



Tool Kit

Best practices for including indigenous peoples in sector programme support

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Introduction

Objectives and background

Through sector programme support (SPS), donor agencies focus their support on a few sectors and provide assistance through the existing sector policies and programmes of the partner country. Additionally, an increasing number of donors have developed specific policies on support to indigenous peoples, but recent reviews have shown that there are big challenges in translating these policies into practice, especially with regard to SPS.

So far, very little has been done to systematically explore the limitations and opportunities for promoting indigenous rights through SPS. In the context of the Partnership on Indigenous Peoples' Rights and Sustainable Development, Denmark offered to undertake a study of Danida's experience with regard to indigenous rights and SPS - and to share the resulting best practices and lessons learned with other donors and indigenous partners.

A study was carried out in September-December 2003. It included field visits to Nepal, Tanzania, Bolivia and Nicaragua, covering the education, natural resource management, agriculture, decentralisation and transport sectors. Danish support to a specific sector programme for indigenous peoples in Bolivia was included as a particularly important source of knowledge. It must be noted that not all relevant sectors were included in the study - and not all the sectors included are treated evenly in the tool kit. This reflects the empirical material available to the team rather than a prioritisation of themes and issues.

The present compilation is not an exhaustive list of best practices covering all relevant sectors, and it cannot be followed as a rigid manual for implementation. Rather, it should be seen as a starting point for sharing experience and inspiring dialogue between donors, governments and indigenous peoples that will hopefully continue at national and international levels.

Using the tool kit

The tool kit can be read as a general introduction to the main issues, or used as a handbook giving answers to the more specific questions that may arise when integrating a concern for indigenous rights into SPS. The text is structured into four main sections that can be consulted independently:

Section 1. Key questions

A list of key questions gives a quick overview of the main issues to be addressed. For each question, references are made to the relevant sections of the tool kit, where experience, lessons learned and best practices for addressing these questions are presented.

Section 2. General guiding principles

Section 2 presents the main linkages between indigenous rights and overall development objectives. It outlines guiding principles for identifying indigenous peoples in

different contexts and for addressing the internal diversity within indigenous societies (gender and diverse organisational representation).

Section 3. Indigenous rights and overall development issues

Section 3 addresses the concern for indigenous rights within the overall development context, namely the PRSPs and issues of disaggregation of data and definition of relevant indicators.

Section 4. Indigenous rights in the sector approach

Section 4 presents the main challenges and opportunities for addressing indigenous rights in the sector approach per se, including issues such as country strategies, mainstreaming, mechanisms for implementation and dialogue, consent and coordination.

Section 5. Sector specific experience

Section 5 addresses issues of marginalisation and indigenous rights, including best practices and lessons learned for implementation within the following sectors: agriculture, natural resource management and environment, decentralisation, education, transport and health.

Annex A presents a list of references structured according to the issues discussed in the different sections, in order to give easy access to the most relevant background material for further information.

1. Key questions for consideration

Although it is not possible to lay down strict guidelines for integrating indigenous rights into SPS, the following key questions should be considered in the design, implementation and monitoring of SPS:

Mapping and understanding	Relevant sections
Are there peoples identifying themselves as indigenous? Are they allowed to? Are there local terms that identify indigenous peoples? Local NGOs and academic constituencies may be well placed to help answer these questions.	2.2.
Who and how many are they, what are the local terms they are known by, where do they live, what is their situation (problems, needs and priorities)?	2.1., 2.2., 2.3.
Are any disaggregated data on indigenous peoples available or can they be generated?	3.2.
Are the national indicators of development relevant to indigenous peoples?	3.3.
Are indigenous peoples involved in the PRSP process?	3.1.
What are the links between indigenous peoples' situations and the broader development objectives (poverty reduction, conflict prevention, democratisation, environmental protection)?	2.1.
What are the indigenous concepts of gender, are disaggregated data available for men and women, are there discriminatory practices or laws against either men or women?	2.4.
What are the main organisational representations of indigenous peoples (are they self-generated or government-appointed, who are their constituencies, and level of accountability, capacity building needs)?	2.3., 4.6., 4.7.
What is the level of recognition of indigenous rights in the constitution, legislation and sector frameworks?	2.1.
Are there any mechanisms for dialogue and consultation between indigenous institutions and the government? Are there any specific government agencies responsible for indigenous issues?	4.5.
Do indigenous peoples have access to information; are their concerns reflected in the media?	4.5., 4.8.
What other sources of information, resource persons and institutions can provide information on indigenous peoples?	4.7.

Inclusion in sector programme support:	Relevant sections
Are indigenous peoples adequately included in the country analysis and strategy?	4.3.
Are indigenous rights included in the ongoing dialogue with the partner country on human rights issues?	4.1., 4.2., 5.2.
Are the sectors chosen for assistance consistent with indigenous peoples' priorities? If not, could these priorities be addressed through targeted intervention or a special sector programme?	4.2., 4.3., 4.4.
Are there any established mechanisms for dialogue and consultation between indigenous peoples and the government in relation to the sector(s); can donors play a constructive role in facilitating such mechanisms?	4.5.
Are indigenous institutions and organisations involved in the implementation of SPS?	4.6.
Are there any NGOs with a track record of facilitating indigenous peoples' participation and development?	4.7.
What are the training and capacity-building needs of government institutions, indigenous institutions and donor agencies in terms of including indigenous rights in SPS?	4.8.
How can indigenous peoples and their organisations be consulted and involved in the implementation of SPS?	4.5., 4.6.

Inclusion in specific sectors	Relevant sections
What are indigenous peoples' priorities and aspirations in the sectors chosen for support; have these been addressed? If they have not been addressed, how can this take place?	5.1.-5.6. 4.2.
Agriculture, natural resource management, environment	5.1.
Human rights	5.2.
Decentralisation	5.3.
Education	5.4.
Transport	5.5.
Health	5.6.

2. General guiding principles

2.1. The relevance of indigenous rights for overall development goals

The term “indigenous peoples” is a common denominator for distinct peoples who, through historical processes, have been denied their right to control their own development. Indigenous peoples are the holders of unique languages, knowledge systems and beliefs, and often possess invaluable knowledge and practices for the sustainable management of natural resources. Indigenous peoples hold their own diverse concepts of development, based on their own diverse values, visions, needs and priorities.

Indigenous peoples often have much in common with other marginalized segments of society in developing countries, i.e. lack of political representation and participation and lack of access to social services. However, what adds another dimension to the situation of indigenous peoples is precisely their conditions as peoples.

As distinct peoples, indigenous peoples claim the right to self-determination, including the right to control their own political, social, economic and cultural development. Derived from this overall right are a set of more specific rights, e.g. the rights to land and territories and to maintain governance and administrative structures. These rights are often negatively affected in the development process if an explicit rights-based approach to indigenous development is not promoted.

