadened to require the establishment of institutional processes that secure indigenous peoples' involvement in decision making systems. However, it is vital to ensure that the right of indigenous self-determination espoused in legal statutes is not interpreted as a freedom to engage in unsustainable uses of the environment and does not supersede commitments under international law to guarantee women's equal rights.
- Indigenous authorities may play a lead role in the area of women's empowerment, however special attention may often need to be directed to sensitizing traditional authorities in regard to the latter, as many are male-dominated without providing a role for women.

At **practical/project** level

- A number of respondents said that the focus on indigenous peoples was more or less 'disguised' in the project because of the context-sensitivities. Projects were thus focused on specific geographic regions (which are known to be indigenous regions) or on 'marginalized' and 'vulnerable' groups, or IPs were mentioned in one breath with women and children, or the projects were generally called 'rural development' projects.
- One respondent mentioned that it is important to put any project in a wider context. The project should hopefully lead to policy changes and more in particular, to further recognition of IPs' rights, otherwise the project may be successful by itself but have no real sustainable impact.
- Another issue highlighted was that projects should arise from the priority of IPs themselves and as supporting organization UNDP should not shy away from the sensitivities. For example, if land rights are the big issue then the project should focus on land rights and not on other peripheral issues.
- Another respondent indicated the same in different words, but added that UNDP should also not be too ambitious in achieving fast results. It is sometimes better to start low and go slow but steady, e.g. facilitating a process of bringing stakeholders together rather than start with hiring legislative drafters.

5. Other UN(DP) initiatives and programmes

There is a number of initiatives related to IPs being undertaken within UNDP and within the wider UN System , and it is worth considering how those initiatives and programmes could benefit from each other and make a more synergetic impact (and the following list is by no means exhaustive):

- **UNDP/GEF Small Grants Programme (SGP)**[42]: Launched in 1992, SGP supports activities of non-governmental and community-based organizations in developing countries towards climate change abatement, conservation of biodiversity, protection of international waters, reduction of the impact of persistent organic pollutants and prevention of land degradation while generating sustainable livelihoods. 95 countries participate in the SGP. The programme is highly decentralized to 81 country offices, 2 regional offices and 2 sub-regional offices, with only 9 persons in the central programme management team. The SGP has extensive experiences of working with IPs at local community and project level and indigenous and tribal representatives often participate in the National Steering Committees which define the national programme's strategy and decide on funding of projects.
- The UNDP **Community Water Initiative (CWI)**[43] is a special initiative originating from the call for action during the 2002 World Summit on Sustainable Development, and is UNDP's decentralized, demand driven funding mechanism for sustainable community-based water and sanitation development and management. The Initiative operates closely with the existing UNDP small grant mechanisms.
- **Equator Initiative**[44]: The Equator Initiative is a partnership of a wide variety of development, donor, academic, business and environmental organizations to help build the capacity and raise the profile of grassroots efforts to reduce poverty through the conservation and sustainable use of biodiversity. The initiative is managed by UNDP.

(42)
http://sgp.undp.org/

(43)
http://www.undp.org/water/initiatives/
initiative.html

(44)
http://www.undp.org/equatorinitiative/

(45)
http://
regionalcentrebangkok.undp.or.th/
practices/governance/ripp/

(46)
http://iln-la.nivel7.net/
index.php?id=237&L=1

(47)
http://daccessdds.un.org/doc/UNDOC/
GEN/N04/281/49/PDF/
N0428149.pdf?OpenElement

(48)
http://www.un.org/esa/socdev/unpfii/
documents/
iangwe_ind_women_and_un

(49)
http://www.ilo.org/public/english/
indigenous/assistance/index.htm

(50)
http://www.ohchr.org/english/issues/
indigenous/

(51)
http://www.ohchr.org/english/bodies/
hrcouncil/

(52)
http://www.ifad.org/english/
indigenous/index.htm

- The **Regional Initiative on Indigenous Peoples' Rights and Development (RIPP)**[45] of the UNDP Regional Center in Bangkok is a regional programme on indigenous peoples in the Asia-Pacific region. RIPP seeks to encourage both governments and indigenous peoples to engage in dialogue and cooperate in widening the development choices available to indigenous peoples. The objectives are (i) to stimulate policy dialogue at the local, national and regional level; (ii) to facilitate coordination on indigenous peoples' rights and sustainable development in the Asia Pacific region; and (iii) to assist in the development of the capacity of indigenous peoples and governments in upholding and implementing indigenous rights.

- UNDP's **Capacity 2015 Programme** has a global network for information exchange and learning as a capacity development platform for local sustainable development and implementation of the Millennium Development Goals at the local level. In Latin-America, the Information and Learning Network (ILN-LA) focuses on five key topics: local sustainable economies, local governance; poverty/environment links, indigenous capacities and local leadership. The project: "Indigenous Capacities in Latin America" [46] currently makes an inventory of NGOs, Government organizations, international cooperation agencies and universities in the Latin American region that offer formal and informal education for indigenous populations. All mapped information (best practices, lessons learned, manuals, courses and networks) is uploaded into the online ILN-LA.

- The earlier mentioned **Hurist** programme is a joint programme of UNDP and the OHCHR.

- The **UN Development Fund for Women (UNIFEM)**[47] is increasing its involvement to boost participation of indigenous women's groups in local, national, regional and global events and encourage their inclusion in project initiatives in Latin America and Asia. UNIFEM is an active member of the task force on indigenous women of the Inter-Agency Network on Women and Gender Equality and contributed to the task force's publication entitled "Indigenous Women and the United Nations System: Good Practices and Lessons Learned"[48].

- The **International Labor Organization (ILO)** is certainly one of the lead UN organizations when it comes to IPs' rights, because of its stewardship over the ILO Convention 169 as a key piece of international legislation. The ILO has various initiatives related to IPs ongoing[49], among others the Project to Promote ILO Convention No. 169 (ITP Project); the ILO-INDISCO Programme for demonstrative pilot projects concentrating on linking grassroots experiences with national policies; the Legal Empowerment of Indigenous Peoples in Central America for strengthening the capacity of indigenous peoples and their organizations to secure and defend their legitimate rights within the framework of national legal systems; and REDTURS, a network of organizations with a focus on sustainable tourism.

- The **Office of the High Commissioner on Human Rights (OHCHR)**[50]: OHCHR is mandated to promote and protect the enjoyment and full realization, by all people, of all rights established in the Charter of the United Nations and in international human rights laws and treaties. It hosts the annual Working Group on Indigenous Populations (WGIP) for reviewing the status on protection of the human rights of IPs, and as a forum for standard-setting on IPs. The WGIP has meanwhile given birth to the Permanent Forum on Indigenous Issues at ECOSOC level, while the draft Declaration on the Rights of IPs which was developed in the WGIP, has recently been approved in the meanwhile established Human Rights Council[51] in June 2006.

- The **UN International Fund for Agricultural Development (IFAD)**[52] has a variety of projects related to rural development and IPs, and is also one of the active

members within the Inter-Agency Support Group within the Permanent Forum on Indigenous Issues.

- The **World Intellectual Property (WIPO)**[53] is currently discussing draft provisions for the enhanced protection of traditional knowledge and traditional cultural expressions against misappropriation and misuse.

