

# UNDP and Indigenous Peoples: A Policy Of Engagement



## I. Background and context

1. UNDP derives its mandate for engagement with indigenous peoples from the Charter of the United Nations, which states: ‘We the peoples ... reaffirm faith in fundamental human rights, in the dignity and worth of the human person... (and) promote social progress and better standards of life in larger freedom.’ In September 2000, at the United Nations Millennium Summit, world leaders reaffirmed those principles by pledging to reduce poverty and promote human rights and democratic governance at both national and global levels. They declared the most pressing challenge of the new century to be the need for a more inclusive and equitable globalization that allows poor people to participate as full partners in the global economy. In addition, the Secretary-General, and the results of a high-level Ministerial Meeting, affirmed the leading role of UNDP in United Nations initiatives in achieving these goals.

2. The Millennium Declaration signed by 147 Heads of State and Government has helped to place a renewed focus on indigenous peoples in the international development debate. With its access to governments - its principal partners – UNDP has an important role to play in facilitating and brokering dialogue and advancing the concerns of indigenous peoples, who are often the most marginalized populations in society, deprived of the most basic rights to development, including access to education, healthcare, water and participation in policy processes affecting their lives.

### **Box 1. Millennium Declaration**

“...We will spare no effort to promote democracy and strengthen the rule of law, as well as respect for all internationally recognized human rights and fundamental freedoms, including the right to development. We will spare no effort to free our fellow men, women and children from the abject and dehumanizing conditions of extreme poverty, to which more than a billion of them are currently subjected... We are committed to making the right to development a reality for everyone and to freeing the entire human race from want.”

3. Ensuring the engagement of indigenous peoples and their organizations is critical in preventing and resolving conflict, enhancing democratic governance, reducing poverty and sustainably managing the environment. The objective of the present paper is to provide UNDP staff with a framework to guide their work in building sustainable partnerships with indigenous peoples. It underlines the main principles guiding the relationship with indigenous peoples.

4. This policy note is the result of a series of consultations with numerous representatives of indigenous peoples’ organizations (IPOs) worldwide as well as with UNDP staff. It also benefited from internal and external stocktaking processes aimed at assessing the status of UNDP in regard to its engagement with indigenous peoples and in relation to the activities of other multilateral and bilateral agencies.

### **Box 2. Who are indigenous peoples?**

The Covenant of the League of Nations, referred to non-self-governing or colonized peoples as “indigenous” peoples. In the 1950s, ILO began referring to the problems of “indigenous populations in independent countries,” which is to say culturally and geographically distinct communities that were non-self-governing, marginalized, and colonized inside the borders of independent states.

The terms “indigenous peoples,” “indigenous ethnic minorities,” and “tribal groups” are used to describe social groups that share similar characteristics, namely a social and cultural identity that is distinct from

dominant groups in society. United Nations human rights bodies, ILO, the World Bank and international law apply four criteria to distinguish indigenous peoples:

(a) indigenous peoples usually live within (or maintain attachments to) geographically distinct ancestral territories; (b) they tend to maintain distinct social, economic, and political institutions within their territories; (c) they typically aspire to remain distinct culturally, geographically and institutionally rather than assimilate fully into national society; and (d) they self-identify as indigenous or tribal.

Despite common characteristics, there does not exist any single accepted definition of indigenous peoples that captures their diversity as peoples. Self-identification as indigenous or tribal is usually regarded as a fundamental criterion for determining whether groups are indigenous or tribal, sometimes in combination with other variables such as “language spoken,” and “geographic location or concentration.”

## II. Why engage with indigenous peoples?

5. The rationale for UNDP engagement with indigenous peoples and their organizations is grounded in UNDP’s mandated areas of work; processes and agreements of development cooperation; and the aspirations of indigenous peoples.

6. **Poverty reduction.** Human poverty is often deeper and more extensive among indigenous peoples. They are a distinct group among the poor and are often excluded from decision-making processes and marginalized by development. It is important to note that indigenous peoples are often categorized as poor; however, they do not regard the term as appropriate since they consider themselves rich in knowledge and culture. Historically, indigenous peoples have often failed to benefit from economic and social development, including many projects supported by international agencies, some of which have had a negative effect. Indigenous peoples have been typically subjected to distinct, persistent, and often violent forms of discrimination. It is for this reason that the international community has considered it necessary to adopt special legal measures to protect the rights and ensure the inclusion and participation of indigenous peoples.