There has been a tendency to regard indigenous rights as a “marginal” issue in the broader development context, but indigenous peoples constitute at least 350 million individuals representing more than 5,000 distinct peoples. The vast majority of indigenous peoples live in developing countries. They are generally excluded from political participation; they are economically and socially marginalised and disproportionately represented among the victims of human rights abuses and conflict.

Denial of indigenous rights has been at the centre of recent conflicts and uprisings in countries such as Bangladesh, Bolivia, Guatemala, Ecuador, Nepal and Nicaragua.

The history of Guatemala is marked by the systematic exclusion and marginalisation of the indigenous Maya population, which has led to severe armed conflicts in the country. It is estimated that from 1980-4, at least 50,000 people were killed, 1,000,000 were displaced from the highlands and 120,000 fled to neighbouring countries (Minority rights Group (MRG) 1994). Indigenous rights were a key component of the 1995 Peace Accords in Guatemala, but have still not been fully implemented.

Some of the fundamental linkages between broader development objectives and indigenous rights are outlined below:

Development objective	Link to indigenous peoples' rights
Poverty reduction	- Indigenous peoples live in greater poverty than the general population.
	- Poor health, illiteracy, degraded natural resource base, no access to basic services, migration and social disintegration etc. - Diversification of the concept of poverty and of poverty reduction strategies according to indigenous peoples' different perceptions and aspirations.
Democratisation	- Exclusion from political participation and decision-making - Weak access to information and education - No recognition of indigenous governance institutions and decision-making structures.

Development objective	Link to indigenous peoples' rights
Human rights	- Severe violations of indigenous peoples' cultural, economic, social and political rights. - Lack of awareness and attention to human rights abuses against indigenous peoples.
Conflict prevention and resolution	- Indigenous peoples disproportionately represented among refugees and internally displaced people. - Denial of indigenous rights among the root causes of conflict and national instability.
Gender equality	- Indigenous women are often marginalised with regard to access to education, health services, political participation etc. - Discriminatory cultural practices in some indigenous societies, e.g. with regard to inheritance rights and participation in governance structures. - The lack of rights and opportunities affect men and women differently and requires differentiated responses, ensuring the voices and participation of both men and women.
Sustainable development	- Violation of land and resource rights. - Close interconnection between cultural and biological diversity; special role of indigenous peoples in the conservation and management of biodiversity.

In short, the challenge to development posed by indigenous peoples is twofold: on the one hand, indigenous peoples have the same right to development, resources and services as all other peoples. On the other, it must be recognized that the nature of their aspirations for development, resources and services may be fundamentally different from those of other peoples. Development strategies must thus be designed to overcome the marginalisation and at the same time ensure the rights of indigenous peoples. This can only be achieved with the participation and consent of the people concerned and their full control of the process eg. ownership.

- Recognition of indigenous peoples' collective rights is crucial to achieving the broader development objectives of poverty reduction, democratisation, sustainable development, conflict prevention and respect for human rights.
- The cultural diversity of indigenous peoples requires a fundamental diversification of the development concept and process in order to adequately address their rights and different aspirations.

- The key principle for safeguarding indigenous rights in development cooperation is the establishment of mechanisms that ensure the full participation and the free and prior informed consent of the communities concerned.

2.2. Identifying indigenous peoples in diverse contexts

Considering the diversity of indigenous peoples, it has proven difficult to develop one single formal definition that is acceptable to all. However, the “Cobo-definition¹”, as well as ILO Convention 169, provide a useful working definition which, in summary, highlights the following general characteristics of indigenous peoples:

- Self-identification as indigenous
- Historical continuity with pre-colonial and/or pre-settler societies
- Strong link to territories
- Distinct social, economic or political systems
- Distinct language, culture and beliefs
- Form non-dominant sectors of society
- Resolve to maintain and reproduce their ancestral environments and distinctive communities.

In Africa and Asia particularly, where the concept of being indigenous is not related to overseas colonisation, uncertainty about the criteria for definition has been perceived as a barrier to addressing indigenous rights in development policies and programmes. The question of definition is currently being discussed and interpreted in international and regional fora, such as the UNCHR and the African Commission on Human and Peoples’ Rights. Given the complexity of the issue, and out of respect for the discussions currently taking place, it is neither necessary nor desirable for donors in the development context to place emphasis on the definition of indigenous peoples.

In Africa, the discussion of the term ‘indigenous peoples’ is relatively new and there is still a vivid discussion as to an understanding of the term and its implications. The argument often heard is that, from a literal understanding of the word “indigenous”, everybody of African origin can be considered indigenous to Africa. In 2003, the African Commission on Human and Peoples’ Rights (ACHPR) adopted the *“Report of the African Commission’s Working Group on Indigenous Populations/Communities”*. By adopting the report, the ACHPR has sent a clear signal that it recognises the existence of indigenous peoples in Africa, that they suffer from gross human rights violations, that the African Charter should be used to protect and promote their human rights, and that the ACHPR will continue to work actively on the issue. A Working Group of Experts under the ACHPR has been given the mandate to gather information, undertake country visits, formulate recommendations and submit reports on the human rights situation of indigenous peoples in Africa. →

1 UN Doc. No. E/CN.4/Sub.2/1986/872

The ACHPR report emphasises the following characteristics in its identification of African indigenous peoples:

- Their cultures and ways of life differ considerably from those of the dominant society.
- Their cultures are under threat, in some cases on the verge of extinction.
- The survival of their particular way of life depends on access and rights to their traditional land and resources.
- They often live in inaccessible, geographically isolated regions.
- They suffer from political and social marginalisation and are subject to domination and exploitation within national political and economic structures.

In South Africa, the government has engaged in a concrete dialogue with indigenous peoples on the accommodation of indigenous rights within the constitutional and institutional set-up. As part of this constitutional process, the government has sponsored the establishment of a national council, which includes all the groups identifying themselves as indigenous in South Africa. Furthermore, different processes for achieving land rights have been specified for different groups and peoples in South Africa in order to redistribute the land which, due to the effects of colonisation and apartheid, was mainly held by the whites.

