

Indigenous Peoples Dialogue and Engagement Process by The World Bank



Workshop on Indigenous Peoples Dialogue – Russian Federation
Moscow
3 October 2013



About Luis Felipe

- Senior Adviser for Indigenous Peoples at The World Bank (since January 2013)
- Executive Director of Amazon Conservation Association and Regional Director for the Rainforest Alliance
- In 1994, became the first National Secretary of Indigenous Affairs in the government of Ecuador
- Private sector experience in Latin America
- Ecuadorean of indigenous Quechua descent from the Puruhá Nation of the Central Andes (Chimborazo province)
- Architect – Universidad Central del Ecuador, Quito
- Master's in Public and Private Management – Yale University

Content

1. Overview of the World Bank's Indigenous Peoples Policy – OP 4.10
2. The Bank's current Policy Reform process
3. Indigenous Peoples Dialogue and Engagement process
4. Laying the foundations for sustainable development and good governance: the Challenges Ahead

Historical Context

- For 30 years, the Bank has recognized that IPs have distinct rights, with the following milestones:
 - **1982:** OMS 2.34—*Tribal People in Bank Financed Projects*.
 - First of its kind for an MDB. Required “a tribal component or parallel program” for “tribal people” adversely affected by Bank investments.
 - **1991:** OD 4.20—*Indigenous Peoples*.
 - Replaced “tribal people” with “IPs”. Broadened the definition of the target group and to take account of ILO Convention 169 of 1989. Benefits for IPs. Systematic focus on improved project performance.
 - **2005:** OP/BP 4.10—*Indigenous Peoples*.
 - Updated in light of advances in the international recognition of the rights of IPs. New challenges due the Bank’s shifting portfolio. Poor implementation of OD 4.20.

Objectives of OP 4.10

- Given the above, the objectives of OP 4.10 are:
 - Contribute to the Bank mission of “poverty reduction and sustainable development”... by “*ensuring that the development process **fully respects** the dignity, human rights, economies, and cultures of IPs*” (para 1)
- This objective is achieved through both (para 1):
 - A “**do no harm rationale**” i.e avoiding potentially adverse effects on IPs, and when avoidance is not feasible, to minimize, mitigate and compensate for such effects.
 - A “**do good rationale**” i.e ensuring that IP receive social and economic benefits that are culturally appropriate and gender and intergenerationally inclusive.

Who are Indigenous Peoples?

The term Indigenous Peoples refers to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees:

1. Self-identification and identification by others
2. Collective attachment to land and natural resources
3. Customary cultural, economic, social or political institutions that are separate from those of the dominant society and culture
4. Indigenous language

Instruments to Implement the Policy

- ***Indigenous Peoples Plan (IPP)***
 - When Indigenous Peoples are present in, or have collective attachment to, the project area, and this is ascertained during project preparation
- ***Indigenous Peoples Planning Framework (IPPF)***
 - When the Bank's screening indicates that Indigenous Peoples are likely to be present in, or have collective attachment to, the project area, but their presence or collective attachment cannot be determined until the programs or subprojects are identified

Indigenous Peoples Plan – Key Issues

- Based on the Social Assessment and Consultations with Indigenous Peoples
- It has an Action Plan for ensuring avoidance of adverse impacts and/or for mitigation and compensation measures , as well as for ensuring culturally appropriate economic and social benefits
- When needed, it has measures to address special considerations; e.g. a special plan to establish legal recognition of customary rights to land of indigenous communities

Special Considerations

- Recognition of customary land rights
- Commercial development of natural resources
- Commercial development of cultural resources
- Resettlement of Indigenous Peoples

Implementation – Good Practices

- Ongoing support and advice to Government – assistance in TOR, contracting and supervising consultant(s)
- Request additional resources for preparation (trust funds, preparation funds)
- Bring in legitimate national institutions
- When appropriate involve or consult IPOs, NGOs, relevant experts
- Task Leaders should visit / consult with local communities
- Task Leaders should work with government, and its consultants, to ensure relevant and operational SA and IPP
- Ensure that SA finding and IPP measures are incorporated into general project design

Review and Update of World Bank's Safeguard Policies

- Review and update over 24 months
- Build on the core principles of the current safeguards and strengthen their effectiveness
- Focus on investment lending
- Broad, inclusive and transparent consultation in three phases
- Documents available in multiple languages

What We Want to Achieve

- Strengthen the effectiveness of safeguard policies to enhance development outcomes of Bank operations
- Help the Bank renew its partnership with borrowers based on a common vision and tailored capacity building
- Help the Bank and borrowers address environmental and social risks of the next decade
- Increase effectiveness, efficiency and timeliness in Bank operations
- Achieve policy harmonization, coherence and alignment

How

- Create a framework around the safeguard policies for clarity of purpose and requirements
- This framework would include principles, policies, procedures, and guidance
- Consider inclusion of emerging issues:
 - - human rights; labor and occupational health and safety;
 - gender; disability; free, prior, and informed consent of
 - Indigenous Peoples; land tenure and natural resources &
 - climate change
- Increase scope of social coverage
- Strengthen Country Institutions and Systems

Risks and Opportunities

- Risks
 - Any change in policy wording could be seen as dilution or weakening
 - Stakeholder inputs could be divergent and too polarizing for consensus
- Opportunities
 - A chance to enhance development outcomes and country systems, and manage risks better
 - The output could be a true global public good that benefits multiple public and private stakeholders

World Bank IP Dialogue and Engagement

- High Level Planning Meetings with IP's between March and June (Pre-Dialogue):
 - How would you like us to conduct this dialogue with you?
 - What are the critical issues for you?
- Pre – Dialogue Meetings Held:
 - March 22 – Manila (East Asia, Pacific and macro view)
 - April 2– Russian Federation (RAIPON)
 - April 10 – Guatemala City (Mesoamerica)
 - April 16 – San Jose, Costa Rica (in country)
 - April 18 – Panama City, Panama (in country)
 - May 2 – Bangkok (Nepal, Thailand, Lao PDR, Cambodia, Vietnam)
 - May 16-17 – Lima (South America)
 - May 23 – Africa Pre-Dialogue in NYC
 - May 26-28 – Latin America Consolidated Pre-Dialogue in NYC

World Bank IP Dialogue and Engagement

This Indigenous Peoples Dialogue has the following objectives:

1. Inform the general Safeguards Review process;
2. Improve the implementation/application mechanisms of the Indigenous Peoples policy (OP 4.10);
3. Develop strategies and action plans to direct more investment towards Indigenous Peoples development in a culturally appropriate way; and
4. Strengthen communication and coordination mechanisms between the World Bank and Indigenous Peoples (Sustainable Engagement).

World Bank IP Dialogue and Engagement

- Indigenous Peoples Dialogue and Engagement process:
 - **First Phase:** Focus on Safeguards policies and produce set of recommendations on critical issues by 2013
 - **Second Phase:** Focus on broader developmental, strategic and policy implementation aspects until June 2014
- Creation of an IP Advisory Council [explore the idea of the creation of a Council or body that would allow for systematic communications and engagement]
- Participation and support to the process leading to the World Conference on Indigenous Peoples in September 2014.

Thank you