7. **Human rights.** The present policy is informed and underpinned by the international human rights framework and the UNDP policy paper entitled *Integrating Human Rights with Sustainable Human Development* (1998) that sets the legal framework and guiding principles for engagement with indigenous peoples, in addition to the international conventions, declarations and programmes of action that recognize indigenous peoples’ rights, and their vital role in development and environmental management. Furthermore, the Memorandum of Understanding (MOU) between UNDP and the Office of the United Nations High Commissioner for Human Rights (UNHCHR) signed 14 March 1998 stresses the importance of working in partnership towards the advancement of the goals of the International Decade of the World’s Indigenous People and the Third International Decade against Racism.

8. **Democratic governance.** At the Millennium Summit, Governments agreed “to work collectively for more inclusive political processes, allowing genuine participation by all citizens in all countries... and to strengthen the capacity of all our countries to implement the principles and practices of democracy and respect for human rights.” In light of this, the inclusion of indigenous peoples - no matter how small the population - is integral to adopting democratic principles of participation. In countries where indigenous peoples make up the majority or a significant percentage of the total population, they are a critical constituency to realizing multi-stakeholder trust. Therefore, building national capacities for democratic consensus-making and civil society organizing provides a crucial and urgent opportunity for the inclusion of historically poor, marginalized and vulnerable indigenous communities in power-sharing and decision-making.

9. **Globalization.** Although information and communication technology has linked indigenous peoples worldwide and has been an important factor in the emergence of a global indigenous movement, the benefits

of globalization have been spread unequally, with many still left excluded. Recent developments have sometimes impoverished and marginalized indigenous peoples both in conventional income terms and from their own cultural perspectives. Not only are indigenous territories under growing pressure for the extraction of natural resources, but indigenous communities that try to continue living on their ancestral lands by traditional means find themselves increasingly suffering from competition with large-scale public and/or private industrial interests.

10. Indigenous peoples are often unable to take advantage of their most distinctive asset, their local knowledge, at the same time that it is increasingly being commercialized by international enterprises under the protection of a global patent regime - the Trade Related Aspects of Intellectual Property Rights Agreement, otherwise known as the TRIPS Agreement.

11. **Indigenous knowledge.** Indigenous peoples number over 300 million, and represent over 4000 languages and cultures. Indigenous cultures comprise a heritage of diverse knowledge and ideas that is a resource for the whole world. As UNDP pursues sustainable human development, attention has been placed on indigenous peoples largely owing to their sustainable development practices. This has led to an interest in indigenous peoples' ways of life, their cultures, sciences, land and resource management, governance, political and justice systems, knowledge and healing practices. Recognition of indigenous peoples' assets and traditional knowledge (such as terrestrial and marine ecosystems, naturally occurring medicines from plants and insects, cultivated plant varieties, and animal husbandry) can be helpful to national and international development. Furthermore, indigenous peoples' continued existence is a testimony to the sustainability and viability of indigenous economic production systems, and social and governance practices that should be supported and enhanced, and most importantly, incorporated into mainstream development practices.

12. **International and national processes.** In its Decision 1992/255, the Economic and Social Council directed UNDP and other United Nations operational bodies and specialized agencies to respect the rights of indigenous peoples. The essential linkage between indigenous peoples' rights and successful human development was further emphasized when the General Assembly, in its resolution 50/157, invited United Nations organizations to give increased priority and resources to improving the conditions of indigenous peoples, through the preparation of specific programmes of action for the implementation of the goals of the International Decade of the World's Indigenous People (1995-2004).

13. The distinct legal status and rights of indigenous peoples have been recognized at each of the world conferences since the 1992 United Nations Conference on Environment and Development (UNCED). A growing number of international legal instruments recognize indigenous peoples as a particularly important group for achieving sustainable development. For example, ILO, in particular, has been at the forefront of defending the social and economic rights of such groups as well as setting and implementing international standards to ensure the protection of their rights. The ILO Convention on Indigenous and Tribal Peoples, 1989 (No.169) states indigenous peoples have the right to decide their own priorities for development and to exercise control over and participate in the process of development; the Convention on Biological Diversity (CBD) refers repeatedly to indigenous and local communities and their role in the conservation of biodiversity and the environment. Not only do several conventions highlight the centrality of land, the protection and maintenance of local knowledge systems, and local decision-making to the enjoyment of indigenous peoples' human rights and their right to development, they also provide the legal tools for negotiation and effective dialogue at the national level.