- *The most fruitful approach is to identify, rather than define, indigenous peoples in a specific context. Identification is a more constructive and pragmatic process, based on the fundamental criterion of self-identification as underlined in ILO Convention 169. Seen from an indigenous perspective, self-identification is the basis of a broader recognition of culture, language, religion and others.*
- *In some countries there is resistance to use of the term “indigenous”, but there may be local terms (such as tribal, first people, adivasi, janajati) or occupational and geographical labels (hunter-gatherers, peasants, hill people, rural etc.) that for all practical purposes can be used interchangeably with “indigenous peoples”.*
- *In many cases, the notion of being indigenous has pejorative connotations and some people may choose to hide or redefine their indigenous origin. External actors must respect such choices while at the same time working against the discrimination of indigenous cultures.*

2.3. Diverse organisational representations

Indigenous peoples present a vast spectrum of differentiated organisational representations. Some have retained traditional legal, administrative and governance systems, while others have adopted new organisational forms such as unions or Indigenous Peoples' Organisations (IPOs). Yet others have been put in place by governments, sometimes to inhibit or compete with self-generated indigenous organisations. This diversity also reflects the processes of change and the multifaceted challenges facing indigenous peoples, e.g. the general trend of massive out-migration from indigenous communities. In many cases, different organisations coexist or even compete over representative legitimacy or available resources.

There has been a tendency for external actors to regard indigenous societies as static or backward, implying that if they changed or adopted new organisational forms they would become less ‘indigenous’. This can lead to the failure of development programmes if these are designed to address a false perception of a static and homogeneous society instead of the multifaceted, dynamic society that is always the reality.

In some cases, the formal requirements of development cooperation, such as financial reporting, contribute to indigenous peoples' adoption of new organisational forms,

which may eventually erode the legitimacy of existing structures and institutions. Donors thereby risk contributing to division by giving one-sided support to a single section of an indigenous society and should instead encourage an inclusive approach. They can thereby support the internal diversity of indigenous societies but should not weaken the requirements for mechanisms that ensure accountability towards the constituencies of any given organisation. Formal indigenous organisations are not necessarily gender representative, and there will often be a need to explore complimentary structures or mechanisms that can ensure the right to participation of both men and women.

- The diverse organisational representations of indigenous peoples call for an inclusive approach, involving all the different sections of a given society. This approach avoids inappropriately establishing indigenous identity in a way that ignores the changes taking place in indigenous societies.
- Existing indigenous structures and institutions can be validated and strengthened through development cooperation – instead of setting up new and potentially conflictual organisations that are structured according to the requirements of that development cooperation.
- Partnerships include careful and inclusive identification of indigenous partners as well as an assessment of their capacity, local acceptance, participation of both men and women, and accountability towards their constituencies.

2.4. Gender

Marginalisation and exclusion is, in most societies, related to a series of interrelated factors such as class, age, gender and ethnic affiliation. Among these, gender has received particular attention as, in many societies, women in particular are deprived of access to services, resources and political participation. Most donors therefore attempt to mainstream the concern for gender equality and, specifically, to ensure the rights, resources and voices of women at all levels of development assistance.

In Nepal, social stratification based on gender, caste and ethnicity permeates all spheres of society. Gender and, more recently, also caste-based discrimination have been acknowledged and have received attention from the government and donors, including the establishment of mechanisms for disaggregation of data, monitoring of impact and targeting of programmes. These “mainstreaming mechanisms” related to caste and gender could be broadened to also include indigenous peoples’ issues in order to address the three main and interrelated features of exclusion in Nepal.

In many indigenous societies, women and men have distinct ritual, social and economic responsibilities and institutions. The need for a gender-sensitive approach when working with such societies is evident.

An initial consultation with the indigenous organisations in Bolivia prior to the design of a Danida-supported sector programme for indigenous peoples, revealed that women were generally most interested in bilingual education while men focused primarily on land rights. This gender-sensitive analysis led to the design of sector programme components for land titling and bilingual education.

Indigenous peoples have their own diverse cultural concepts of gender, including a particular understanding and organisation of gender relations. In some societies, e.g. the Ayllus in the Andean highlands, gender specific roles are interpreted in terms of complementarity rather than equality. In such cases, it might be more constructive to address gender issues from the indigenous concept of complementarity, e.g. providing

specific training activities for men and women or promoting specific political fora for female Ayllu authorities.

In some cases, indigenous practices and institutions, for example customary political leadership or inheritance laws, may be considered discriminatory for either men or women. Many external actors have perceived it as being difficult to address gender issues in indigenous societies, probably because of the dual challenge of respecting indigenous peoples' right to self-determination while at the same time insisting on the fundamental value of gender equality, which however need not be expressed in a mechanical uniformity across the sexes. In general, the guiding principle is to maintain a strong stand on the human rights of all individuals, both men and women, while building on and respecting indigenous concepts of gender as far as possible. In cases where indigenous practices and norms are in conflict with human rights, external actors must insist on dialogue, but the question of how specific women's and men's rights relate to the overall right to self-determination should primarily be dealt with through an internal process in the indigenous societies concerned.

The debate on gender roles and changes is by no means silenced in indigenous societies. Gender-specific activities are conducted at community level, and there is a growing network of indigenous women's organisations that address both their general concerns as indigenous peoples and their specific concerns as women, thereby strengthening the internal discussion on self-determination and gender-based rights.

- Given the interlinkages between patterns of exclusion related to gender and ethnic affiliation, there may potentially be opportunities for including the concern for indigenous peoples alongside gender mainstreaming efforts.
- Indigenous concepts of gender constitute the starting point for addressing the rights and opportunities of indigenous men and women through development.
- Individual human rights issues, including the rights of men and women, are an integral element of the dialogue with indigenous societies.

3. Indigenous rights and overall development issues

3.1. Poverty Reduction Strategy Papers

All low-income countries are expected to develop Poverty Reduction Strategy Papers (PRSPs). These constitute the overall framework for lending, debt relief and development cooperation. The PRSPs are to be developed and monitored through participatory processes involving civil society and development partners including the IMF and World Bank. Most donors intend to align their SPS to the PRSPs.

The main implication of this globalised mainstreaming of development tools is that donors base their work on a common analysis and follow common strategies in a given country. If indigenous peoples are not included in the main dialogues and consultations, and if their rights and priorities are not reflected in the PRSPs, they will be left out of all major development efforts. Furthermore, there is an inherent risk that poverty reduction efforts may even have a negative impact on indigenous peoples.

Most of the major donor organisations have developed specific policies on support to indigenous peoples, which must be followed in overall project and programme design (SPS and others). It is important to build on existing donor policies such as those developed by Danida, the EU and the UNDP, and to communicate these to indigenous peoples in order to facilitate implementation.

The PRSPs, as well as the annual progress reports on implementation, are subject to Joint Staff Assessments (JSA) from the World Bank and the IMF. The JSAs assess the PRSPs according to four core elements: a) the country's participatory process, b) poverty diagnosis, c) targets, indicators and monitoring, and d) priority public actions. One of the key questions the JSA is supposed to address is the involvement of ethnic minorities.

