



**World Bank Regional Dialogue with
Indigenous Peoples in Southeast Asia
Manila, November 6-7, 2013
Summary**

On November 6-7, 2013, the World Bank held a regional dialogue with Southeast Asian Indigenous Peoples. This dialogue was part of a global series of meetings being held to support the review and update of the World Bank's environmental and social safeguard policies. It also served as an opportunity to address broader development issues of interest to Indigenous Peoples in the region. The participants were invited based on the recommendation of, and in close coordination with, Indigenous Peoples communities (see list of participants).

The dialogue was guided by the following issues:

- 1. Indigenous Peoples dialogue and engagement process by the World Bank**
- 2. Development strategies for Indigenous Peoples relevant to Southeast Asia**
- 3. Lessons learned from policy implementation in Southeast Asia**
- 4. Specific issues under the current Indigenous Peoples Policy and important issues beyond the current policy**
- 5. Recommendations for the functioning of the Indigenous Peoples Advisory Council.**

World Bank and Indigenous Peoples representatives made several presentations relating to the issues. Below is a summary of key comments, observations and recommendations made by one or more participants during the dialogue. It was agreed that comments would not be attributed by name in the summary report.

1. Indigenous Peoples dialogue and engagement process by the World Bank

- In regard to the evolution and context of the Bank's Indigenous Peoples policy, the experience of the Bank on the Chico Dam in Cordillera in the 1970s should be acknowledged. In that case, various ethno linguistic groups in the region raised strong opposition and resistance and as a result, the Bank withdrew its funding to the proposed dam project. This prompted the Bank to formulate its operational guidelines on projects affecting Indigenous Peoples.
- Even though there is no specific operational guideline or indicator, respect for human rights should be a fundamental component.
- Apart from improving implementation, there is a call to review the policy itself because it does not seem consistent with the UN Declaration on Rights of Indigenous Peoples (UNDRIP).
- The objectives of the Indigenous Peoples dialogue should be defined by both Indigenous Peoples and the Bank.
- The Philippines has good policies on safeguards but implementation problems, especially with the government, do occur.

- Participants have requested by letter to have the safeguard policy applied on a broader scale (national laws and policies), not only to investment/development loans.
- Participants would like to understand how the safeguard review is being carried out, how the Indigenous Peoples policy links with other safeguard policies (e.g., environment, information disclosure, involuntary resettlement, etc.).

2. Development strategies for Indigenous Peoples relevant to Southeast Asia

Lao PDR

Vision of Indigenous Peoples in development

- Access to information in their own language in order to help Indigenous Peoples get involved in the development process.
- Official recognition of Indigenous Peoples' rights.
- Full and effective participation in decision making on issues related to Indigenous Peoples.
- Transfer of knowledge to young Indigenous Peoples (capacity building, network of Indigenous Peoples).

Effective engagement of Indigenous Peoples on development at the policy and strategy levels

- Indigenous Peoples in government staff positions at policy level (education plus National Assembly).

Effective involvement of Indigenous Peoples in planning processes and decision-making for development projects

- Mainstreaming of Indigenous Peoples' vision and needs in government policy, for example village, district and provincial level on economic, political, social-cultural environment.
- Sharing of good practices of Indigenous Peoples and widely scaling up to other communities.

How to reduce poverty; promote shared prosperity; and support sustainable development for Indigenous Peoples

- Respect for Indigenous Peoples' knowledge and their autonomy.
- Work with government, donors (World Bank, Asian Development Bank, etc.), CSOs, and private sector.

Key lessons learned

- For Lao PDR, no key lessons learned yet (still ongoing); Lao PDR has yet to sign the UN convention. Any action requires permission from the government.

Cambodia

Vision of Indigenous Peoples in development

- There should be sufficient consultation and an appropriate agreement with Indigenous Peoples.
- Free, Prior and Informed Consent (FPIC) principle should be implemented.