14. The United Nations has recently established the Permanent Forum on Indigenous Issues (authorized by Economic and Social Council resolution 2000/22 28 July 2000). It will serve as an advisory body to the Council with a mandate to discuss issues relating to indigenous peoples, including economic and social development, culture, the environment, education, health and human rights. The Forum will provide expert

advice and recommendations to the Council as well as to United Nations specialized agencies, funds and programmes.

**Box 3. Special rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples** At its 57<sup>th</sup> session, the Commission on Human Rights adopted two relevant resolutions. By its resolution 57, the Commission appointed a special rapporteur with the mandate to gather and exchange relevant information. In addition to requesting that indigenous issues be discussed at the upcoming World Conference against Racism, Discrimination, Xenophobia and Related Intolerance, through its resolution 59 the Commission urged similar discussion and consideration at the special session of the General Assembly for the follow-up to the World Summit for Children and the World Summit on Sustainable Development.

15. Increasingly, Governments have recognized the rights of indigenous peoples in their constitutions - in many Latin American countries for example; in national legislation, as is the case of the Philippines with the Indigenous Peoples' Rights Act; and in peace agreements. As of the end of July 2001, a total of 14 governments have also ratified the ILO Convention on Indigenous and Tribal Peoples, 1989 (No. 169).

### ***Indigenous issues for UNDP support***

16. In the UNDP consultation process, representatives from IPOs identified the following areas for UNDP support.

1. **Participation.** Indigenous peoples seek participation and representation at all levels in decision-making processes, especially those that may affect their human, developmental and environmental rights.

2. **Self-determination.** Indigenous peoples look for assistance in the recognition of the right to self-determination as defined in the United Nations International Covenants on Civil and Political Rights and Economic, Social and Cultural Rights. By virtue of that right, they freely "determine their political status and freely pursue their economic, social and cultural development." As clearly expressed in the 1970 Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations and the United Nations Draft Declaration of the Rights of Indigenous Peoples, self-determination shall not be construed as authorizing or encouraging any action that would impair the territorial integrity or political unity of sovereign and independent states.

3. **Conflict prevention and peace-building.** Indigenous peoples seek UNDP support in conflict prevention and peace-building strategies in addition to assisting in the rehabilitation and reintegration of displaced peoples.

4. **Environment and sustainable development.** Many indigenous peoples seek the recognition, support and development of sustainable communities based on their own cosmovision - a balance between land, nature, people and spirit.

5. **Globalization.** In addressing globalization, indigenous peoples urged that UNDP examine its effects on the livelihoods of indigenous peoples, especially with regard to food security, security of tenure, gender equity, intellectual and cultural property rights, and indigenous knowledge.

### **III. Lessons learned**

17. UNDP engagement with indigenous peoples at the country level has been extensive. Many of UNDP country, regional and global programmes - small grants programmes in particular - have involved indigenous peoples and their organizations. These initiatives have focused on poverty eradication, environmental conservation, dryland development, conflict prevention and resolution, and cultural revitalization. UNDP has supported innovative projects under the Indigenous Knowledge Programme (IKP), whose main objective was

to promote indigenous knowledge through targeted capacity-building, and direct support for projects formulated and implemented by indigenous peoples and their organizations.

18. Some findings indicate that projects based on a development strategy formulated by indigenous peoples and true to the traditional indigenous customs and values tend to be successful, as demonstrated in the UNDP-sponsored IKP Project for the Recuperation and Development of Indigenous Knowledge for the Conservation of Ecosystems and Biodiversity in the Amazon Forest of Yana Yacu in Ecuador. Not only is indigenous knowledge conserved and developed, it also lays the basis for the sustainable livelihood of the community.