The extent to which the PRSPs include the concern for indigenous peoples, and the level and quality of the consultations leading to formulation of the PRSPs, vary considerably. Many indigenous peoples are not aware of the PRSP processes and are not involved in monitoring their impact. The guidelines for developing PRSPs underline the need for participatory processes but make no specific mention of involving indigenous peoples.

In Nepal, the government's 10th 5-year plan forms the PRSP. The plan mentions the particular problems of indigenous peoples and outlines a number of policies and programmes for these issues. However, the Medium-Term Expenditure Framework (MTEF), developed to operationalise the plan, does not allocate specific resources for indigenous peoples within the general programmes. Apart from a few targeted programmes, it is thus difficult to determine the exact level of funding for indigenous peoples. →

The Nicaraguan PRSP does not specifically target indigenous peoples but does mention the Atlantic coast (where the majority of indigenous peoples live) as a priority area, due to its intense poverty. Among the priorities for the region, demarcation of indigenous land is mentioned.

- The full participation of indigenous peoples in the formulation, implementation and monitoring of the PRSP is crucial to achieving its poverty reduction goals. The degree and quality of indigenous participation in the formulation, implementation and monitoring processes, as well as the reflection of indigenous priorities in the priority actions, are criteria for assessing the quality of the PRSP.
- The allocation of resources for awareness raising and capacity building of indigenous organisations to adequately participate in the discussions around the PRSPs is a necessary precondition for participation in most countries.

3.2. Disaggregated data

All sector programmes measure impact and progress through data collection. The data can, for example, measure progress in the poverty situation or the literacy rate or health situation of the target groups, depending on the objectives of the intervention. In most countries, there is no available disaggregated data that can give an accurate description of indigenous peoples' situation as compared to other population groups or which can be used to qualify policies and monitor the impact of programmes. In order to gain an approximation of the situation of indigenous peoples, it is often necessary to combine or correlate different sets of data (e.g. economic statistics correlated with geographical criteria), but these are generally rather imprecise.

The absence of disaggregated data is a major obstacle to most sectors

In Nepal, one of the main sources of information for monitoring impact and results in the primary education sector is the Education Management Information System (EMIS), which is linked to indicators of progress related to the Millennium Development Goals (MDG). The information gathered through the EMIS does provide disaggregated data by gender, but does not allow for a specific assessment or monitoring of impact with regard to indigenous peoples, even though there is a clear correlation between low school achievement, gender and ethnicity/caste in Nepal.

The absence of disaggregated data is reproduced in the large-scale reporting procedures from national to international level, e.g. with regard to progress towards the MDGs. In order to effectively monitor progress, it is acknowledged that reports need to go beyond simple averages that can be misleading, signal false progress or mask disparities related to ethnicity.

The UN Permanent Forum on Indigenous Issues has recently initiated work on the generation of disaggregated data on indigenous peoples. However, it is evident that this represents a huge challenge, because of the following factors in particular:

- Difficulties with definition or terminology
- Drifting and mobility in ethnic identity
- Migrations patterns, conflicts and wars
- Lack of legal provision or political acceptance of disaggregation
- Little understanding of reliable disaggregated data as a requirement for the development of appropriate development responses and monitoring of impact
- Weak national capacities for data collection, analysis and disaggregation.

Difficulties with definition and terminology

It is estimated that around 60% of the population of Bolivia is indigenous, but there are no exact figures. The latest census undertaken in Bolivia (2001) intended to identify the exact percentage of indigenous people, based on the criteria of mother tongue, languages currently spoken and self-identification (in line with ILO Convention 169). The raw data of the census are available but have still not been published by the National Institute of Statistics (INE), as there is no clarification of how to weight the different criteria regarding identity/ethnicity in a further analysis.

- The creation of disaggregated data, by gender and by ethnic identity, is necessary in order to gain an accurate understanding of indigenous peoples' situation, qualify policies and develop and adequately monitor the impact of programmes, and should be an integral element of the strengthening of national capacities in the area of data collection.
- Methodologically, relevant data collection must be undertaken with the full participation of indigenous peoples, in indigenous languages and employing indigenous facilitators.
- Within the context of SPS, disaggregation can be integrated into the data generation undertaken in the administrative procedures of specific sectors, particularly health and education.

3.3. Indicators

Recognition of the need to diversify the concept of development implies the need to diversify indicators in order to ensure their relevance to indigenous peoples' concepts, perceptions and aspirations, including the differentiated notions of men and women.

The Bolivian *Poverty Map 2001* is based on a national census of population and housing. The Poverty Map is based on six indicators of unsatisfied basic needs, which include, among others:

- *Building materials.* These are considered inadequate if the residence has walls made of cane, palm or stones, an earth floor and/or roof made of straw, cane or other waste materials.
- *Rooms available.* People are living below the norms when there are more than 5 people sleeping in two rooms, when they do not have at least one additional room for eating or living and/or do not have a separate room for cooking.

There is no doubt about the severity of poverty in Bolivia, but it is relevant to question whether these indicators reflect indigenous peoples' own perception of poverty or rather a discriminatory view of, for example, indigenous architecture. In the Bolivian case, indicators are cultural constructions of adequacy and inadequacy that are not necessarily consistent with indigenous peoples' own perceptions (MRG, 2003). There is an obvious need for generating indicators that adequately reflect indigenous men and women's own concepts and perceptions of poverty.

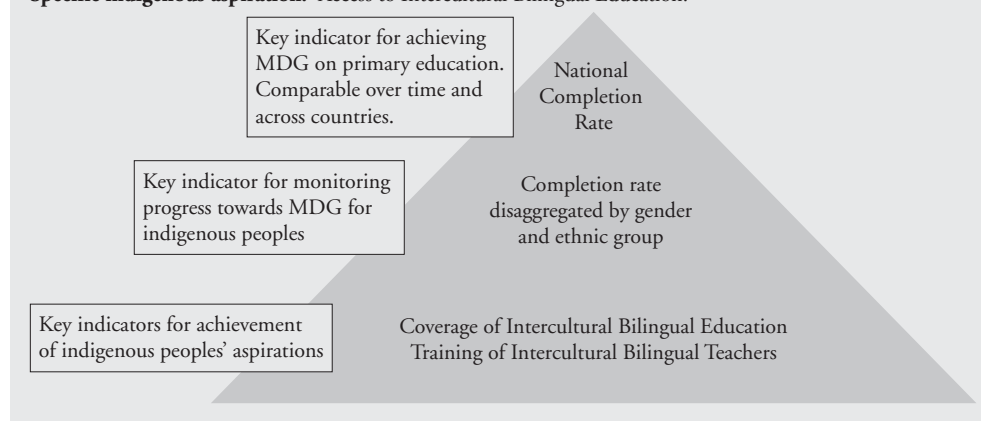
There are two main concerns that should be adequately balanced in the definition of indicators: on the one hand, they should be relevant to indigenous peoples' notions of development and poverty and, on the other, they should allow comparability with other population groups.