- Since there are different local languages among different Indigenous Peoples groups, an interpreter should be used to ensure communication.
- Planning should be done together with Indigenous Peoples regarding development in their areas.
- Human rights of Indigenous Peoples (Customary Land Titles (CLTs), culture, identity) should be respected.
- Perspective of Indigenous Peoples on land and forest (spiritual forest) should be understood and respected.
- Monitoring of and follow-up with the government with regard to grants.
- Affected Indigenous Peoples should be appropriately compensated.
- Use of media by Indigenous Peoples should be promoted.
- Customary practice of Indigenous Peoples should be respected (e.g., elder system structure).

Effective engagement of Indigenous Peoples on development at the policy and strategy levels

- Engagement from and dissemination to relevant parties regarding safeguard policy (all levels of government, private sector, Indigenous Peoples groups).

Effective involvement of Indigenous Peoples in planning processes and decision-making for development projects

- Consultation in development areas.
- Consideration for Indigenous Peoples to be part of Environmental Impact Assessment process.
- FPIC properly in place.

How to reduce poverty; promote shared prosperity; and support sustainable development for Indigenous Peoples

- Support Indigenous Peoples land registration (CLTs).
- Fund Indigenous Peoples institution directly.
- Community rural development (according to the needs of Indigenous Peoples community).
- Forestry Carbon Partnership Facility (FCPF) should fund in terms of capacity development for Indigenous Peoples – education, scholarship for poor Indigenous Peoples students, health program for Indigenous Peoples.
- Provide opportunity for Indigenous Peoples representatives to raise their concerns/issues at national, regional and international levels.
- Encourage the government to respect the United Nations Declaration on the Rights of Indigenous People (UNDRIP).
- Encourage Indigenous Peoples' participation in all development activities at their local level.

Key lessons learned

- Media and information (report on TV).
- Pilot REDD+ project (community based REDD+).
- Documentation (culture, identity, life style).

- Sharing and networking (local, national and regional levels through Asia Indigenous Peoples Pact (AIPP)).
- Participate and organize forum and conference at national and regional levels.
- Dialogue with stakeholders (Indigenous Peoples and government).
- Indigenous Peoples' communal land registration.
- Indigenous Peoples alliance + CSO REDD network + IPWG REDD.

Philippines

Vision of Indigenous Peoples in development

- We are only consulted once a project is planned and will be implemented in our ancestral domain (cases in Bukidnon).
- Mindanao Rural Development Program (MRDP), which included an irrigation dam was implemented without proper FPIC from the Indigenous Peoples in the area.
- Land Administration and Management Project (LAMP) resulted in the Torrens titling of parts of ancestral domain but awarded to settlers and not to members of Indigenous Peoples group in Bukidnon.
- Exclusion, discrimination of Indigenous Peoples (notwithstanding the criticism that the above program is not the appropriate tool to effect poverty reduction for Indigenous Peoples).
- Widespread distrust of and frustration with the National Commission on Indigenous Peoples (NCIP) as this agency neglects its mandate to protect Indigenous Peoples' rights and some officers/employees appear to have actively violated Indigenous Peoples' rights, especially concerning FPIC involving mining companies. There are even cases where the NCIP created Indigenous Peoples' organizations and then recognized only these organizations in the FPIC process and provision of services.
- Good practices – practice of customary laws, sustainable agriculture, Indigenous Peoples education but these lack support from government (usual partners are NGOs/CSOs).

Recommendations

- Genuine recognition of ancestral land rights.
- Strengthening of customary laws and self reliance of communities and support of good practices.
- Involvement of Indigenous Peoples in identification, design, planning and implementation of projects. There must be an accountability mechanism in cases of violations of Indigenous Peoples' rights.
- Genuine FPIC, based more on customary decision making processes of Indigenous Peoples and less on the process designed by NCIP.
- Consultation with grassroots Indigenous Peoples and not limited to NCIP-recognized and registered IPOs and LGUs.
- Priority given to Indigenous Peoples' education, provision of basic social services and protection of environment.