19. Evaluations have pointed out that programmes and projects should focus on building regional, national and local networks for exchange of experiences and information as well as for policy lobbying on issues affecting indigenous peoples such as the patenting of indigenous cultural knowledge. This often leads to increased awareness, interest and understanding of the communities in a number of areas, such as the protection of culture and indigenous knowledge systems; potential for further projects and activities; establishment of relationships with government and other organizations; and greater flows of information exchange and awareness about information sources.

20. Small grants programmes for community initiatives have been welcomed as an appropriate way of strengthening local capacity. The implementation of a well-prepared project within a broader perspective and based on indigenous values and visions can have an enormous beneficial impact at the community level.

**Box 4. UNDP/Global Environment Facility (GEF) Small Grants Programme (SGP)**

UNDP GEF/SGP has supported over 300 projects involving indigenous peoples. Indigenous peoples and their organizations are GEF/SGP major partners in a wide range of activities including the revival of the use of traditional medicinal plants and sustainable agricultural knowledge practices and systems. The GEF/SGP draws on indigenous peoples' expertise in undertaking environmental surveys; facilitating dialogue with local and central government; and institutional and legal capacity building.

21. Regional programmes such as the Highland Peoples Programme (HPP) in South East Asia have proven to fill a particular niche and enjoy a comparative advantage. Most notably in promoting regional integration, agreements and standards through the facilitation of regional dialogue among Governments; introducing or demonstrating policy options in a regional "safe space" that can be discussed for adoption, where relevant, at country level; and in fostering partnerships, networking and institution-building across a region along common agendas, among national and international partners, including State and non-State actors. The HPP also identified the challenge of translating local demands to national and regional policies.

**Box 5. Local realities and policy reform: bridging the gap**

UNDP engagement with indigenous peoples and their organizations has demonstrated the effectiveness of building policy from below, and successfully bridging grass-roots activities with policy reforms. In the Philippines, after the enactment of the 1997 Indigenous Peoples' Rights Act (IPRA), local feuds over land ownership broke out among residents in ancestral domain areas of the Cordillera region. Women, using indigenous knowledge systems, emerged as leaders in settling these disputes, forming the Women's Network for Peace and Development. Together with this network, UNDP helped to train women volunteers to lead community groups, as well as local government units to prepare development plans for their ancestral domains. The volunteers played a lead role in mapping boundaries and fostering peace pacts among communities.

22. A particular strength that emerges is the UNDP capacity to facilitate and broker sensitive dialogue involving the State, civil society organizations (CSOs) and indigenous peoples and their organizations. To

partner more effectively with indigenous peoples, UNDP needs to develop its capacity to engage indigenous peoples' full participation in its programme and project design and implementation. Building an understanding of indigenous peoples' development perspectives and developing cultural sensitivity is crucial if UNDP is to avoid the common pitfall of paternalistic, "top-down" approaches to programmes involving indigenous peoples.

23. These gaps can be addressed through training, sensitization and capacity-building of UNDP staff, non-governmental organizations and local and regional government officials. The capacity of government structures to coordinate, monitor, support and make policy in regards to its engagement with indigenous peoples is needed for sustainable development to take place. Meaningful consultation with indigenous peoples, their organizations and communities in programme and project design and implementation is, indeed, essential. Improving coordination with other United Nations organizations, perhaps through the United Nations Development Assistance Framework (UNDAF), could serve to increase the effectiveness and relevance of development support for indigenous peoples.

### **The UNDP niche**

24. UNDP's coordinating role at the country level, its human development paradigm, advocacy of democratic governance, and policy of mainstreaming human rights positions makes it a key partner for pursuing a more holistic approach to development. Moreover, UNDP's country presence and the relationship of trust it has with governments and civil society partners enables UNDP to play a unique role in bringing together different stakeholders in development processes. This mandate can serve as a critical entry point and foundation for supporting more inclusive development policies and programmes; brokering dialogues with all actors; facilitating participatory approaches; and creating the political space for alternative views to be shared.

#### **Box 6. Guatemala: creating an enabling environment**

CSOs and indigenous peoples and their organizations played an active role in negotiating peace by promoting informal linkages among the opposing parties, by helping to define the major issues and build consensus. UNDP supported the establishment of the Civil Society Assembly charged with discussion of the substantial issues, formulation of specific proposals based on consensus, and review of the peace agreements. UNDP ensured that space was created so that the perspectives of indigenous peoples and their organizations were brought to national attention. The Assembly helped to overcome distrust, promote broad participation and move the country away from confrontation.