One way to do this is to present aggregated key indicators in an information pyramid that, at the lower levels, provides disaggregated indicators and describes interrelationships with underlying problems (Kemp, 1998).

Outline of a proposal for including specific indigenous peoples' indicators in national and international monitoring exercises:

MDG Target: To ensure, by 2015, that children everywhere will complete a full course of primary education.

Specific indigenous aspiration: Access to Intercultural Bilingual Education.



- Distinct qualitative and quantitative indicators reflecting indigenous men and women's own notions of poverty and development must be developed in order to monitor progress with regard to the inclusion of indigenous peoples in development as well as the relevance and quality of such development.
- Such indigenous indicators should be aggregated with mainstream indicators at national and international levels in order to allow for comparison with other population groups and monitor progress vis-à-vis internationally established development target such as the Millennium Development Goals.

4. Indigenous rights in the sector approach

4.1. General sector programme experience

The main characteristic of sector programme support (SPS) is that long-term strategies and objectives are defined in close cooperation with the partner country and development assistance feeds into the national sector policies, strategies and programmes. The ultimate goal is for development assistance to be given in the form of general budgetary support, without the donor deciding on the prioritisation of the funds within sectors.

In many countries, national sectors are financed through “basket funding”, by which a number of donors jointly contribute to a common programme. Donor strategies on support to indigenous peoples could potentially be used as platforms for raising concern and ensuring coherence and coordination among donors. In Nepal, for example, donors contributing to basket funding of the education sector include the European Commission, Finland, Norway, Denmark and the World Bank. All of these agencies have policies on support for indigenous peoples that could be instrumental in the dialogue and definition of a common approach to indigenous issues.

Main characteristics of SPS:

- Ownership is with the partner country rather than with the donor
- Long-term support based on national sector policies and implemented through national institutions
- Combination of different types of support: budgetary support, investments, training, technical assistance
- Continuous and close dialogue between donor and partner country, which allows the discussion of politically sensitive issues
- Increased possibilities for coherence in the programmes and for effective donor coordination.

These characteristics imply that there are both opportunities and risks attached to the SPS approach:

- Due to the close and strategic government-to-government cooperation, SPS has the potential to encourage structural reforms in favour of indigenous peoples and allows donors to initiate a dialogue and address sensitive issues at government level.
- SPS implies a specific risk for indigenous peoples, who are often politically marginalised and excluded from participation and whose priorities and needs are not necessarily reflected in the national sector framework.

Due to national and regional differences, there can be no uniform or simplistic approaches to including indigenous rights in SPS. In short, experience has shown that opportunities are influenced by the following factors:

- The reflection of indigenous rights in national legislation and sector framework

- The level of influence and organisational strength of indigenous peoples
- The existence of common international instruments to link up to
- The level of awareness of indigenous issues among relevant government and donor staff
- The existence of communication and consultation mechanisms between government, donor and indigenous peoples
- The scope and opportunities for addressing indigenous rights depends on a variety of factors; it is thus contextual and requires dialogue.

The more specific challenges and best practices related to the sector approach are dealt with in the following sections.

4.2. Compartmentalisation and limitations of SPS

One of the inherent risks of the sector approach is that the root causes of indigenous peoples' situations may not be addressed, as the key determinants of certain problems lie outside the influence of any specific sector. Many of these determinants are interconnected and of a political nature that is beyond the scope of influence of international cooperation. This may considerably weaken the impact of SPS on indigenous peoples.

The loss of indigenous languages is a case in point: this problem is most directly addressed within the education sector but the root causes of the loss of languages are often related to economic pressure, destruction of the environment and indigenous livelihoods and ultimately related to issues of land and resource rights. It is evident that these broader issues cannot be adequately addressed solely within the education sector.

Another risk is that donors' support to a few national priority sectors will not coincide with indigenous peoples' own priorities, thereby excluding them or promoting a supply-driven approach to development.

There is a contradiction between indigenous peoples' holistic vision of development and the thematic and compartmentalised approach of the SPS. This points to the need to address the broader issues of indigenous rights in a holistic and integrated way, including cooperation and coordination with other sectors, government institutions, donors, indigenous organisations, NGOs, research institutions etc.

- It is necessary to undertake a thorough analysis of the root causes of indigenous peoples' problems and define a strategy that explicitly identifies opportunities for and limitations to addressing these issues through SPS.
- Intersectoral coordination is critical to achieving the positive results of SPS for indigenous peoples.
- Indigenous peoples' needs and priorities cannot be adequately addressed through SPS alone. It is crucial to complement the SPS with a more traditional project-based approach. Specific budget lines earmarked for indigenous peoples can fruitfully complement the SPS.
- Donor countries might explore support for awareness raising and confidence building that raise the visibility and legitimacy of indigenous peoples' cultures, histories and claims, for example through media and educational efforts in the partner country.

4.3. Inclusion of indigenous peoples in Country Strategies

Most donors formulate Country Strategies in order to define the overall framework for assistance to a given country. The Country Strategies provide an analysis of the national context and sector framework and define the priority sectors that will receive support. Recent reviews (e.g. Danida, 2002) have shown that the inclusion of indigenous peoples in country strategies is crucial in order to overcome a number of general problems:

- The general donor policies to support indigenous peoples often fail to give operational guidance to staff.
- In some cases, there are inherent contradictions in the national legislative and institutional framework, which leads to a lack of coherence in the approach to indigenous rights.
- If indigenous peoples are left out of the Country Strategies, they will often not be taken into consideration in SPS.
- In all partner countries with indigenous populations, an analysis of the situation of indigenous peoples must be included in Country Strategies. The strategies should furthermore include specific analysis on how indigenous peoples' issues and concerns are addressed in the SPS and other development interventions.
- Country Strategies are operational interpretations of the general donor policies on indigenous peoples, thereby linking policy and implementation levels and serving as a practical guideline in a specific national context.
- The inclusion of an indigenous peoples' analysis in Country Strategies requires proactive information gathering and consultation with indigenous men and women, and is a precondition for further reflection of indigenous peoples' needs and priorities in sector programmes.
- Country Strategies provide a platform for dialogue, coordination and division of labour that allows for the creation of synergies between different sectors and the establishment of coherent operational practices.

In Bangladesh, Danida is involved in SPS that will also include the Chittagong Hill Tracts (CHT), where a fragile Peace Accord has been signed between the government and indigenous guerrillas. Within the broader context of a Country Strategy, Danida has developed specific guiding principles for SPS in the CHT:

- Strengthening the specific governance institutions in the CHT based on the Peace Accord and their capacity to undertake envisaged roles and competences
- Small-scale, i.e. no major development activities should be supported in the beginning
- Pluralism, i.e. testing various implementation mechanisms
- Capacity development through implementation of activities with local organisations based on the understanding that local organisations will only increase their capacity to handle funds and projects by actually being given the chance to do so
- Continued and regular consultations with stakeholders
- Step-wise scaling up of activities, linked to built-in benchmarks relating to both institutional development and implementation of activities.