- PFII[54]: One of the last to be mentioned in this list but certainly not least important, is the **UN Permanent Forum on Indigenous Issues (PFII)**. The PFII consists of 16 members of which 8 are delegated by governments and 8 by indigenous peoples, and serves as an advisory body to the Economic and Social Council (ECOSOC). Its mandate is to discuss indigenous issues related to economic and social development, culture, the environment, education, health and human rights. Very relevant to mention at this point is the Inter-Agency Support Group (IASG) on Indigenous Issues[55] which was established to support and promote the mandate of the UN Permanent Forum on Indigenous Issues within the United Nations system. Its mandate was later expanded to include support to indigenous related mandates throughout the inter-governmental system. It allows the UN system and other intergovernmental organizations to analyze recommendations made by the Forum with a view to facilitating comprehensive and coordinated responses to the UNPFII. The IASG is attended by 27 agencies, including some with observer status, like the World Bank, European Union and the Inter-American Development Bank. Its chairpersonship rotates annually.

- The various meetings and bodies of the **Convention on Biological Diversity (CBD)**[56] as another widely applied piece of international legislation, have also been important forums in which indigenous issues, particularly related to the rights to land and natural resources (in relation to protected areas and conservation of biological diversity), right to participation, rights over traditional knowledge, free, prior and informed consent, access to genetic resources and benefit-sharing[57] have been discussed extensively. A lot could be shared from these deliberations throughout the UN system.

- The same can be said related to the many discussions in the **UN Forum on Forests**[58].

Also outside of the UN system many initiatives and programmes related to IPs undertaken by development and human rights agencies and organizations are ongoing. The Permanent Forum on Indigenous Issues and in particular the Inter-Agency Support Group (IASG) is currently the most inclusive international forum where all these agencies and initiatives meet, not only each other but especially with their main partners namely IPs' representatives, during PFII sessions. The PFII can therefore be not only a standard setting and monitoring forum but also one for constructive dialogue, networking and coordination. The PFII Secretariat maintains a database of recommendations[59] that were made and agreed upon during its yearly sessions, and also monitors their implementation which can be a powerful instrument to ensure that the discussions and recommendations coming out of the forum go beyond rhetoric.

(53)
http://www.wipo.int/tk/en/

(54)
http://www.un.org/esa/socdev/unpfii/

(55)
http://www.un.org/esa/socdev/unpfii/en/iasg.html

(56)
http://www.biodiv.org/default.shtml

(57)
http://www.biodiv.org/programmes/socio-eco/traditional/keyterms.asp

(58)
http://www.un.org/esa/forests/about.html

(59)
http://www.un.org/esa/socdev/unpfii/en/recommendations.htm

V. Conclusions and Recommendations

a. Conclusions

From this (limited) research a number of conclusions can be drawn:

1. Indigenous Peoples' rights – as collective rights rather than only individual human rights – are a (fast) emerging issue at the national and global level.
2. The focus on the achievement of the MDGs and IPs (more in particular, the disproportionate overrepresentation of IPs among those at risk of not achieving the MDGs; the potential negative impact on IPs of national efforts to achieve the MDGs; and the data gap with regard to disaggregated data) is becoming more outspoken.
3. There are few projects or programmes in UNDP that are focused specifically on IPs and even fewer on IPs' rights. Generally the focus of those interventions is on increased participation of IPs in national policy dialogue and capacity strengthening for dealing with issues affecting them.
4. There are only few cases reported of UNDP's involvement with traditional authorities of indigenous and tribal peoples.
5. Project development and implementation are done mainly with governmental counterparts and indigenous participation has reported to be relatively marginal, with the exception of environmental and community based development initiatives where local involvement is much more evident.
6. There is a substantial amount of initiatives, programmes and projects related to IPs within the UN System. However, those are not undertaken in a coordinated manner underneath one strategic umbrella.
7. There is a notable urge from respondents for UNDP to adopt a more pro-active corporate strategy on indigenous peoples that translates into practical action.
8. UNDP does not have an Indigenous Peoples' focal point or an established system of support to Country Offices on indigenous issues, other than the usual knowledge networking/practice areas and the more general civil society partnership resources.
9. Country Offices have very diverse ways of dealing with indigenous issues which is strongly influenced by country-specific sensitivities.
10. UNDP's leadership role in a rights based approach related to IPs is not very outspoken.

b. Recommendations

A number of recommendations can be made for consideration by the appropriate policy and strategy units within UNDP, at corporate as well as country level. Those recommendations refer mostly to a (re)examination of UNDP's strategy on IPs, based on which further practical steps could be taken. Such (re)examination should be **fully participatory**, involving indigenous representatives in the first place to ensure that the result indeed reflects the aspirations, needs and rights of those involved and affected. Participation should also be sought of other stakeholders such as governmental representatives and indigenous support organizations to get an impression of the practical implications of the renewed strategy.

Following are some thoughts that may serve as input for shaping such a strategy while the undertaken research can hopefully also be used as a mapping of ongoing initiatives and capacities, environmental scanning, and resource investigation.

1. Trends and comparative advantages

This research has confirmed the priority areas for UNDP engagement with IPs, as mentioned in the existing UNDP Policy Note on Engagement with IPs (2001), although with some emphasis on certain fields. Current as well as expected trends, however, could make it necessary to reexamine the overall (corporate) strategic approach towards indigenous issues in relation to UNDP's policy objectives, as well as possibly reformulating the operational language in the Policy Note on Engagement with IPs.

The areas mentioned in the current Practice Note are: Democratic Governance and Human Rights; Poverty Reduction; Conflict Prevention and Peace Building; Environment and Sustainable Development. Those areas still hold strong today although they would need some slight reformulation in conformity with the core results as described in the Multi-Year Funding Framework (MYFF). Similarly, the language on operational engagement may need to reflect current language on 'drivers for development effectiveness' which are:

- Developing national capacities
- Enhancing national ownership
- Advocating and fostering an enabling policy environment
- Promoting gender equality
- Forging partnerships for results.

However, since 2001 changes have taken place and new trends are emerging. This makes it imperative for UNDP to revisit its policy of engagement with IPs in a participatory, timely and strategic manner, to ensure that the organization keeps on top of new trends and developments. The following points outline some important reasons why the question of strategy should be revisited, and they also highlight areas where UNDP can offer comparative advantages.

1. Indigenous issues cut across UNDP's practice areas (Democratic Governance etc.) and crosscutting themes (human rights and gender).
2. Apart from the ILO Convention 169, UNDP is currently the only UN agency with an expressed Policy Statement on IPs, and is referenced for that by other development and donor agencies.
3. UNDP is the lead UN agency on governance issues and indigenous issues are prominently on the governance agenda, national and international. Given the UN Reform agenda, this role of UNDP is likely to increase in importance.
4. UNDP is the lead UN agency for the application of human rights based approaches in development programming. Indigenous peoples' rights issues are becoming increasingly prominent at national and international level, and UNDP should better prepare itself to respond to increasing demands from countries, stakeholders but also donors, to partner on IPs' issues. For example, DFID says that *"… policy and guidance [on the rights of minorities and indigenous peoples] would seem to be needed, and organizations with relevant expertise, such as Minority Rights Group International, could provide assistance"*[60]. It should be remarked (again) that indigenous peoples' rights and ethnic minority rights can be similar in certain aspects but are not identical and have different underpinning principles.
5. UNDP is on the ground in practically all development countries and (still) holds the position of UN Resident Coordinator, as such putting UNDP in the best placed position for concerted UN advocacy on IPs' rights and a rights based approach to development.

6. UNDP has, with the Human Development Report of 2004 on Cultural Liberty in Today's Diverse World, already taken the lead in highlighting crucial issues related to cultural diversity and peace, development and equity. Or, in the words of UNESCO's Universal Declaration on Cultural Diversity (2001): *'Cultural diversity is as necessary for humankind as biodiversity is for nature'.* The relation between cultural liberty, governance, conflict prevention and human rights is demonstrable in current news and is likely to increase in importance.