### **IV. Principal objectives for effective partnerships**

25. There are two overall objectives of UNDP engagement with indigenous peoples and their organizations.

1. To foster an enabling environment that: promotes indigenous peoples' participation in all decision-making levels; ensures the co-existence of their economic, cultural, and socio-political systems with others; and develops the capacity of Governments to build more inclusive policies and programmes; and
2. To integrate indigenous peoples' perspectives and concepts of development into UNDP work.

### **V. Priority areas of engagement**

26. In recognition of indigenous peoples' needs, aspirations, and rights, and across the range of possible areas for partnering, four thematic areas are set out below. They include basic principles and suggested issues to be addressed in programmes of work.

## **A. Democratic governance and human rights**

### **Participation**

27. By incorporating the “right to development” in its work, UNDP fosters the full participation of indigenous peoples in its development processes and the incorporation of indigenous perspectives in development planning and decision-making. This right is of particular significance to indigenous peoples because in their experience, development has tended to be imposed upon their communities from outside, often resulting in violations of their “right to development,” by damaging ancestral lands, water and natural resources.

28. Consistent with United Nations conventions such as ILO Convention 169, UNDP promotes and supports the right of indigenous peoples to free, prior informed consent with regard to development planning and programming that may affect them.

### **Human rights**

29. Through its human rights approach to development and governance, and working together with Governments, CSOs and IPOs, UNDP promotes the recognition of indigenous rights to lands, territories and resources; laws protecting indigenous lands; and the inclusion of indigenous peoples in key legislative processes. As embedded in the Charter of the United Nations and in international law, these activities will in no way threaten the preservation of the security and territorial integrity of States.

30. The UNDP Human Rights Policy recognizes the rights of distinct peoples living in distinct regions to self-determined development and control of ancestral lands. This embraces a concept of development that incorporates indigenous peoples’ own aspirations, spirituality, culture, social and economic aims.

#### **Box 7. GEF/SGP Biodiversity programme for the Aytas of Zambales, Philippines**

This project aimed at conserving biodiversity, rehabilitating the forest ecosystem, and securing ancestral domain. One of the major outputs of the project was to institutionalize the ancestral domain claim of the Aytas through the issuance of the Certificate of Ancestral Domain Claim (CADC). The CADC represents a major step towards sustainable ancestral domain management by the Aytas.

### **Globalization**

31. The United Nations Millennium Declaration calls for fully inclusive and equitable globalization, in which respect for human rights and fundamental freedoms are given utmost importance. To respond to this call positively, the governance of globalization should be geared towards inclusion, equality and equity, especially in the arena of international trade.

32. Existing rules regulating intellectual property rights at the global level are not conducive to the participation of indigenous peoples in the national or global economy. Current patent laws, for example, do not recognize traditional knowledge and systems of ownership. They ignore the cultural diversity inherent in customary practices of sharing innovations as well as the diversity of opinion on what can and should be owned. The patent regime, under the TRIPs agreement, renders the accumulated knowledge of indigenous peoples especially vulnerable to the interests of biotechnology companies.

33. There is growing recognition of the need to protect indigenous knowledge systems. The 1992 CBD recognizes the need to protect property rights as well as the need for companies to obtain prior informed consent before doing research. But the Convention cannot be legally binding unless translated into national law – and indigenous communities seldom receive priority attention or protection under national law.

34. UNDP has an important role to play in fostering open debate across countries that supports indigenous peoples' interests and makes available the most relevant and updated information for use by negotiators and policy-makers. Such debate should consider collective rights to knowledge and resources, the need for prior informed consent for their use – consent not just of Governments, but indigenous communities – and the need for transparency in research outcomes. Guidelines for legal recognition of intellectual property sought by indigenous peoples and their organizations are needed.

## **B. Poverty reduction**

35. The debilitating incidence of human poverty in most indigenous communities is probably the most visible evidence of exclusion (unequal access to productive resources and basic social services) if not discrimination. In order to tackle issues with respect to ownership and use of land and natural resources, including safe drinking water; issues relating to education and health; protection of cultural and intellectual property; and participation in formal decision-making processes, a focus on poverty-reduction strategies that include indigenous peoples is vital.