Vietnam

Sustainable development for Indigenous Peoples

- Ownership of land and forests (land) (allocating to Indigenous Peoples the land and forestry land which they inhabit).
- Capacity building, including institutional and policy capacity.
- Special priority for social development policies such as education, health care, transportation, etc. and enhancement of social security policies.
- Respect for and promotion of traditional custom and practice, and cultural identity of Indigenous Peoples.

Effective engagement of Indigenous Peoples on development at the policy and strategy levels

- Currently in Vietnam, Indigenous Peoples are represented in government at different levels, from district government to national assembly (as well as National Committee for Ethnic Minority Affairs).

Effective involvement of Indigenous Peoples in planning processes and decision-making for development projects

- Stakeholders, including those affected by the project (Indigenous Peoples) directly participate in the planning process.
- FPIC implemented effectively. However, assessment should be done by an independent party to find out what is missing or needed in each region in order to inform the planning and decision-making process of the project in a timely fashion.
- Compensation requested if project affects livelihood of Indigenous Peoples (resettlement, land compensation, job creation, etc.)
- In addition to compensation, creation of employment (especially for displaced Indigenous Peoples) and proper provision of resettlement.
- Working together to improve lives of Indigenous Peoples; need to improve FPIC process/ implementation.

Indonesia

Vision of Indigenous Peoples in development

- Sovereignty – in the sense of promoting Indigenous Peoples' self-determination as the way to attain overarching goals. In championing their goals, they have agreed to refuse any interventions from outsiders in their self-determination, especially in the decision making process.
- Dignity – Indigenous Peoples' commitment that their dignity, which is part of their cultural identity, should be strongly upheld together with all their fundamental human rights. This gives them pride in their cultural identity when interacting with other communities.
- Prosperity –self-determinations as a key to supporting multi-faceted prosperity, and to lessen dependence on others to fulfill their needs.

Progress achieved: national law and policy

- An amendment of the Constitution (2nd Amended 2001), Art 18b, Art 28i indicating significance of Indigenous Peoples.
- National Assembly Decree No. IX/2001 on Agrarian Reforms.
- Draft Law on The Recognition and Protection of Indigenous Peoples' Rights (currently discussed by the National Parliament).
- Regional Autonomy Act No 22/1999 Amended by Act No 32/2004.
- Human Rights Law No 39/1999 Art 6.
- Law on the Management of Coastal Areas and Small Islands, No 27/2007.
- Law on Management and Protection of the Environment No 32/2009.
- Constitutional Court Ruling No. 16/2009 on Plantation.
- Constitutional Court Ruling No. 35 regarding Customary Forest: 16 Mei 2013.

Progress achieved: Cooperation

- Memorandum of Understanding (MoU) between the Indigenous People's Alliance of the Archipelago (AMAN) and the National Commission on Human rights to implement the existing Law No. 39/1999 on Human Rights – (Mainstreaming Indigenous Peoples Rights in different policies and regulations).
- MoU between AMAN and the Ministry of Environment to implement Law No. 32/2009 identifying and acknowledging Indigenous Peoples' Communities and their Traditional Knowledge.
- MoU between AMAN and the National Land Agency 2011 to recognize Indigenous Peoples' Collective Rights on Territories and Official Registration (ongoing process).