7. UNDP is the campaign leader but also the UN's actual working arm for supporting the achievement of the MDGs by 2015. The PFII has made an inventory of disaggregated data reflecting the likelihood of achieving the MDGs and showing ethnic and regional disparities in a number of countries where such data were available, and the conclusion is that IPs are disproportionately represented among layers of society that are furthest behind and least likely to achieve the MDGs. As UNDP itself advocates, priority attention should be focused on those who need it most and not on national averages. UNDP should use its advocacy power to break the potentially persistent circle of marginalization → limited influence on policy making → no policy priority → further marginalization. The October 2004 state-ment of the Inter-Agency Support Group (IASG) tabled at PFII 2005[61] is strong and very clear on this: *"… indigenous and tribal peoples are lagging behind other parts of the population in the achievement of the goals in most, if not all, the countries in which they live, and indigenous and tribal women commonly face additional gender-based disadvantages and discrimination …"* In addition, the statement says that *"… Concern has also been expressed that the effort to meet the targets laid down for the achievement of the MDGs could in fact have harmful effects on indigenous and tribal peoples, such as the acceleration of the loss of the lands and natural resources …".*

8. UNDP and programmes administered by UNDP have built an unparalleled experience on working with indigenous communities under circumstances of maintaining national ownership, and this body of experience can and should make its way more effectively to upstream and international policy levels.

9. UNDP's experience in linking downstream to upstream environmental policies that integrate crosscutting principles on human rights and gender, can become a crucial distinguishing characteristic of UNDP, also in light of increasing attention on the global environment and climate change.

10. UNDP is also one of the most logical (and few, for that matter) partners on indigenous issues to turn to for support. UNDP is perceived as an impartial partner with authoritative principles on rights and equity, who is supposedly not pursuing other (political) interests than those of human development. This is true for IPs, but also for governments and donors for whom those issues may also be sensitive; although they genuinely want to do something they may be in need of guidance and support. The Ambassador from a donor country, upon asking him why he chose to work with UNDP on a project involving traditional authorities said: *"The first concern for us was to broaden the support, not to keep the project as a single-govern-ment concern only. However, we were not only looking for partners in that particular project, but also for partners that would help in encouraging and spreading the debate about these issues. In this light, UNDP was the most natural of partners. UNDP has itself taken up these issues, mainly in the UNDP Human Development Report 2004. Therefore, it seemed logical to look for cooperation with an organization that had addressed the same issues already. In addition, the UNDP is the main player in development, and in particular in shaping future development policies. It seemed, therefore, also to be the most promising partner in the long term."* This partnership opportunity, for those who need it, should strategically be strengthened.

11. In general, UNDP is taking a proactive approach to crisis and conflict prevention, recovery and reconstruction. However, UNDP has not placed a strategic focus on IPs in crisis and conflict situations, even though these are areas where IP's issues feature prominently, and where IPs are especially vulnerable to negative impacts.

2. Strategic framework

Key questions arising from the relationship between UNDP and IPs are:

1. Should UNDP corporately promote more engagement with IPs, or leave it up to the discretion of Country Offices to engage or not?
2. If so, where would IPs' issues be 'housed' most appropriately, as this is a crosscutting issue?

Following the discussion above, the major arguments for UNDP to engage more intensively with indigenous issues can be summarized as follows:

1. The fact that IPs are almost always disproportionately represented among those most deprived of development chances and choices is by itself a major reason.
2. Also from a rights-based approach IPs as rights-holders merit UNDP's particular attention, as they have specific collective rights that are in dire need to be met to guarantee their distinct survival, in addition to their basic human rights. As such, IPs present a special case for UNDP's attention, one that could well become a flagship programme for demonstrating the linkage between rights and development , for promoting the rights-based approach to development and for demonstrating the involvement of rights-holders as actors (as opposed to considering IPs only the beneficiaries or marginal stakeholders).
3. IPs' issues are gaining importance and attention, not only internationally but also at the national level, where governments and IPs alike are looking for partners, facilitators and brokers for support in solving sensitive and complex issues. Corporate UNDP may soon find itself left behind on this issue (and thus loosing its comparative advantages) after having been a 'trendsetter' over the past decades, spearheading the rights-based approach to development, the UNDP/GEF Small Grants Programme, the importance of cultural diversity to development (HDR 2004) and being a UN Agency with an explicit IPs' Policy.
4. Other arguments for UNDP to more prominently involve indigenous issues are the emphasis of major donors on the rights-based approach and on IPs' issues; and the potential for an effective UN-wide partnership approach on IPs with programmes and agencies such as SGP, CWI, Equator Initiative; Cap2015, ILO, UNHCHR, CBD.

It is therefore recommended that UNDP continues and strengthens its approach towards indigenous issues from a human rights based approach, and sets out a strategic roadmap from the current relatively careful stance towards outspoken and active support of indigenous peoples' rights as a precondition for sustainable human development. This emphasis on rights would go hand in hand with advocacy for other rights (human rights, gender, etc.) and for the whole rights-based approach to development, thus reinforcing the holistic framework of human rights, development and peace. Particularly in the face of UN Reform exercises, this holistic and integrative approach will strengthen UNDP's and UN's position, favoring a proactive player with a clear human development agenda, and will confirm the UN's position on the ground in

the majority of countries all over the world. Steps towards this would need to be taken now in order to be timely.

Such strategy would include a proactive role of UNDP in international forums but also advocating at the national level for the acceptance of IPs' rights. It would entail an increased internal UNDP emphasis on the application of a HRBA, not only for IPs' rights but in general programming – obviously with the corresponding capacity strengthening within UNDP itself, in order to be able to practice what it preaches. Some practical implications would include operational standards in the UNDP User Guide (Programming Manual); prescriptive standards and indicators on the HRBA and fulfillment of human rights outcomes in each single project; a review of those indicators in mid-term reviews and TPRs; and prescriptive standards in TORs for Impact Evaluations and TORs for audits. The existing HRBA manual would need to be updated to include IPs' rights.

Options for incorporating IPs' issues

Indigenous peoples' issues, if considered from the rights perspective, would best resort under the Democratic Governance thematic area within corporate UNDP although there are clear links to the key results areas – even in those, however, indigenous issues often boil down to governance issues such as inclusive and participatory policies and the presence/absence of mechanisms and institutions for participative decision-taking. An empowerment approach to both rights-holders and duty-bearers would likely be the point of departure (also for eventual programmatic initiatives). It has to be taken into account strategically, that IPs' issues are dealt with throughout the UN System, and it may make sense to not only strengthen UNDP's capacity on this theme but also other programmes and agencies. Finally, the need for linking downstream to upstream interventions and eventually to policy changes may make it necessary to have a sort of liaison mechanism in place.

Practically, the following **options** can be proposed for consideration, either individually or simultaneously:

1. Democratic Governance Group (DGG) in BDP to establish a focal point function on IPs within DGG BDP (potentially in OGC), to be tasked initially with the development of a strategic plan on further steps, resource mobilization (Nordic countries!) and increasing networking with other UN Agencies;
2. UNDG to establish IP focal point function on IPs with similar tasks;
3. Regional bureaus to each establish IP focal point function and simultaneously set up an effective network among those;
4. Capacity Development Group (CDG) to establish IP focal point function with specific mandate to liaise and coordinate throughout UNDP and establish a strategic framework for a rights-based empowerment approach and linking downstream to upstream.
5. Strengthen and expand the existing IP-focal points system in UNDP (a few offices have – unofficially assigned – IP focal points) and prepare and implement a strategic programme of action for this IP focal points network, in relation to what has been recommended by the IASG.
6. Finally, not as a stand-alone option but rather in support of a more institutional approach, a pilot programme may be initiated in a few selected countries on

genuine based programming for IPs. This would require programming and resource mobilization towards such a programme.