36. UNDP is committed to incorporating the concerns of indigenous peoples into UNDP approaches to poverty reduction at the macro level through participation and inclusion in poverty-reduction strategies and action plans as well as at the local level by empowering indigenous peoples and their organizations to network and influence policy. In addition, UNDP works with Governments to ensure that indigenous peoples are included and consulted in poverty-reduction strategies and processes.

## **C. Conflict prevention and peace-building**

37. In harmony with its strategy paper, the role of UNDP in crisis and post-conflict situations (DP/2001/14), UNDP will seek to better understand the underlying causes of conflict (e.g. social exclusion, control over resources and resource use, violation of rights, including cultural and linguistic, discrimination, inequality, and citizenship) engage in conflict-prevention strategies; facilitate conflict resolution and peace-building (when invited to do so); and assist in the rehabilitation and reintegration of returnees and war-affected peoples.

38. As advised by the Civil Society Advisory Committee, UNDP has a role to play in legitimizing the presence and role of indigenous peoples and their organizations in preventing conflict and promoting peace, especially with national institutions of the State; in the monitoring of peace agreements, especially those involving indigenous peoples (only as requested by Governments or the Security Council); and in exploring alternatives to coca cultivation and transformative initiatives that promote other modes of production, but that respect and recognize its traditional and medicinal uses.

39. Indigenous peoples' customary law as well as conflict prevention and peace-building practices are to be respected and, where possible, incorporated into conflict-resolution processes, peace-building initiatives and any post-conflict development policies and programmes.

40. UNDP recognizes the extra vulnerability of indigenous women in crisis situations, (e.g., sexual violence, economic inequality, exclusion) as well as the important role women play in building peace and bridging differences. A concerted effort is needed to reach out to include indigenous women and their organizations in its conflict-resolution strategies and post-conflict rehabilitation.

41. Special attention is needed on issues of resettlement, especially those that involve any form of population transfer that has the aim or effect of undermining indigenous peoples' rights; and any form of assimilation or integration by other cultures or ways of life imposed on them without free, prior informed consent.

## **D. Environment and sustainable development**

42. UNDP has played a role in the preservation of natural resources and environmental conservation: through the recovery, consolidation and dissemination of traditional knowledge in the use and maintenance of natural habitats and resources and through the participation of indigenous communities in resource management and conservation strategies and practices. Indigenous knowledge, practices and systems are often of invaluable importance to the sustainable management of the environment. UNDP continues to play a role in promoting and enhancing indigenous knowledge as well as in protecting the knowledge, innovations and practices in agriculture and biodiversity conservation as intellectual property.

43. In the spirit of General Assembly resolutions, UNDP recognizes the profound relationship indigenous peoples have to their environment, land and resources. Indigenous lands are increasingly under threat by development and the introduction of new policies and laws that do not acknowledge indigenous customary rights. UNDP also respects livelihoods based on pastoralism, hunting and gathering, and shifting cultivation lifestyles.

44. Consistent with its work on trade and sustainable human development, UNDP will support a multilateral trade system that is sensitive to the rights of indigenous peoples to continue practicing their indigenous sustainable agriculture, resource management practices, traditional livelihoods, especially with regard to food security.

## **VI. Ways forward**

45. UNDP upstream policy advocacy will incorporate issues relevant to indigenous peoples. To do so will involve building capacities and partnerships with indigenous peoples and their organizations. These partnerships can be strengthened through transparent and participatory processes aimed at inclusion and empowerment. A valued role for UNDP is to focus on action-oriented research that involves the relevant constituencies, policy reform, information, coordination and the direct participation of indigenous peoples. Furthermore, UNDP will stay involved in downstream interventions that fit with the strategic priorities of developing countries and have real policy impact, such as capacity-building of indigenous peoples and their organizations to build their institutions at the local level; and support to strengthen indigenous peoples and their organizations' networks. An understanding of the grass-roots level will inform UNDP policy work and assist it in leveraging its real asset – its unique position of trust. A proper balance between the two approaches will have to be determined within the country-specific context.