Effective involvement of Indigenous Peoples in planning processes and decision-making for development projects

- Taking seriously the implementation of FPIC mechanisms in Indigenous Peoples communities by providing clear information. The more local Indigenous Peoples are involved in such FPIC mechanisms, the more likely they are to actively engage in the project process. Central to the success of the project's implementation, according to the group, is the multi-dimensional transparency among the parties in doing the project.
- Highly recommended that all projects be equipped with monitoring as well as grievance mechanisms to undergird Indigenous Peoples' concerns.
- To effectively involve Indigenous Peoples in planning and decision making processes, they need to be represented so that their needs and concerns can be raised, and to help in monitoring the overall process.
- It is urgent, at least in Indonesia, that Indigenous Peoples' communities be encouraged to fully and effectively engage in all levels of planning, implementation, monitoring as well as in decision-making processes.
- Implementation of FPIC mechanisms in Indonesia is not fully implemented, and therefore local Indigenous Peoples remain uninformed. Another weak point at grassroots level was the absence of Indigenous Peoples' representation in various institutions, which as a result have not included them in decision making processes.

How to reduce poverty for Indigenous Peoples

- The term “poverty” should be redefined and not limited to economic issues, without taking into account multi-dimensional, cultural aspects.
- The “creative” economy should be promoted among Indigenous Peoples to help diversify local people’s economic products.
- Green and sustainable management of natural resources should be promoted
- Economic institutions that would help generate Indigenous Peoples’ income and address their basic needs should be promoted.
- The tenet “small is beautiful” should be promoted: this can be done by promoting small scale businesses / home-industry and various economic benefit sharing mechanisms.
- In many provinces of Indonesia, the credit union (CU) is an important tool supporting Indigenous Peoples’ economy. The CU system can help local people with saving and investing mechanisms that can improve their conditions.

How to promote shared prosperity among Indigenous Peoples

- Indigenous Peoples’ concept of economic prosperity as practiced by local people in their own context should be promoted.
- Indigenous Peoples’ common “culture of sharing” should be applied to all resources rather than the “culture of individual ownership.”
- Equity should be promoted, including affirmative action for most marginalized people (women, single parents, elderly, orphans, disabled, etc.).
- The common culture of sharing based on spatial allocations as designed by communities and local government units should be promoted, e.g., the practice of Sasi in Haruku in Moluccas Islands.
- A collective obligation to use lands and natural resources for the equal benefit of different communities should be promoted, e.g., the practice of Indigenous Peoples in Moluccas, Iban, etc.

How to expand the role of Indigenous Peoples in sustainable development

- Self-determined development should be promoted, namely multi-dimensional development that champions the political, cultural and social integrity of Indigenous Peoples and is not imposed by others.
- A paradigm shift in the arena of development is crucial.
- Culture-based participatory land use mapping should be promoted.
- Culture-based spatial planning for economic, political, social and cultural development should be promoted.

Key lessons learned

- Reaching out from both directions: in some countries of Southeast Asia, both the government and Indigenous Peoples themselves together with other actors are taking initiatives to cooperate in various projects. Such two-way reaching out should be replicated in Indonesia, where participation of Indigenous Peoples is weak.

- Southeast Asian countries have showed the significance of transparency at all levels of development, an area where Indonesia could improve. With more transparency, Indigenous Peoples are less vulnerable to government irregularities or manipulation.

3. Lessons learned from policy implementation in Southeast Asia

a) What are the key challenges in projects that have applied the World Bank OP 4.10 on Indigenous Peoples and how can these be addressed?

Cambodia

- Pre-design and design stage (when proposal was made and submitted) not made known to people – no pre-consultation with local communities (potentially affected people) prior to implementation. People only get to know about project when it has been approved and is being implemented.
- NGOs, CSOs and Indigenous Peoples community not involved from the beginning of the project.

Recommendations

- Proof of FPIC from Indigenous Peoples representative(s) and/or Indigenous Peoples before Bank signs any loan agreement/implementation.
 - Profile of the contractor thoroughly studied by Bank.
- Indigenous Peoples' public consultation at all levels
- Monitoring of the consultation process (Bank monitoring of the country/government level)
- Potentially affected Indigenous Peoples involved in all stages of the consultation and project implementation process.
- Commune Council and District Council familiar with safeguard policy and laws related to Indigenous Peoples and other relevant instruments.
- Community-based forest management more extensively implemented.
- Forest Carbon Partnership Facility (FCPF) more effectively implemented in collaboration with UN-REDD program.
- Resettlement plan that allows people to be better off (appropriate compensation to Indigenous Peoples community site if any impact).
- Information disclosure via multimedia.
- Information translated and disseminated in local language.
- Community rural development strengthened (scholarship, etc.).

b) What can be done to improve effectiveness of consultation with Indigenous Peoples in project design and implementation?