3. Strategic Partnerships

It is recommended that UNDP proactively undertakes to establish or strengthen strategic partnerships:

- A more structured and results-oriented partnership with IPs should be established to effectively promote and achieve common objectives. The effective participatory involvement of rights-holders and stakeholders should not only be preached but also practiced. Such partnerships may focus especially on institutional strengthening and empowerment of IPs' organizations and authorities, and joint awareness, advocacy and policy advice including the exchange of knowledge and experiences.
- As a matter of priority UNDP should strengthen its involvement in the Inter-Agency Support Group (IASG) to the Permanent Forum on Indigenous Issues (PFII) where important recommendations are made to which UNDP should give follow-up. UNDP could potentially also take a lead/proactive role in the PFII on issues related to Indigenous Peoples and MDGs. UNDP may also be the liaison mechanism between the IASG and the UN Development Group (UNDG) to ensure UN-wide operational follow-up of recommendations made in the IASG.
- SGP: Strengthening the strategic partnership with the UNDP/GEF Small Grants Programme (SGP) is seen as a key step for effectively linking downstream to upstream work and for having more synergy between the many benefits from the SGP at community level and Country Office programming in policy advisory areas.
- ILO and OHCHR: ILO and the Office of the High Commissioner on Human Rights are well advanced with regard to the rights-based approach for IPs and the normative framework. UNDP's added value in a partnership would be its network at the national and global levels, and in-country outreach with regard to policy advice and advocacy.

Rather than being restricted to incidental contact in response to specific, reported demands, cooperation with other UN agencies should be structured to achieve relevant and general results, potentially as a joint UN programme at country, regional or global level.

c. Final remarks

Finally, it will be necessary for UNDP to ask itself some burning questions: Does UNDP really take a human rights based approach in its programming at country level? Does UNDP shy away from sensitive issues, even if that means that large parts of the vulnerable population of countries are practically left on their own – or at least without the UN support that is reportedly given? Is UNDP prepared to be a more proactive advocate and even activist for change towards national and global equity and justice, or will UNDP continue to do business as usual?

It is hoped that this paper provides food for thought and even more importantly, input for concrete action that should lead to visible and tangible results. In the end, we are not working for ourselves; we are servants of the ones that demand their legitimate rights to be honored and equity to be practiced.

Annex 1
– Quick Scan of UNDP projects (CEDAB; ROAR/Atlas)

CEDAB; pre-2000

UNDP Evaluation Office - Central Evaluation Database		
Text:	Indigenous[62]	
73 Results Found For Your Search Criteria		
UNDP Project	Evaluation	Project Title
AFG88001	1	Support to NGOs-Rural Rehabilitation and Reconstruction of Afghanistan
AFG93002	1	Urban Rehabilitation Programme
BGD84037	1	Bangladesh Diesel Plant
BGD85231	1	Cooperative Dairy Extension Programme
BGD87015	1	Training of Technologists at The Bangladesh University of Engineering and Technology and The Asian Inst. of Technology.
BGD91024	1	Assistance to the National Hotel and Tourism Training Institute for Vocational Training & Tourism Occupations.
BHU91002	1	Forest Resources Management and Institutional Development
BIH97056	1	Village Employment and Environment Project - VEEP
BOT84001	1	Assistance to Small Scale Portland Pozzolana Cement Plant
BUR85006	1	
CMB92010	1	Small Enterprise and Informal Sector Promotion
CPR88081	1	Development of Advanced National Tourism Training Centre
CPR91120	1	
CPR96107	1	Seabuckthom Development in China
ETH83024	1	Establishment of an Engineering Design and MFG Technological Centre & Pilot Plant for Agricultural Machinery
ETH94001	1	Support to the National Agriculture Development Programme
IND81035	1	Design Development For An Experimental Blast Furnace
IND81045	1	Three Dimensional Geophysical (Seismic) Surveys
IND82050	1	Computer Aided Management Programme
IND83017	1	Fatigue Laboratory for Automotive Industry, Pune
IND85002	1	Introduction of Computer Management Maintenance System in Sail Plants
IND85072	1	Knowledge Based Computer System Development Project
IND85072	2	Knowledge Based Computer System Development Project
IND86002	1	Solar Energy Centre
IND86009	1	Computer Networking
IND86010	1	Telematics Development and Promotion Programme
IND86018	2	Advanced Technique in Petroleum Engineering and Production Practices
IND87008	1	Training in Public Administration
IND87012	1	Sewing Machine Development Centre, Ludhiana Phase Ii
IND89107	1	Energy Conservation Audits in Selected Areas
IND90008	1	Automated Operation of Irrigation Canal System
IND91058	1	Microprocessor Application Engineering Programme (MAEP) Phase-Ii
IND92301	1	Jute Sector Programme-Sub Programme
IND92G32	1	Development of High Rate Biomethanation Processes as Means of Reducing Green House Gases Emission
IND95004	1	Sustainable Urban Development for Madras
INS83006	1	Utilization of Community Resources for the Prevention and Reduction of Drug Abuse in Indonesia
IRA85003	1	Development of Alumina Industry

(62) The keyword 'indigenous' was in many instances used in its generic meaning of 'of national origin' or 'locally produced', e.g. indigenous technologies, indigenous plants

KEN80018	1	Development of Coastal Aquaculture, Phase Ii
LAO82006	1	Improvement of Forest Management
LAO82015	2	Improvement of Science Teaching and Secondary Teacher Training
LAO85007	1	Organic Manures and Biofertilizer Use
MDV89001	1	Vocational Skill Development Programme
MOZ82009	1	Technical Support to Forestry Development and Forest Industries Production
NIR92010	1	Mass Literacy
PAK92G51	1	GEF Small Grants Programme Pilot Phase
PAN94G31	1	Conservacion De La Biodiversidad En El Darien A Traves Del Desarrollo Comunitario
PHI87002	1	Indigenous Fibres
PHI87003	1	Establishment of a Fiber Processing and Utilization Laboratory
RAF85022	1	African Project Development Facility
RAF89030	1	African Training and Management Services Project
RAS86020	1	Assistance for International Trade Negotiations
RAS86075	1	Small and Medium Scale Industry and Enterpreneurship Development in Pacific Island Countries
RAS86107	1	Support to Watershed Management in Asia.
RAS86143	1	Promotion of Technology Utilization -Programme Support to APCTT
RAS89027	1	Economic Restructuring and International Trade in The Primary Sector-Mineral Commodities.
SIL87003	1	Mobilization of Resources and Establishing of Organization for Promotion of the Small and Medium Size Enterprise Sector
SOI88002	1	Promotion and Development of Small and Medium Scale Industries.
SRL83005	1	Strengthening of Development Planning
SRL84020	1	Development of Traditional Medicine
SRL87027	1	The Open University of Sri Lanka-Phase Iii
SRL87029	1	Development of Traditional Medicine, Phase Ii
SRL92G31	1	Development of Wildlife Conservation and Protected Area Management
UGA86006	1	Labour Intensive Special Public Works Programme in Luwero District (Pilot Phase)
UGA87003	2	Development of the Horticultural Industry
URT77033	1	Support to a Special Labour Intensive Works Programme in The Arusha, Dodoma, Rukwa And Ruvuma Regions
VAN85002	2	Small & Medium Scale Enterprises Promotion & Development Phase Ii
VAN88004	1	Establishment of Ni-Vanuatu Small And Medium Scale Industries
VIE80008	1	Coffee Rehabilitation and Improvement
VIE86026	1	Strengthening the Capacity of Forest Seed Production and Supply
VIE86032	1	Technical Assistance for the Establishment and Operational of a Laboratory for Tin Ore Processing Tech.
VIE96010	1	Strengthening Capacity in Policy Formulation and Management of Ethnic Minority Development in Viet Nam
YEM97100	1	Sustainable Environmental Management
ZIM99B01	1	Y2k Planning and Technical Support