### **Box 8. Capacity support to Government**

The primacy of UNDP partnership with Governments enables it to support two interrelated functions. The first is facilitating and brokering dialogues and initiatives that bring together Governments, indigenous peoples and other non-State actors. The second is supporting the capacity development needs of Governments to implement international agreements and conventions of relevance to indigenous peoples. This includes empowering relevant institutions and staff at various levels to outreach, engage and take forward issues of concern to indigenous peoples.

## **A. Considerations for operational engagement**

46. Given the diversity of indigenous peoples' governing institutions and cultures, there can be no single model or blueprint for engagement. It is advisable that a partnership strategy be developed, which responds to country and regional specificities, but that also responds to some issues outlined in this paper. Here the country offices and regional programmes have a central role to play in defining the scope and parameters of

the partnership. It is also understood that engaging with indigenous peoples is a political act ultimately subject to approval by Governments.

- **Country offices**

47. The primary responsibility of how UNDP operationalizes its engagement with indigenous peoples at the country level rests with the country offices. Country offices are encouraged to develop their own locally relevant strategies as well as resource allocations for support to indigenous peoples. In view of the objectives of UNDP engagement with indigenous peoples, it is suggested that country offices aim to strengthen the capacity of IPOs to design and implement initiatives that further UNDP goals; support networking activities among IPOs so that they may effectively participate in the formulation of human development-related policies and activities at the local national regional and international levels; and improve the capacity of UNDP staff to analyse, understand, strengthen and collaborate with indigenous peoples and their organizations. As revealed by the lessons learned, projects must respond to indigenous peoples' priorities.

- **Regional programming**

48. In many cases, indigenous peoples live across national borders. Projects may involve more than one country, and therefore more than one UNDP country office. Regional programmes have a valuable role to play in providing an impartial space for dialogue and debate, which is particularly important where there may be regional tensions such as those existing between the State and indigenous peoples. As demonstrated with the HPP in South East Asia, UNDP through its regional programmes can: promote agreements and standards through inter-governmental regional dialogues; support innovative policy options; and foster networking and capacity-building initiatives for a commonly agreed agenda. In relevant cases, UNDP may seek to promote cross-border activities targeted at the same group of indigenous peoples.

- **Headquarters**

49. At the global level, UNDP will promote indigenous perspectives and rights within the United Nations system and beyond, through advocacy. Joint campaign issues with indigenous peoples and their organizations as well as the mobilization of broad-based constituencies – especially between North and South through the use of information and communication technology - is to be developed. The CSO Team at UNDP headquarters is committed to coordinating the production and dissemination of relevant information; strengthening indigenous networks and capacity; increasing indigenous participation at global dialogues; and encouraging the incorporation of indigenous perspectives in UNDP policy-making. Moreover, UNDP has a significant role to play in mobilizing resources and promoting new modes of direct support to indigenous peoples through financial assistance and technical cooperation, most notably through its Thematic Trust Fund for Poverty Reduction.

## **B. Mechanisms for policy engagement**

50. Highlighted below are some of the strategic tools and mechanisms to facilitate engagement with indigenous peoples and their organizations.

- **Creating an enabling environment for indigenous peoples and their organizations**

51. A key starting point is the assessment or development of a legal and regulatory framework that enables indigenous peoples to organize and express their views. UNDP has a dual capacity- building role. On the one hand, developing the relational capacity and negotiating skills of indigenous peoples to build networks and engage at various policy-making levels. On the other, empowering institutions of government to review international agreements and conventions in national policy and supporting their capacity efforts for reaching out to indigenous peoples. Finally, a critical dimension of building an enabling environment is providing the space for the voices and concerns of indigenous peoples to be brought to bear in influencing policy processes.

- **Establishment of local CSO Advisory Committees**

52. The UNDP Civil Society Committee is an important mechanism through which leaders of CSOs and IPOs can provide strategic policy advice to help to develop a substantive agenda for cooperation and identify opportunities for joint advocacy on a number of priority areas of work, many of which pertain to indigenous peoples. Country offices may also establish local CSO committees, including the participation of representatives from CSOs, IPOs, and governments.