Vietnam

- In the process of project identification, possible adverse effects of the project taken into account.

- Full information collected on affected people living in the project area: economic, social and cultural issues.
- Dissemination of project information in full and transparent manner (and prior development of proper compensation and support policies related to resettlement, fixed cultivation and livelihood opportunity creation).
- Open dialogues with people, especially those affected directly by the project; consultation carried out to seek opinions about optimal design and construction options.
- Careful preparation of consultation contents: easy to understand presentations, in a way relevant to Indigenous Peoples; democracy should be promoted to reach consensus on the basis of FPIC principles. An example of this is in the Provincial Road 264 project in Thai Nguyen province, Vietnam.

Philippines

- Reform National Commission on Indigenous Peoples (NCIP):
 - Indigenous Peoples-defined selection process for Commissioners.
 - Better accountability mechanisms for erring NCIP staff.
 - Enhanced capacity of NCIP.
 - Key career officials hired from indigenous communities.

c) What can be done to improve effectiveness of disclosure of project information to Indigenous Peoples?

Vietnam

- Indigenous Peoples often live in disadvantaged areas where socio-economic conditions are poorer than the national average. Therefore, disclosure of project information should be made in a scientific, comprehensive and creative manner and relevant at the local level. The following should be taken into consideration:
 - Information should be adequate; data and facts should be accurate and transparent.
 - Policies should be implemented properly and consistently.
 - Method: documents, models, diagrams, tables and charts should be adequately prepared.
 - Presentation should be made clearly and smoothly. In areas where education levels are lower, Indigenous Peoples representatives should help to present and disseminate selected information; attention should be paid to content related to policies, society and culture of Indigenous Peoples.
 - Information can be disseminated through local radio broadcasting or public loudspeakers; people's questions and opinions should be listened to and answered.

Philippines

- Billboards at project sites.
- Publication in newspapers of general circulation.
- Posting in public areas.

d) What are the key lessons from the conduct of social assessments and their application in the preparation of Indigenous Peoples Planning Frameworks and Indigenous Peoples Plans?

Philippines

- Popularize the Indigenous Peoples policy.
- Translate the policy into languages that Indigenous Peoples understand.
- Standards in the policy should not fall below standards in the Indigenous Peoples Rights Act (IPRA). For example, the Indigenous Peoples Planning Framework (IPPF) of the Kalahi Comprehensive and Integrated Delivery of Social Services (CIDSS) mentioned that *“The IPRA also stipulates that Indigenous Peoples have the right to an informed and intelligent participation...”* (Item 8). This should be FPIC.
- Communication should not be limited to government and private consultants – should also include IPOs and CSOs.
- Create a database on Indigenous Peoples in each country.

e) Case studies

Philippines – Cases: Mindanao Rural Development Program (MRDP); Land Administration Management Project (LAMP)

- Inappropriate and low-impact projects due to non-involvement of Indigenous Peoples in project identification, planning and design.
- Lack of cooperation and coordination between NCIP, Local Government Unit (LGU) and community.
- High administrative costs – honorarium, travel costs, experts, consultants, advisers.
- Indigenous Peoples tend to be blamed as being the reason for withdrawal of Bank funds.
- Indigenous Peoples Policy implementation should not fall below IPRA/UNDRIP (existing standards).
- Monitoring and implementation of project should not be limited to NCIP – selection process.