ROAR/Atlas; 2000 – 2005

Quick Scan of UNDP projects mentioning 'indigenous' or 'tribal' communities or people(s)
Period: 2000 – 2005

Year Source of Information Keyword		2000 ROAR indigenous	
Country	**Mentioned in section**	**MYFF Goal**	**Type of relation with IPs**
Bolivia	Cross-Cutting Linkages Performance Analysis-	Democratic Governance	Partnerships with IPs during NHDR process
Chile	Advocacy and Policy Dialogue	MDGs and Poverty Reduction	Multi-stakeholder roundtables during
Colombia	Country context	Crisis Prevention and Recovery	NHDR process
Fiji	Country context Performance Analysis-	Democratic Governance	Impact of conflict on IPs
Guatemala	Advocacy and Policy Dialogue	Democratic Governance	Ethnicity discussions
Lao PDR	Cross-Cutting Linkages	Democratic Governance	Capacity building for participation
Lao PDR		Democratic Governance	Capacity building for participation
Lao PDR	Partnerships Strategic Issues	MDGs and Poverty Reduction	Linkage local interventions to national policy
Mexico	Country context	MDGs and Poverty Reduction	Funding for IPs development project by Norway
Panama	Cross-Cutting Linkages	MDGs and Poverty Reduction	Rural socio-economic development
Panama	Partnerships	MDGs and Poverty Reduction	Discrepancy in HDI indicators
Panama	Performance Analysis-	MDGs and Poverty Reduction	Participatory poverty programming High-level commission on Poverty
Russian Federation	Advocacy and Policy Dialogue	Energy and Environment	Consultative processes in UNDP/GEF environmental projects
Year Source of Information Keyword		2001 ROAR indigenous	
Country	**Mentioned in section**	**MYFF Goal**	**Type of relation with IPs**
Ecuador	Change in baseline	Energy and Environment	Participation in Natl Biodiv Plan
Guatemala	Partnership strategy	MDGs and Poverty Reduction	Dialogue on SHD concepts
Guatemala	Baseline information	Democratic Governance	Access to Justice
Guatemala	Partnership strategy	Democratic Governance	Participation in Gender policy dialogue
Guatemala	Outcome indicators	Democratic Governance	Forum on indigenous gender issues
Guatemala	Change in baseline	Democratic Governance	Capacity strengthening of Indigenous Gender Office
Guatemala	Partnership strategy	Crisis Prevention and Recovery	IPs' involvement in post-conflict dialogue Alternative livelihood for indigenous communities in nature conservation areas
Guyana	Change in baseline	Energy and Environment	Improved recognition and protection of indigenous rights
Mexico	Outcomes	Democratic Governance	Legislative reforms
Mexico	Partnership strategy	Democratic Governance	Local legislation including indigenous rights

Mexico	Outcome indicators	Democratic Governance	Increased awareness on HR in particular women and IPs
Paraguay	Outcomes	Energy and Environment	Pilot programme on community management of protected area
Peru	Outcome indicators	Democratic Governance	Policy priority for IPs
Philippines	Change in baseline	MDGs and Poverty Reduction	Land titles
Philippines	Baseline information	Energy and Environment	Sustainable community agriculture
Philippines	Change in baseline	MDGs and Poverty Reduction	Joint UN efforts on SME project for IPs
Russian Federation	Baseline information	Energy and Environment	Land and natural resource use by IPs
Thailand	Change in baseline		

Year	2002
Source of Information	ROAR
Keyword	indigenous

Country	Mentioned in section	MYFF Goal	Type of relation with IPs
Bolivia	Change in baseline	UN Coordination	MDG and HDR reporting
Brazil	Change in baseline	Democratic Governance	Capacity strengthening of local governments and IPs' communities
Chile	Outcomes	MDGs and Poverty Reduction	Indigenous University on HD indicators
Guatemala	Partnership strategy	Democratic Governance	Access to justice
Guatemala	Outcome indicators	Democratic Governance	Capacity strengthening of Indigenous Gender Office
Guatemala	Change in baseline	Crisis Prevention and Recovery	Participatory dialogue on peace
Guatemala	Partnership strategy	UN Coordination	Participatory dialogue on peace
Mexico	Outcomes	Democratic Governance	Improved recognition and protection of indigenous rights
Panama	Outcome indicators	MDGs and Poverty Reduction	Participation in community development projects
Paraguay	Outcomes	Democratic Governance	Increased awareness on HR, in particular women and IPs
Peru	Outcome indicators	Energy and Environment	Pilot programme on community management of protected area
Philippines	Baseline information	MDGs and Poverty Reduction	Land titles
Philippines	Baseline information	Crisis Prevention and Recovery	Participatory dialogue on peace

Year	2004
Source of Information	Atlas
Keyword	indigenous

Country	Mentioned in section	MYFF Goal	Type of relation with IPs
Bhutan	Progress statement	Energy and Environment	Indigenous agrobiodiversity as viable strategy
Bolivia	Target for the year	Democratic Governance	Participation of IPs in Constituency Assembly
Bolivia	Details/capacity	Democratic Governance	Electoral assistance (ID cards for IPs)
Bolivia	Details/policy environment	Democratic Governance	Capacity strengthening for local governance

Bolivia	Details/gender	Democratic Governance	Participation of indigenous women
Botswana	Target for the year	Energy and Environment	Capacity strengthening for agricultural resource management
Botswana	Details/policy environment	Energy and Environment	Indigenous biodiversity-related knowledge
Botswana	Target for the year	Energy and Environment	Participation in natural resource management
Botswana	Details/capacity	Energy and Environment	Indigenous biodiversity-related knowledge
Chile	Progress statement	Democratic Governance	Policy dialogue on IPs
Chile	Details/capacity	Democratic Governance	Capacity strengthening of National Indigenous Institute for dealing with land rights issues
Colombia	Details/capacity	Energy and Environment	Biodiversity awareness and dialogue
Colombia	Details/national ownership	Energy and Environment	Protected area management
Colombia	Details/partnerships	Energy and Environment	Protected area management
Costa Rica	Details/capacity	Energy and Environment	Benefit-sharing from biodiversity projects
Guatemala	Progress statement	Democratic Governance	Access to justice
Guatemala	Details/capacity	MDGs and Poverty Reduction	Capacity strengthening for participation in justice policy dialogue
Guatemala	Details/gender	MDGs and Poverty Reduction	Strengthening access to justice for indigenous women
Guatemala	Details/gender	Democratic Governance	Access to education for indigenous girls
Guatemala	Details/policy environment	Crisis Prevention and Recovery	Indigenous rights in peace agreements
Guatemala	Details/gender	Crisis Prevention and Recovery	Indigenous women and post-conflict measures
Guyana	Details/gender	MDGs and Poverty Reduction	Capacity strengthening for SME, incl. indigenous women
Guyana	Details/partnerships	MDGs and Poverty Reduction	Partnerships private sector - indigenous communities on private sector export project
India	Details/policy environment	Energy and Environment	Review of National Environment Plan on issues related to indigenous communities
Indonesia	Details/capacity	Energy and Environment	Capacity strengthening for natural resource use
Indonesia	Details/gender	Energy and Environment	Revolving micro-finance scheme for indigenous women
Lesotho	Details/capacity	Energy and Environment	Indigenous biodiversity-related knowledge
Mexico	Target for the year	MDGs and Poverty Reduction	Programmes on HD and MDG indicators for IPs
Mexico	Target for the year	Democratic Governance	Policy dialogue on IPs and political rights
Mexico	Progress statement	Democratic Governance	Programmes on HD and MDG indicators for IPs
Mexico	Details/capacity	Democratic Governance	Capacity strengthening for electoral justice and political participation
Mexico	Details/partnerships	Energy and Environment	Local sustainable livelihood projects
Namibia	Details/capacity	Energy and Environment	Capacity strengthening on indigenous sustainable energy systems
Nicaragua	Progress statement	Democratic Governance	Capacity strengthening for local governance and resource management

