



**The World Bank**  
**Review and Update of World Bank's Environmental and Social Safeguards Policies**  
**Dialogue Meeting with the Abya Yala Technical Committee (Latin American and the**  
**Caribbean Indigenous Network)**  
**Washington DC, USA**

A meeting with Indigenous leaders from the Abya Yala Technical Committee took place November 25, 26 and 27, 2013, in Washington, D.C. This was the first meeting of the first phase of the Latin America and the Caribbean Indigenous Peoples Dialogue. This meeting brought together representatives from both Mesoamerica and South America to: (i) present the analytical work developed by the Abya Yala Technical Committee about the application of the World Bank Indigenous Peoples Policy and based on this analysis discuss recommendations for the integrated safeguards framework, (ii) present and review the advances of the socialization tools of the Dialogue, (iii) discuss the activities and analytical work to be developed during the first phase of the Dialogue and (iv) plan the first meeting of the Regional Dialogue between the World Bank and Indigenous Peoples to be held in Panama in January 2014.

The LCR Dialogue has been designed and implemented jointly between the Bank and the only regional network of Indigenous organizations in Latin America, the Abya Yala Indigenous Forum that encompasses the following six sub-regional organizations: Coordinadora Andina de Organizaciones Indígenas (CAOI), Coordinadora de las Organizaciones Indígenas de la Cuenca Amazónica (COICA), Consejo Indígena de Centro América (CICA), Consejo Indígena de Mesoamérica (CIMA), Red de Mujeres Indígenas sobre Biodiversidad (RMIB), and Enlace Continental de Mujeres Indígenas. Representatives from these networks attended the meeting (see list of participants attached).

Before this meeting, the Indigenous leaders had committed to analyze the safeguards policies and present some preliminary recommendations to the World Bank. Please find below a summary of these recommendations and of the key issues that were discussed:

- The relationship between Indigenous Peoples and the World Bank has improved in the last ten years and the Indigenous leaders hope that this process helps advance the respect and recognition of the collective rights of Indigenous Peoples.
- There is a legacy where some World Bank projects have impacted Indigenous Peoples negatively.
- The World Bank should promote initiatives that strengthen the relationship between Indigenous Peoples and the World Bank (such as FCPF and FIP).
- The process of the Review and Update of the Safeguards Policies need to guarantee the full and effective participation of Indigenous People and the Indigenous leaders consider that this is happening in the context of this Dialogue.
- However, Indigenous leaders consider that currently the World Bank projects are not promoting full and effective participation of Indigenous Peoples given that oftentimes the projects consult only with high-level Indigenous leaders and not at the community level.

Furthermore, IPs considers they are consulted when the project has already been designed and it is too late to have an input in the process.