4.4. Targeted programmes versus mainstreaming

One of the recurrent discussions is whether to address indigenous peoples through targeted programmes or to mainstream the concern for indigenous peoples into existing policies and programmes. It is generally acknowledged that single programmes cannot solve the multifaceted problems of indigenous people or projects but imply

long-term processes of restructuring the states. The approach taken by most donors is therefore to mainstream the concern for indigenous peoples into policies and programmes at all levels. However, mainstreaming is a challenging approach requiring institutional capacity. This is often too weak to ensure adequate implementation. Many indigenous peoples therefore express scepticism with regard to the mainstreaming approach and prefer targeted programmes.

	Targeted programmes	Mainstreaming efforts
Advantages	<ul style="list-style-type: none"> - Explicit focus - Specific capacities - Immediate results 	<ul style="list-style-type: none"> - Broad impact at all levels, including policies - Sustainability
Disadvantages	<ul style="list-style-type: none"> - Reduced impact 	<ul style="list-style-type: none"> - Risk of losing focus - Lack of specific capacities - Few immediate results

There has been a tendency to describe mainstreaming and targeting as mutually exclusive approaches. It is, however, potentially much more constructive to look at the possibilities of creating synergies through a combination of approaches:

- Mainstreaming of indigenous rights in the national sector frameworks is crucial for achieving more inclusive and equitable societies and ensuring broad impact.
- Mainstreaming and specific targeting of indigenous peoples' issues are not mutually exclusive but complementary approaches that can be successfully combined.
- Mainstreaming is a long-term process but clear benchmarks and indicators of implementation should be outlined in order to monitor progress.

4.5. Specific sector programme to support indigenous rights

Most attempts to address indigenous rights in SPS are undertaken within thematic sectors. However, in Bolivia Danida has engaged in an innovative approach, supporting a sector programme that directly addresses the implementation of indigenous rights. The overall policy framework for the programme is ILO Convention 169, which has been ratified by both Denmark and Bolivia. This experience provides a unique opportunity to explore the advantages of combining the SPS approach with an explicit focus on indigenous rights.

The main lessons learned from the indigenous peoples' sector programme in Bolivia are that:

- It has allowed Danida and Bolivian partners to address the main priority issues of indigenous peoples, such as land rights, intercultural bilingual education, political reform and participation, as well as institutional strengthening of government and indigenous organisations.
- It has allowed Danida and Bolivian partners to address indigenous peoples with a 'sector philosophy', working simultaneously at different levels: policies, institutional framework, direct support, and specific activities.
- It has allowed Danida and Bolivian partners to establish institutionalised platforms for permanent dialogue with indigenous peoples; to contract specialised staff and generate experiences and capacity; to be proactive and understand the needs and priorities of the diverse indigenous peoples; to base the work on proposals elaborated through participatory grass-roots processes.
- It has allowed Danida and Bolivian partners to support national efforts for 'mainstreaming' indigenous rights in government policies and institutions.

The results in some of the areas addressed by the programme are still weak, but it is generally recognised that the implementation of indigenous rights is a long-term and challenging process that is as necessary as it is difficult.

In Bolivia, key activities supported by Danida in order to mainstream indigenous rights include:

- Support to the recognition of indigenous rights through development of policies and laws.
- Mainstreaming and decentralisation of indigenous policies and programmes in the governance structures and institutions at all levels.
- Development of a monitoring system for the implementation of indigenous policies and programmes.
- Awareness-raising among the general public.

A strategy for the handing over of focused activities to thematic sector programmes is built into the design of programmes, as part of the mainstreaming efforts.

- Specific sector programmes to support the development of policies and institutional frameworks can be a major vehicle for the recognition and implementation of indigenous peoples' rights.
- Specific indigenous peoples' programmes have a strategic role in order to impact on the thematic sectors as well as other donors to mainstream concern for indigenous peoples.
- The definition of common policy platforms for donor and recipient country, e.g. through the ratification of ILO Convention 169, facilitates the formulation of a set of minimum conditions with respect to the recognition of indigenous rights in SPS design and implementation and the opportunity to design focused programmes for promoting indigenous rights.

4.6. Mechanisms for dialogue, consent and coordination

Indigenous peoples, and particularly indigenous women, are generally under-represented in political decision-making structures and in the public sector. They are often marginalised in terms of access to information and institutions and are unaware of the mechanisms for international and national policy development and cooperation. In short, they tend to be invisible peoples, seen from the perspective of national institutions and donor agencies.

The challenge of ensuring indigenous peoples' participation is not solved with ad hoc consultations on specific issues. It is a long-term process of gradually building capacity for dialogue on both sides. In order to move towards the ambitious goal of ensuring the free and prior informed consent, as well as the full and free participation of indigenous peoples in the development process, it is necessary to establish institutionalised platforms/fora for continuous dialogue, involving both men and women.

In the context of the SPS for indigenous peoples in Bolivia, Danida is supporting a component for the titling of indigenous lands. Land titling is by definition a controversial issue, as it is a prerequisite and facilitator for the commodification and marketability of land, and as it per se involves conflicting interests. One of the challenges has been to define common parameters for evaluating progress. To this effect, an inter-institutional commission, CITCO, was established as a shared coordination and monitoring mechanism, comprising representatives from the Danish Embassy, the indigenous organisations and Bolivian governmental institutions. →

Through the component for support to intercultural bilingual education, Danida is supporting the establishment of Indigenous Educational Councils, which participate in the management and formulation of national policies and programmes.

In the next phase of the overall SPS to support indigenous peoples in Bolivia, it is anticipated that a joint National Steering Committee will be established to oversee the progress and approve annual work plans and budgets. The Committee will comprise representatives of government institutions, the Danish Embassy and indigenous organisations.

- The establishment of institutionalised platforms for dialogue, planning, coordination and monitoring at various levels is crucial to developing a common understanding of the limitations, positions and obligations of the different stakeholders, and to approximating the long-term goal of ensuring the full participation and the free and informed consent of indigenous peoples in the development process.
- Special attention must be given to ensuring the participation of both men and women.

4.7. Involving indigenous and government institutions in implementation

In SPS, the main responsibility for implementation lies with national and/or local government institutions. In many countries, SPS is affected by institutional instability as well as a lack of political commitment to reforms and democratisation. Indigenous peoples in particular experience the government structures as being exclusive and are sceptical about the possibility for strengthening indigenous rights by strengthening the institutional capacity of the state.