Nicaragua	Details/gender	MDGs and Poverty Reduction	Indigenous gender statistics in HDR
Nicaragua	Details/capacity	Democratic Governance	Capacity strengthening for local governance
Pakistan	Details/gender	Energy and Environment	Conservation of Indigenous knowledge on agricultural crops
Panama	Progress statement	MDGs and Poverty Reduction	Participation of IPs in local community organizations
Panama	Details/partnerships	UN Coordination	UN partnership with local indigenous women organization
Panama	Details/capacity	Democratic Governance	Capacity strengthening for policy dialogue on poverty
Paraguay	Details/capacity	MDGs and Poverty Reduction	Capacity strengthening and policy dialogue on IPs in HDR process
Peru	Details/partnerships	Energy and Environment	Indigenous knowledge for ecological management
Philippines	Target for the year	Crisis Prevention and Recovery	Capacity strengthening and promotion of indigenous peace-building mechanisms
Russian Federation	Details/partnerships	Energy and Environment	Alternative livelihood of IPs in biodiv ecoregions
Russian Federation	Details/capacity	Energy and Environment	Participation in nature park management
			Participation in nature park management
Russian Federation	Details/partnerships	Energy and Environment	Gender equity in Biodiversity Action Plan related to indigenous women
Suriname	Details/gender	Energy and Environment	
Thailand	Details/national ownership	Energy and Environment	Indigenous biodiversity-related knowledge

Partnership, focus and future mentioning IPs: Bolivia, Guatemala, Bhutan, Mexico

Year	2004	
Source of Information	Atlas	
Keyword	tribal	

Country	Mentioned in section	MYFF Goal	Type of relation with IPs
India	Details/national ownership	Democratic Governance	Legislation for tribal self-governance
Pakistan	Details/partnerships	Energy and Environment	Support for renewable energy projects
Sudan	Progress statement	Crisis Prevention and Recovery	Dialogue processes
Sudan	Details/partnerships	Energy and Environment	Legislation on land rights and resource use

Year	2005	
Source of Information	Atlas	
Keyword	indigenous	

Country	Mentioned in section	MYFF Goal	Type of relation with IPs
Argentina	Progress statement	Energy and Environment	Biodiversity conservation projects in 2 local communities
Argentina	Details/gender	Energy and Environment	Strengthening indigenous women for conservation of uncommon crop varieties

Bangladesh	Details/South-South solutions	Crisis Prevention and Resolution	High-level study tours in region and to RIPP on among others indigenous rights, peace-building
Bolivia	Progress statement	MDGs and Poverty Reduction	HDR on MDGs and IPs
Bolivia	Progress statement	MDGs and Poverty Reduction	ICT national strategy include IPs
Bolivia	Details/national ownership	MDGs and Poverty Reduction	Participation of IPs in dialogue process on public policies
Bolivia	Details/gender	Democratic Governance	Indigenous women main beneficiaries of ID card electoral project
Bolivia	Details/policy environment	Democratic Governance	Participation and sensitization of indigenous communities in MDG project
Bolivia	Details/capacity	Energy and Environment	Focus of UNDP/GEF SGP on indigenous rights
Cambodia	Progress statement	Democratic Governance	Access to justice by indigenous communities and authorities
Cambodia	Details/capacity	Democratic Governance	Regional and national discussion forums on MDGs, with focus on among others IPs
Chile	Progress statement	MDGs and Poverty Reduction	Rural energy system
Chile	Progress statement	Energy and Environment	Strengthening of community leaders' organizations for protected area management
Chile	Progress statement	Democratic Governance	Anti-drugs programme and alternative crop production by indigenous women
Chile	Details/gender	MDGs and Poverty Reduction	Impact of rural electrification on gender in 2 indigenous communities
Chile	Details/partnerships	MDGs and Poverty Reduction	Partnerships with IPs on protected area management
Chile	Details/capacity	Democratic Governance	Anti-drugs programme and alternative crop production by indigenous women
Chile	Details/partnerships	Democratic Governance	Anti-drugs programme and alternative crop production by indigenous women
Ecuador	Progress statement	Democratic Governance	Establishment of IPs' Forum
Ecuador	Details/capacity	Democratic Governance	Support to establishment of IPs' Forum
Ecuador	Details/policy environment	Democratic Governance	Support to establishment of IPs' Forum
Guatemala	Progress statement	MDGs and Poverty Reduction	Capacity strengthening for local community development planning
Guatemala	Details/capacity	MDGs and Poverty Reduction	Increased indigenous participation in provincial planning councils
Guatemala	Details/capacity	MDGs and Poverty Reduction	Knowledge about indigenous law in legal panels
Guatemala	Details/gender	MDGs and Poverty Reduction	Participation of indigenous women in territorial planning
Guatemala	Details/policy environment	Democratic Governance	National dialogue process on, among others, IPs' rights
Guyana	Progress statement	Energy and Environment	Natural resource management in indigenous land
Guyana	Details/capacity	MDGs and Poverty Reduction	Job creation in indigenous areas
Indonesia	Details/capacity	Energy and Environment	Study with some focus on indigenous natural resource use

Indonesia	Details/gender	Energy and Environment	Micro-finance opportunities for indigenous women for sustainable natural resource use
Malaysia	Progress statement	MDGs and Poverty Reduction	Capacity strengthening for pro-poor strategies
Malaysia	Progress statement	MDGs and Poverty Reduction	Study on ICT/digital gap and indigenous groups
Malaysia	Details/capacity	Energy and Environment	Mapping of indigenous sustainable livelihood activities
Mexico	Progress statement	MDGs and Poverty Reduction	HDR on MDGs and IPs
Mexico	Details/capacity	Democratic Governance	Study on IPs' political participation
Mexico	Details/partnerships	Democratic Governance	Study on IPs' political participation
Mexico	Details/capacity	Energy and Environment	Training in indigenous communities on natural disaster preparedness
Mexico	Details/gender	Energy and Environment	Gender mainstreaming in natural disaster preparedness manual
Mongolia	Details/gender	Energy and Environment	Emphasis on indigenous women as UNDP/GEF SGP target beneficiaries
Nicaragua	Details/capacity	MDGs and Poverty Reduction	Census to include IPs
Panama	Details/capacity	MDGs and Poverty Reduction	Establishment of Social Protection Network resulting in improved IPs participation in DOTS treatment under GFATM
Paraguay	Details/capacity	Energy and Environment	Biodiversity-related capacity needs assessment in indigenous communities
Peru	Progress statement	Energy and Environment	Biodiversity conservation projects in 3 indigenous communities
Philippines	Progress statement	MDGs and Poverty Reduction	Study on indigenous governance
Philippines	Details/policy environment	MDGs and Poverty Reduction	Studies undertaken on indigenous governance and participatory governance
Philippines	Details/capacity	Democratic Governance	Participation of local communities in review of IPs' Act
Philippines	Details/South-South solutions	Democratic Governance	Exchange between Philippines and Bangladesh on, among others, conflict management in indigenous areas
Philippines	Details/partnerships	Democratic Governance	Participation of IPs' in National Peace Plan dialogue
Russian Federation	Details/gender	MDGs and Poverty Reduction	Report on gender equality (incl. indigenous women) in RF
Russian Federation	Details/capacity	Energy and Environment	Indigenous participation in protected area management boards
Russian Federation	Details/gender	Energy and Environment	Focus on indigenous women by microfinance programme
Samoa	Progress statement	MDGs and Poverty Reduction	ICT for service delivery and preservation of indigenous cultures
Suriname	Details/capacity	Democratic Governance	Voters' education programme with focus on indigenous and tribal communities
Suriname	Details/gender	Democratic Governance	Voters' education programme with focus on indigenous and tribal communities
Suriname	Details/capacity	Energy and Environment	Indigenous participation in biodiversity management NGO