- **Engagement in UNDP policy initiatives**

53. The UNDP Human Development Reports, both at the national and global levels, serve as an advocacy instrument. They stimulate international and national debate on key development issues, including poverty, globalization and human rights. It can strengthen the capacity of indigenous peoples, broaden their scope of participation, and support their development perspective. NHDRs for example, can be used as an important tool for developing disaggregated data on indigenous peoples, including gender-disaggregated data.

54. The Common Country Assessment (CCA), the UNDAF and the monitoring of Millennium Development Goals (MDG) provide important opportunities for engaging indigenous peoples in UNDP policy-led processes. Actual monitoring of disaggregated CCA and MDG data will help Governments, development partners and indigenous peoples and their organizations to monitor the human poverty situation of indigenous peoples. Where UNDP has a lead role in supporting nationally led poverty-reduction strategies, it is important to ensure the inclusion of indigenous peoples and CSOs throughout. To the extent possible, indigenous peoples and their organizations should be included in all phases: design, implementation and monitoring.

55. UNDP has a role to play in studying how PRSP recommendations affect indigenous peoples, particularly indigenous women, differently from other segments of the population. In such cases, the causes of indigenous peoples' poverty may need to be addressed, i.e., inequity, discrimination, civic rights.

- **Multi-stakeholder dialogues and initiatives**

56. UNDP promotes discussions with State and non-State actors, including representatives from IPOs and CSOs through multi-stakeholder initiatives that strengthen networks and raise awareness for influencing policy.

- **Building capacities for implementing agreements**

57. As discussed, there are a number of international legal instruments recognizing indigenous peoples that can be used in policy advocacy. UNDP has a potential role to play in developing the capacities of both governments and non-governmental institutions in implementing and monitoring such agreements. Existing international mechanisms include the Working Group on Indigenous Populations and the Permanent Forum on Indigenous Issues, established by the ECOSOC on 28 July 2000, which will soon become operational.

### **C. Mechanisms for operational engagement**

58. Transparency and trust are essential if UNDP is to play an effective role in raising wider interest and support for indigenous peoples at the national level. It is critical that indigenous peoples and their organizations feel confident that they have access to the Resident Representative and country office staff, as well as access to adequate information regarding programmes and projects of UNDP and other United Nations organizations operating in their country.

- **Development of databases and mapping of indigenous peoples and their organizations**

59. UNDP country offices will continue to document lessons learned from interventions involving indigenous peoples and are encouraged to undertake a mapping of indigenous peoples and organizations in their country, including priority issues, rights, needs and desires. National databases on indigenous peoples

and directories of their organizations may prove useful. The country office is also encouraged to develop and publish country-specific criteria for determining who to engage with. As used in the selection of CSOs, issues of domestic rootedness, demonstrated mandate, legitimacy as claimant, competence and expertise, and accountability will be significant features. It is important to note that UNDP staff should be aware that indigenous organizations might represent diverse overlapping and conflicting constituencies and interests.

- **Inclusion of indigenous peoples and their organizations in project and programming cycles**

60. For projects involving indigenous peoples and any project that may affect indigenous peoples, consultation should include representatives from local and regional IPOs, ensure gender and generational balance (elders and youth), and use culturally appropriate methods that allow indigenous peoples to express their views and preferences. Consideration to indigenous peoples' concepts of time is recommended, in addition to the utilization of indigenous expertise in policy, research, and training to the extent possible. It is suggested that indigenous peoples and their organizations, UNDP and other stakeholders establish in partnership the methodology of the implementation of the project. Indigenous peoples' development perspectives should also be respected and integrated in project planning.

61. As indigenous women tend to experience triple discrimination (poor, female, and indigenous), it is critical that they play a central role in decision-making processes as well as in the design, planning, implementation and evaluation of relevant programmes and projects. UNDP stresses the importance of empowering indigenous women, and promoting gender equity within indigenous communities.

62. Social and environmental impact assessments prior to programme and project implementation are recommended to safeguard against potential negative effects on indigenous peoples, their communities and livelihoods.

63. Projects that gather and use indigenous customary knowledge should include measures that promote the recognition of this knowledge as intellectual and cultural property, as well as measures that prevent the dissemination of this knowledge without prior informed consent of the proprietors. Indigenous women must be involved in such activities as they are predominantly the custodians of that knowledge and often the most unlikely to benefit from the project and/or any potential benefit-sharing.