In Nepal, available data indicates that indigenous peoples are generally under-represented in political decision-making bodies and government institutions. However, the level of participation among indigenous peoples varies enormously. One indigenous group (the Newar) is almost on a par with the dominant castes, while others (such as the Raute, Bankaraia, Kusunda) have practically no political participation at all, and their involvement is regarded as highly unlikely if special proactive measures are not taken. Other groups (e.g. the Chepang) have the potential to participate but have no citizenship certificates. They are caught in an impossible situation because in order to obtain certificates they need to own land, but to purchase land they need citizenship certificates (Bhattachan, 2003).

On the other hand, one of the defining characteristics of indigenous peoples is that they *'irrespective of their legal status – have maintained all or some of their own social, economic, cultural and political institutions'* (ILO Convention 169). These institutions constitute the political representation of specific peoples but also have administrative and management functions, e.g. with regard to land, resources and justice. There is an inherent risk of undermining the legitimacy and capacity of these institutions if they are not actively involved in the implementation strategies employed.

Registration of indigenous organisations. In many countries, indigenous organisations face difficulties in obtaining the official registration required to operate legally. In these cases, “seed funding” from donors may facilitate the registration process. In other cases, official registration and recognition may involve sensitive issues of control and legitimacy that are not favourable to the diversity of the indigenous communities.

The strength and experiences of indigenous institutions vary considerably in national and regional contexts but many have difficulties in fulfilling the administrative and technical requirements of development cooperation and engaging in direct cooperation with donors and government institutions. In some cases, the interface between the technical and political areas of work of the indigenous organisations is difficult to handle and raises questions as to the roles and responsibilities of the different actors. In other cases, the focus on implementing development projects diverts the organisation's focus away from advocating the interest of its constituencies and towards project management and service provision. Furthermore, the links between governmental and indigenous institutions are often weak and even non-existent. Considering the power relations embedded in development cooperation, there is an obligation to bridge the gap from both sides and to address institutional capacity building and strengthening of relations as a main priority.

- SPS should follow a double strategy of strengthening the capacity of public institutions to respect indigenous rights and, at the same time, strengthening the capacity of indigenous peoples' institutions.
- Involving indigenous organisations and structures directly in implementation is a way of validating their legitimacy and building capacity. It is through such practical processes that development cooperation can contribute to strengthening indigenous peoples' right to and capacity for self-determination.
- Facilitation of the official registration of indigenous organisations, e.g. through "seed funding", can be instrumental in involving indigenous peoples in the development process.
- This requires the SPS to operate with inter-linked objectives at different levels, in order to address both the thematic objective of the programme (e.g. health, education, transport) and specific objectives related to the inclusion of indigenous peoples, (e.g. awareness raising, capacity building, establishment of mechanisms for dialogue).
- Donors need to engage in dialogue on the specific political commitment required from partner countries in order to address indigenous issues through government structures. Where donors have specific policies on support to indigenous peoples there is an obligation to use and refer to these policies in the dialogue and negotiations with partner countries.
- A focus on strengthening relations rather than strengthening specific institutions is useful where the links between government and indigenous institutions are weak.

4.8. Involvement of civil society organisations

The involvement of civil society organisations (CSOs) is emphasised in the SPS approach. There is no doubt that CSOs, and particularly NGOs, play a crucial role in facilitating indigenous peoples' development and political participation. In contrast to the big donors, NGOs have closer links to the communities and are able to support and follow up low-scale, long-term processes based on existing structures and institutions in indigenous societies. NGOs often have the practical experience and expertise that donor agencies still lack.

In addition to this, NGOs have the potential to become important political allies of indigenous peoples, as they can include indigenous concerns in their agenda for advocacy. However, in some regions, particularly in Africa and Asia, there is still a need to raise awareness and build capacity within civil society around the concerns and rights of indigenous peoples.

Donors often do not distinguish between Indigenous Peoples' Organisations (IPOs) and NGOs, while IPOs strongly emphasise the difference in character between the two:

IPOs are the representations of a people - as opposed to the technical, political or issue-based legitimacy of the NGO. The differentiated legitimacy stipulates different roles in the development process, in which the role of the NGOs is to facilitate a process rather than acting as policymakers on behalf of IPOs.

In some cases, these different roles create conflicts in the cooperation between NGOs and IPOs, for example if an NGO interferes with the political sovereignty of an IPO, or the priorities and principles of the IPO are contradictory to those of the NGO. In any case, partnerships between IPOs and NGOs must be based on a mutual understanding of the different roles of the two. In any case also, donors' choice of partner IPOs and NGOs is crucial for the legitimacy and quality of the cooperation; donors should therefore always consult with a broad range of indigenous organisations before choosing their cooperation partner.

In Bolivia, some of the sub-components of Danida's support to indigenous peoples are implemented directly by IPOs. Other sub-components are implemented through Bolivian NGOs in order to reach indigenous peoples that do not have the institutional capacity to interact directly with Danida.

- CSOs, and in particular NGOs, can play a crucial role in facilitating indigenous peoples' participation in SPS.
- NGOs with capacity and experience in working specifically with indigenous peoples should be chosen, ensuring that they have the acceptance of the communities in question.
- Awareness raising, training and capacity building of CSOs with regard to indigenous rights is a priority, particularly in Africa and Asia.

4.9. Capacity building and systematisation of experiences

Working with indigenous issues is generally a challenge for donor agencies as it requires a diversification of the development concept and the tools available in development cooperation. It is a mutual intercultural learning experience in which there is still much unknown ground to cover. There is therefore a strong need for continuous dialogue, systematisation and exchange of experience as well as development of working methodologies.

Recent reviews have shown that one of the big hindrances for the implementation of strategies for support to indigenous peoples is the lack of institutional capacity and expertise within donor agencies. This is potentially aggravated by the general decentralisation of development cooperation, in which the focus on crosscutting issues may be weakened. In spite of this, indigenous issues are not systematically included in the training and capacity building efforts of most donor agencies.

- It is necessary to accompany the strategies for support to indigenous peoples with work plans that address the capacity building and training needs of the donor agency, e.g. by including indigenous issues in the regular training curricula of staff and inviting indigenous representatives to conduct workshops and seminars at headquarters and decentralised representations.
- Systematisation and exchange of experience across countries and sectors is crucial for gradually building the capacity to address indigenous peoples in SPS.
- Relevant studies, reports, guidelines etc. should be reported to the UN Permanent Forum on Indigenous Issues, which is the global focal point for promoting cooperation among states and indigenous peoples.