Venezuela	Details/capacity	Energy and Environment	Participation of indigenous communities in biodiversity-livelihood pilot projects
Venezuela	Details/gender	Energy and Environment	Mainstreaming of gender equity in indigenous communities in regions with high biodiversity

Partnership, focus and future mentioning IPs: Bangladesh, Panama, Bolivia, Malaysia,

Year	2005
Source of Information	Atlas
Keyword	tribal

Country	Mentioned in section	MYFF Goal	Type of relation with IPs
India	Progress statement	MDGs and Poverty Reduction	Participation of tribal women in sustainable livelihood partnership programme
India	Progress statement	Democratic Governance	Study on tribal rights (Regional Center Bangkok)
India	Details/policy environment	MDGs and Poverty Reduction	Rights of tribal communities in the context of displacement and relocation
India	Details/South-South solutions	Democratic Governance	Study on tribal rights (Regional Center Bangkok)
Sudan	Progress statement	Energy and Environment	Participation of tribal leaders in mapping and demarcation of pastoral routes
Sudan	Details/capacity	Crisis Prevention and Recovery	Participation of tribal leaders in dialogue processes
Suriname	Details/capacity	Democratic Governance	Voters' education programme with focus on indigenous and tribal communities

Annex 2
– Criteria for case studies

The following criteria were used to identify Country Offices for further contact (by direct e-mail contact and/or telephone interviews):

1. Consistency of reporting on indigenous issues in the ROAR/Atlas reports over the years
2. Presence of projects that specifically target IPs
3. Diversity in scope of interventions, namely interventions that were not only focusing on local communities but also on national policies
4. Regional spreading (Africa, Asia, EC/CIS, LAC)
5. Mentioning of involvement of tribal peoples and authorities instead of (or in addition to) indigenous peoples
6. Presence of an IP Focal Point (according to the list elaborated by the CSO unit of BRSP)
7. Expressions of interest in being interviewed by respondents to the survey and the network query.

Annex 3
– Original query

Original Query: – 19 October 2006

Dear Network members,

Through this great medium for knowledge exchange and policy discussion I am seeking your views and input on an emerging Governance issue which cuts across our practices - the participation of indigenous and tribal peoples in development processes, and more particularly the involvement of indigenous and tribal authorities by UNDP in our daily work.

UNDP's work at the country and global level increasingly refers to indigenous and tribal peoples. Partnering with traditional authorities and with the right indigenous organizations can be a crucial determinant for the success or failure of development efforts. However, often (international) development agencies do not work directly with indigenous peoples' organizations and even less with traditional indigenous and tribal authorities, e.g. Chiefs or Elders. **What are UNDP's experiences in partnerships with indigenous authorities and organizations? How do they influence our relations with national governments?**

The experiences and lessons that I hope to extract will be included in a best-practice document, which would also serve as policy guidance for the organization as a whole. I kindly invite your input (or pointers to resources) regarding the following:

1. Information on your **programmes/projects** that involved indigenous or tribal peoples, e.g. project documents, evaluation reports;
2. Your **experiences,** including lessons learned or 'do's and don'ts' regarding working with traditional indigenous authorities and organizations and how you have dealt with any sensitivities related to that (e.g. political or cultural);
3. Any thoughts or suggestions you may have on UNDP's *current* and desired **strategy** on indigenous and tribal peoples and authorities;
4. Please indicate (in a separate e-mail directly to me) if you are willing to **be interviewed** for a more in-depth discussion or to verbally tell me about your experiences.

I am undertaking this research as a participant in the *OGC Democratic Governance Fellowship Programme* in the period 2 October – 19 November 2006. In addition to my *e-mail max.ooft@undp.org* you can also call me at the numbers below until 19 November.

Thanks very much and I look forward to working with you on this.

Max.

Max Ooft
Fellow, OGC Democratic Governance Fellowship Programme
(ARR and Programme Specialist Governance UNDP Sub-Office Suriname)
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Annex 4
– Survey questions

The survey sent out to approximately 110 people intended to gain a general impression through short questions that are not time-consuming to respond to. More in-depth information was obtained through interviews.

LYRIS ListManager

UNDP and Indigenous Peoples
Welcome and thanks for your participation!

This 3 minute survey is to get a quick, overall impression of the partnership between UNDP and indigenous peoples (IPs), as part of a current review of this theme carried out during a fellowship within the UNDP Oslo Governance Centre (OGC). Please indicate in the field below your e-mail address if you are available for more in-depth questions or contact max.ooft@undp.org for any questions or remarks you may have. Please forward to other colleagues who may be interested in taking this survey. Thanks!

What is the estimated population of IPs in your country (number and percentage of total population)?

Are IPs in your country overrepresented among the poor and marginalized?

How many UNDP projects in your Country Office (SGP projects not included) focus specifically on IPs as target group or beneficiaries?

In the projects in your office that mention IPs, have you worked:
☐ i. Predominantly with Government counterparts
☐ ii. Predominantly with NGO counterparts
☐ iii. Predominantly with indigenous organizations
☐ iv. Predominantly with indigenous traditional authorities
☐ v. More or less equally with some or all of the above
☐ Comments:

Would you prefer to have done that differently but you had certain restrictions?

If yes, please elaborate

Were the projects that mention IPs in the thematic area of:

multiple answers allowed

☐ Poverty Reduction and MDGs
☐ Democratic Governance
☐ Energy and Environment
☐ Crisis Prevention and Recovery
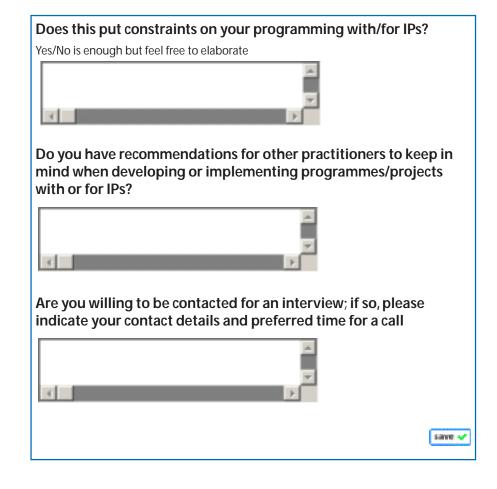☐ HIV/AIDS
☐ UN Coordination
☐ Comments:

Sensitivities, constraints - Are IPs' issues (e.g. land rights, self-determination; protected areas) sensitive in your country/duty station?

Yes/No is enough but please feel free to elaborate

Does this put constraints on your programming with/for IPs?

Yes/No is enough but feel free to elaborate

Do you have recommendations for other practitioners to keep in mind when developing or implementing programmes/projects with or for IPs?