- Indigenous leaders support that the new policy should adopt the international standards, including the standard of free, prior and informed consent.
- The objectives of the Policy should include the need to promote Indigenous People's collective and harmonious well-being and Indigenous People's development view. The current policy is safeguarding Indigenous Peoples, but not promoting their development.
- The policy should approach Indigenous Peoples as development partners, not as subject of rights.
- The four criteria that defines who are considered Indigenous Peoples in the current policy was considered to be appropriate, but there is a need to include that indigenous peoples pre-date the States and coexist with an independent government and judicial system, and they are the owners of their land, territories and water resources.
- There was also a discussion on whether urban indigenous peoples should be included in the new policy. Urban indigenous are a heterogeneous groups, some have been completely assimilated, but some still maintain their traditions. Some have been displaced from their territories due to economic reasons, but in some cases the cities have grown to encompass indigenous territories.
- It is necessary to standardize the definition of Indigenous Peoples and of lands and territories on the current policy based on the United Nations Declaration on the Rights of Indigenous Peoples.
- The policy should include the issue of trans-border indigenous peoples, indigenous peoples in voluntary isolation and indigenous peoples in the stage of initial contact. The World Bank should review the IDB Guidelines of Indigenous Peoples in Voluntary Isolation and the practice adopted in Brazil.
- The Indigenous Peoples Policy should adopt the human rights approach and include issues of discrimination and racism.
- There is a need to guarantee the full and effective of Indigenous Peoples in all projects that affect Indigenous Peoples. This participation needs to be based on equal conditions and involve the State, Indigenous Peoples and the World Bank.
- The World Bank should prepare guidelines on consultations because oftentimes the World Bank considers that it has consulted with Indigenous Peoples and the Indigenous Peoples do not consider the process to be a consultation.
- Indigenous peoples should be consulted not only at the project level, but also at the strategic level, such as in the context of Country Partnership Strategies.
- Indigenous leaders consider that the current policy does not define what broad community support means and there are no indicators on whether broad community support has been achieved.
- The standard of broad community support should be substituted by the standard of free, prior and informed consent. However, the policy would need to specify when FPIC would be required and when consultation would apply. For instance, in projects related to the commercialization of the traditional knowledge of indigenous peoples, the standard of FPIC should apply in line with the Convention on Biodiversity.
- The Indigenous Peoples instruments should not only be translated to Indigenous languages, but also convey the information in a culturally appropriate manner. Oftentimes, these documents are highly technical and the information from the document needs to be better communicated to those at the community level.
- The Indigenous Peoples Policy should include language related to promoting the autonomy and self-determination of Indigenous Peoples.

- However, the goal should not be on having a perfect text of the policy, but rather to ensure that the implementation of the Indigenous Peoples Policy is effective.
- Indigenous Peoples should participate directly throughout all the project cycle, from concept to monitoring and evaluation and the policy should have tools to ensure this effective and full participation and should reflect this in the Bank Procedures.
- The World Bank should support Indigenous Peoples directly through technical assistance, without having to go through the States.

After the analysis of the Indigenous Peoples Policy, there was a presentation on the case studies, where Indigenous leaders assessed the implementation of the Indigenous Peoples Policy in different projects. Each Indigenous leader had been assigned a project to review and a few weeks before the meeting the World Bank provided the Indigenous leaders with the Project Appraisal Document, the concept and appraisal stage Integrated Safeguards Datasheet, the Indigenous Peoples Instrument (Social Assessment, Indigenous Peoples Plan or Indigenous Peoples Planning Framework), the Implementation Status Report and Implementation Completion Reports for their respective projects. The projects analyzed were: Costa Rica Higher Education, Brazil Acre Social Economic Inclusion and Sustainable Development Project, Bolivia National Roads and Airport Infrastructure Project, Mexico Forests and Climate Change Project, Mexico Support to Oportunidades Project, Nicaragua Land Administration Project, Peru Sierra Rural Development and Brazil Santa Catarina Rural Competitiveness.

These projects were selected based on a criteria defined jointly by the World Bank and the Abya Yala Technical Committee. The criteria established aimed to ensure that there was a broad representation of countries and sectors and that there were both projects where the Indigenous Peoples Policy was triggered due to potential negative impacts on Indigenous Peoples and projects where the Policy was triggered to ensure that Indigenous Peoples were included in the project benefits. The Social Specialists of each project were invited to the meeting and they answered questions and heard the analysis presented by the Indigenous leaders.

Finally, there was a discussion on the next steps and the planning of the first Regional Dialogue between the World Bank and Indigenous Peoples. An agenda for the meeting was outlined and the World Bank and the Abya Yala Technical Committee agreed on the following:

- An effort would be made to increase the representation of some regions and indigenous groups that have been underrepresented in this process, especially the Southern Cone and the Caribbean.
- In the Regional Dialogue, the participation of at least one representative per country would be ensured.
- In the second phase of the Dialogue, Brazil, Mexico and Colombia would be prioritized given their importance in the region, the size of the World Bank portfolio in these countries and given that no meeting has taken place in these countries.
- The World Bank would help develop tools that strengthen the capacity of Abya Yala and their networks.