Lao PDR – Case: Nam Theun 2 Project (TN2)

Lessons learned

- No FPIC before project start.
- Indigenous Peoples’ consent obtained by force.
- Indigenous Peoples’ culture/customs not respected.
- Unfair compensation for Indigenous Peoples’ property (houses, buffaloes, etc.).
- Good practice at planning stage but implementation very problematic (waning support and lack of attention at implementation stage).

- Host resettlement site is agriculture land belonging to different Indigenous Peoples community, leading to conflicts between the displaced Indigenous Peoples and original indigenous tenants.
- Lack of monitoring mechanism particularly in terms of financial aspect.
- Lower compensation received by people downstream from the project.
- Gender issues not considered.

Recommendations

- World Bank policies and related information should be shared in multi-media.
- Acceptance of FPIC.
- Multi-election system (CSOs-government-private sector) of external expert for conducting environmental and social assessment of the project.
- Monitoring mechanism on financial transparency.
- Respect for culture of living and livelihood styles.
- Follow-up mechanism to track the results or impacts of the project at post-implementation stage.
- Bank should avoid funding projects involving mining and mega hydropower projects located in Indigenous Peoples' areas.

4. Specific issues under the current Indigenous Peoples policy and important issues beyond the current policy

Philippines

Due process in decision-making, not simply in consultation

- Include women and youth; all members of the community.
- Communities directly and indirectly affected; not limited to government agency, LGU and Indigenous Peoples Mandatory Representative (IPMR).
- According to pace defined by the affected communities.
- At all stages of project implementation, including assessment, validation and evaluation.
- Respect for customary law and practice on decision-making; collective consensus-building, not defined by NCIP.
- Addressing manipulation, fraud, intimidation:
 - Cancellation of project/moratorium.
 - Damages.
 - Disciplinary action against officials and staff.
 - Penalties under customary justice systems or public tribunals/peoples' courts (no immunity from suit).

Broad community support – evidence of consensus/collective consent

- Resources to enable Indigenous Peoples to participate in due process, understand the policy.

- Evidence of agreement – Memorandum of Agreement (MOA) or contract:
 - If rejected, do not come back repeatedly. “No” means “no” and “yes” means “yes.”
 - Agreement sealed in accordance with customary law.
- No manipulation:
 - Conduct with same community.
 - Do not create new organizations, leaders or councils.
- Do not divide affected areas into phases.

Cambodia

Rights to lands, territories and resources

- Gaps or law against Communal Land Titling registration (CLTs):
 - Economic land concession (ELCs).
 - Sub-decree.
 - Regulation.
 - Mining Concession Law.
 - Political context.
 - Private land registration.
 - Trend development of the government.
 - Private sector globalization.
- Specific example and background
 - Mission of volunteer student measuring private land registration for Cambodian people includes indigenous communities which is contrary to their traditional system (old policy, new action).
 - Government strongly encourages private sector to invest (for mining, rubber plantation, among others).
 - Influx of immigration from outside into Indigenous Peoples’ villages.
 - Government limits CLTs (only 3 communities a year).
 - Very slow and complicated process for CLTs.
 - Local authorities are not willing to support CLTs.
- Recommendations:
 - More support for communal land registration (CLTs and mapping, boundary demarcation).
 - Clear mechanism and monitoring system for follow up on the government.
 - Funding directly to Indigenous Peoples’ institutions and communities.
 - Proof of FPIC from Indigenous Peoples representative(s) and/or Indigenous Peoples before government grants concession to private sector.

- Indigenous Peoples public consultation at various levels.