Are you willing to be contacted for an interview; if so, please indicate your contact details and preferred time for a call

Annex 5
– Useful Resources

Standards and norms related to IPs' rights

Secretariat of the UN Permanent Forum on Indigenous Issues
Background paper on the concept of IPs, presented to the 2004 Workshop on Data
Collection and Disaggregation for IPs (document PFII/2004/WS.1/3)
http://www.un.org/esa/socdev/unpfii/documents/
PFII%202004%20WS.1%203%20Definition.doc

UN Commission on Human Rights
Special Rapporteur on Indigenous Peoples' Rights, Rodolfo Stavenhagen
Yearly reports
http://ap.ohchr.org/documents/sdpage_e.aspx?m=73&t=9

Fergus MacKay/Forest Peoples Programme
Indigenous Peoples and United Nations Human Rights Treaty Bodies: A Compilation of
Treaty Body Jurisprudence 1993 – 2004, September 2005
http://www.forestpeoples.org/documents/law_hr/
un_jurisprudence_comp_sept05_eng.pdf;

Erica-Irene A. Daes
Chairperson of the Working Group on Indigenous Populations
Explanatory note concerning the draft declaration on the rights of indigenous peoples
E/CN.4/Sub.2/1993/26/Add.1 19 July 1993
http://daccessdds.un.org/doc/UNDOC/GEN/G93/143/06/PDF/
G9314306.pdf?OpenElement

UN Conference on Environment and Development (Earth Summit) 1992
Recognition of IPs as Major Group in Agenda 21
http://www.un.org/esa/sustdev/documents/agenda21/english/agenda21toc.htm

Johannesburg World Summit on Sustainable Development 2002
Final political declaration
http://www.johannesburgsummit.org/html/documents/summit_docs/
1009wssd_pol_declaration.htm

UN Economic and Social Council (ECOSOC)
Structure of the UN Permanent Forum on Indigenous Issues (PFII)
http://www.un.org/esa/socdev/unpfii/en/structure.html

Secretariat of the UN Permanent Forum on Indigenous Issues, UNDESA
Background Paper on Free, Prior and Informed Consent
UN Workshop on Engaging the Marginalized: Partnerships between Indigenous
Peoples, Governments and Civil Society
15 August 2005 – Brisbane, Australia
www.un.org/esa/socdev/unpfii/documents/engagement_background_en.pdf

UN Economic and Social Council (ECOSOC)
Resolution 1996/31 – Consultative relationship between the United Nations and non-
governmental organizations
http://www.un.org/documents/ecosoc/res/1996/eres1996-31.htm

UN Economic and Social Council (ECOSOC)
Rules of Procedure of the Functional Commissions of the Economic and Social Council
www.unhchr.ch/html/menu2/2/rules.htm

UN Human Rights Council
UN Draft Declaration on the Rights of Indigenous Peoples (June 2006)
http://daccessdds.un.org/doc/UNDOC/LTD/G06/128/65/PDF/
G0612865.pdf?OpenElement

ILO
ILO Convention 169 on the Rights of Indigenous and Tribal Peoples in Independent
Countries (1989)
http://www.ilo.org/public/english/indigenous/standard/index.htm

Organization of American States (OAS)
Draft (October 2006) Inter-American Declaration on the Rights of Indigenous Peoples
http://www.oas.org/OASpage/Events/default_eng.asp?eve_code=8

Forest Peoples Programme
Jurisprudence on IPs' (collective) rights
http://www.forestpeoples.org/documents/law_hr/
un_jurisprudence_comp_sept05_eng.pdf;

UNHCHR
International Covenant on Economic, Social and Cultural Rights (ICESCR)
http://www.unhchr.ch/html/intlinst.htm

Permanent Forum on Indigenous Issues
Background paper on IPs' right to free, prior and informed consent
http://www.un.org/esa/socdev/unpfii/documents/engagement_background_en.pdf

International Alliance of Indigenous and Tribal Peoples of the Tropical Forests
Charter of the International Alliance of Indigenous and Tribal Peoples of the Tropical
Forests, 1992 (rev 2002)
www.international-alliance.org/charter

IPs' statements in various forums available at, among others:
http://www.un.org/esa/socdev/unpfii/documents
www.docip.org
www.tebtebba.org

Tebtebba (Indigenous Peoples' International Centre for Policy Research and Education)
Various IPs' perspectives on development and development assistance
www.tebtebba.org

UN CHR
Study of the problem of discrimination against indigenous populations', UN Sub-
Commission on the Prevention of Discrimination and Protection of Minorities, by
Special Rapporteur, Mr Martinez Cobo, UN Doc. E/CN.4/Sub.2/1986/7 (1986)
http://www.ohchr.org/english/about/publications/docs/fs9.htm#n_1_

UN CHR
Information on the establishment of the Working Group on Indigenous Populations
(WGIP) under the Sub-Commission on Prevention of Discrimination and Protection of
Minorities of the UN Commission on Human Rights
http://www.unhchr.ch/html/racism/indileaflet1.doc

UNDP
Consultation meeting organized by UNDP with IPs
www.sdnpbd.org/sdi/international_days/Indigenous-people/2004/
indigenous_people/document/ip_undp_october.pdf

UNDP Human Development Report Office
Occasional Paper – Background paper for HDR 2004
Indigenous Peoples in Comparative Perspective – Problems and Policies; Rodolfo
Stavenhage 2004
hdr.undp.org/docs/publications/background_papers/2004/
HDR2004_Rodolfo_Stavenhagen.pdf

Forest Peoples Programme
List of publications related to IPs' rights
http://www.forestpeoples.org/templates/publications_and_reports.shtml

UN Commission on Human Rights
Appointment of a Special Rapporteur on the situation of human rights and fundamen-
tal freedoms of IPs
http://www.ohchr.org/english/issues/indigenous/rapporteur/

World Bank
E-discussion on justice for the poor where the question of traditional justice and
traditional authorities was prominently featured
http://www.gsdrc.org/go/topic-guides/justice/non-state-justice

Seizing the Future:- Why Some Native Nations Do and Others Don't
Stephen Cornell, Miriam Jorgensen, Joseph P. Kalt, and Katherine A. Spilde
Joint Occasional Papers on Native Affairs (JOPNA) – Native Nations Institute and The
Harvard Project on American Indian Economic Development
http://www.jopna.net/pubs/jopna_2005-01_Seizing.pdf

Reconciling Five Competing Conceptual Structures Of Indigenous Peoples' Claims In
International And Comparative Law; Benedict Kingsbury; International Law and Politics;
Vol 34:101; June 2002
http://www.iilj.org/about/BenedictKingsburyPublications.htm

Rights-based approach to development

UN Secretary-General
SG Report 'In larger freedom' citing the inseparable relation between security,
development and human rights
http://www.un.org/largerfreedom/executivesummary.pdf

UNDP
Practice Note on Human Rights
http://www.undp.org/governance/docs/HRPN_English.pdf

UNDG
Common Understanding among UN Agencies on the Human Rights Based Approach to Development Cooperation
http://www.undp.org/governance/docs/HR_Guides_CommonUnderstanding.pdf

UNDP Oslo Governance Centre
Conclusions of the working group meeting on 'Linking MDGs and Human Rights: Theoretical and Practical Implications', September 2006
http://www.undg.org/documents/8991-Linking_Human_Rights_and_the_Millennium_Development_Goals__theoretical_and_Practical_Implications.doc

UNDP
Indicators for Human Rights Based Approaches to Development in UNDP Programming: A Users' Guide March 2006
http://www.undp.org/oslocentre/docs06/HRBA%20indicators%20guide.pdf

UNDP
Governance Indicators: A Users' Guide
http://www.undp.org/governance/docs/policy-guide-IndicatorsUserGuide.pdf

UNDP
Human Rights-Based Reviews of UNDP Programmes Working Guidelines June 2003
http://hdr.undp.org/docs/network/hdr/thematics/HRBA_Guidelines.pdf

Secretariat of the Permanent Forum on Indigenous Issues
General information
http://www.un.org/esa/socdev/unpfii/

UNDG
Knowledge Network of the UN Development Group regarding human rights
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http://co-info.undp.org/reports/CountryAddress.cfm

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