Vietnam

Forced relocation

- In Bank's review and update of policies on Indigenous Peoples, it is stated "*The Bank's policy is to prohibit the forced relocation of Indigenous Peoples from their territories and resources.*" (December 2012- Doha, Qatar). We understand that under no circumstance are Indigenous Peoples forced to relocate. It is necessary to clarify if this rule is applied to Indigenous Peoples only or to all people living in a project area.
- In Vietnam, land belongs to all people in the country and is managed by the government. The government thereby grants land use rights to people and other organizations (50 years for forest land and 20 years for forestry land). However, when the government acquires the land, compensation at prescribed prices for development projects is made (in other cases, compensation is agreed upon by related parties).
- Thus, there is a need to clarify specific situations where forced relocation is required and should be done. These are cases when projects are of high value and serve the mass population in terms of socio-economic benefits. However, it is important to consult effectively with stakeholders and consider related factors affecting Indigenous Peoples' resettlement and policies of the national government.
- The government sets compensation price and provides stable employment opportunities and incomes.
- In Vietnam, there are projects affecting environment and causing chaos to the lives of Indigenous Peoples such as hydropower projects and bauxite exploitation projects in the Central Highlands which have attracted wider public attention.

Indonesia

Rights to lands, territories and resources

- Relationship between Indigenous Peoples and land: social, economic, political, spiritual, cultural integrity.
- Development paradigm shift.
- Bank should promote recognition of Indigenous Peoples' rights to land, territories and resources.
- Ensure genuine implementation of safeguards.

Resettlement

- Zero tolerance for resettlement in indigenous territories.

Voluntary isolation

- Should be left alone and protection provided.
- Special effort for Indigenous Peoples who live in voluntary isolation. Should not impose "modern/outside" concept of development.

FPIC (Consultation)

- Suggest the use of "CONSENT" to replace "Consultation."

Lao PDR

Gender

- Relevance
 - Nam Theun 2 case – gender blind; no compensation for women, women were not counted.
 - The women are the ones who take care of the household's livelihood support, crop planting, livestock, and land. So when Indigenous Peoples are displaced, women are the ones who are affected the most.
 - Women tend to have less participation in project planning and implementation.
- Recommendations
 - Bank policy to include gender aspect
 - Monitoring is not enough in terms of gender assessment on who gets what.
 - Customary law – men dominate; need to empower women through capacity building.

5. Recommendations for the functioning of the Indigenous Peoples Advisory Council

- Key is for the Indigenous Peoples groups to have regular dialogue with the Bank, not only with staff but also with Bank management and the Board.
- Draw lessons from existing advisory councils, e.g., IFAD Permanent Forum, Indigenous Peoples Forum. See how they are being organized and conducted.
- The strength of the UNDP Global Advisory Council for CSOs and UNFPA Global Advisory council is that they are able to provide a venue for the concerned stakeholders to meet with top management and have a genuine dialogue with them. The kind of meeting needed brings together the people who make decisions. Indigenous Peoples feel insulted when top management is not present.
- Provide resources to invite Indigenous Peoples to the Council.
- Selection – regions to self-select and selection should be validated.
- Roles and functions of the council:
 - Inclusive process to formulate terms of reference.
 - Clear function and role of this body (protection of Indigenous Peoples' rights and welfare should be the main objective).
 - There should be a clear terms of reference (what level of decision making capacity). One major expectation is for the council to be the body of Indigenous Peoples representatives that can influence the Bank (in the areas of energy, infrastructure and other relevant projects that have impacts on Indigenous Peoples at the level of policy and programs).
 - Implementing Indigenous Peoples' related activity.
- Access to information:
 - Important to share documents ahead of time so that Indigenous Peoples representatives will be well prepared before the meeting; determine what kind of information each level

- receives. Indigenous Peoples and the Bank both need to be prepared for the meeting. Otherwise, the meeting will just be a waste of time. Choose a topic/issue and focus on that.
- How to facilitate information flows--how information will be disseminated to the local, national and global levels. Indigenous Peoples representatives are accountable. There is a need to set criteria (what kind of information and communication at what level, channels of feedback, level of accountability).
 - Track milestones – the Council’s milestones and progress should be clearly identified and regularly updated.
 - Scoping exercise on lessons learned and gaps will help guide in the design of the proposed council.
 - Increase the number of Indigenous Peoples representatives for the Bank’s Annual Meeting.