In 2000, ECOSOC decided to establish the UN Permanent Forum on Indigenous Issues. The Forum consists of sixteen members, eight of whom are nominated by governments and eight of whom are indigenous, appointed by the president of ECOSOC. The Permanent Forum serves as an advisory body to ECOSOC, with a mandate to discuss indigenous issues relating to economic and social development, culture, the environment, education, health and human rights. The Forum provides expert advice and recommendations, raises awareness, prepares and disseminates information and promotes the integration and coordination of activities related to indigenous issues within the UN system.

5. Sector specific experience

5.1 Agriculture, natural resource management and environment

5.1.1. *Rights to land and resources*

The overwhelming problem faced by indigenous peoples in the fields of natural resource management, environment and agriculture is the violation of their collective rights to land, territories and resources. This is, among other things, due to the effects of macro-economic policies, the imposition and subsidisation of industrialised mono-agriculture, expansion of the agricultural frontier, establishment of parks and protected areas, large-scale development projects (e.g. dams), mining and exploitation of natural resources. The exploitation of natural resources, in its many variations, is without doubt the single most important factor leading to loss of indigenous land and resources.

These trends are, to some extent, due to the effects of economic globalisation. As reported by the World Bank, globalisation has played a catalytic role in accelerating economic growth, but it has also increased inequalities between and within some countries, adding to the marginalisation of already marginalised countries and groups (Poverty in an Age of Globalisation, World Bank, 2000). For most indigenous peoples, recognition of their rights to traditional territories and resources can be a bulwark against the negative effects of globalisation.

In Tanzania, structural adjustment programmes and market liberalisation have led to the privatisation of rangeland for commercial ranching. This approach poses a serious threat of displacing indigenous pastoralists and depleting indigenous breeds of livestock as the sector moves towards mono-cropping and promotion of exotic breeds. Furthermore, indigenous peoples throughout Africa have lost critical resources to wildlife conservation, with a number of parks and protected areas being established on their traditional land.

In some countries, there is no legal framework that accommodates indigenous peoples' collective land rights. In these situations, the minimum requirement is that development cooperation does not contribute to undermining customary rights to land and resources, while at the same time contributing to the development of an adequate policy framework.

In other countries, mainly Latin American, recent policy developments have made it possible to directly address the demarcation of indigenous territories in the context of development cooperation.

In Nicaragua, a law was approved in 2003 that regulates the process of demarcation and titling of indigenous territories and establishes the territories as administrative entities under traditional governance structures. The law stipulates that taxation from the exploitation of resources on indigenous territories is to be shared equally between the indigenous community, the municipality, and the regional and central governments. This system will eventually replace the current extraction and exploitation by third parties, which leaves little or no benefit in the communities. Adequate implementation of the law will require legal accompaniment and strengthening of the communities' management and administration capacities, as well as institutional strengthening of the government institutions in charge of the process.

On the other hand, there are many cases in which indigenous peoples have insufficient or inadequate land to develop a sustainable livelihood.

In the highlands of Bolivia, the lands claimed by indigenous communities are generally of very low productive potential, among other things due to scarcity of water, erosion, desertification and environmental degradation caused by mining companies. Consequently, there is a massive out-migration of the men from these areas, as they search for work elsewhere. It is obvious that the titling of land in these areas in itself is not enough to ensure a sustainable livelihood and there is a need to address the issue of restoration of the productivity of land.

5.1.2. Building on indigenous management systems

Many indigenous societies are non-industrial, for example, in the case of hunter-gatherers, fisher people, shifting cultivators and pastoralists, and their economies are based on the use and control of natural resources. In these societies, men and women often have clearly differentiated roles and possess differentiated and detailed knowledge of the biological diversity found on their territories, including knowledge of resources of nutritional and medical value and practices that are conducive to the sustainable management and conservation of these resources. There is, however, a serious and generalised lack of recognition of the value of indigenous knowledge, land use and management systems in the agricultural and environmental policies and programmes of most countries.

The special role of indigenous peoples with regard to environmental protection and the sustainable use of natural resources is recognised in a number of international instruments, such as the *Rio Declaration*, *Agenda 21*, *the Convention on Biological Diversity*, and *the Johannesburg Declaration and Plan of Action*. Indigenous peoples participate actively in the negotiations and policy processes related to these instruments, but a common criticism of these processes is 'their remoteness from local community realities, and that good international policies do not necessarily translate into good implementation' (Joji Carino in IWGIA, 2001).

The Convention on Biological Diversity (CBD) is the main framework for addressing issues of biodiversity protection and sustainable development. The CBD is based on the principle of state sovereignty over biological resources, and indigenous peoples are not official parties to the CBD. However, their special role in the conservation and sustainable use of biodiversity has been recognized to a certain degree, especially in relation to issues such as traditional knowledge, access to genetic resources, benefit-sharing, transfer of finances and technology and protected areas.

For many indigenous peoples, subsistence-oriented economies are essential for their food security. They are now facing the enormous challenge of maintaining and developing sustainable production forms while population growth, environmental destruction and limited access to resources put severe economic pressure on their communities. There are no traditional answers to these challenges and it is therefore crucial to support the communities in their search for productive and economic alternatives. This includes building partnerships and alliances between indigenous communities, governments, the scientific community and private companies.

Poverty reduction and environmental protection through pastoralist strategies in Tanzania

The Danish-supported ERETO project in Tanzania addresses indigenous Maasai pastoralists in the Ngorongoro Conservation Area (NCA). It aims to improve access to water for people and livestock, provide veterinary services and restock poor pastoral households. ERETO builds directly on the Maasai concept and measurement of poverty and on a clan-based mechanism for social security and redistribution of wealth, which is used as the key implementation mechanism for restocking. As heads of households, women play a key role in the restocking, which has so far benefited 3,400 households. It has reversed the trend of marginalisation and restored these households to pastoralism which, to them, is more than just an economic system but is a heritage, spirituality and a determinant of identity.

The Ministry of Agriculture and farmers often depict pastoralism as an environmentally harmful practice. Prior to the ERETO project, the few available water points in the NCA necessitated a concentration of people and livestock around such points. This concentration caused environmental concerns but, after the building of more watering points through ERETO, animals and people are evenly distributed over wider areas in a sustainable way. ERETO has further contributed to the protection of wildlife in the NCA, as poverty levels and survival requirements had reached a point where the Maasai were about to start eating game meat.

The next phase of ERETO will replicate the experience throughout the whole district and attempt to influence the institutional and policy framework to be supportive of using pastoralist strategies in poverty reduction and environmental protection efforts.

(Benedict ole Nangoro, 2003)

Shifting cultivation in Asia

In South and South-east Asia, a generalised transition of indigenous economies is taking place, often through planned government intervention supported by international donors. This transition is primarily a change from shifting cultivation to sedentary and market-oriented agriculture that is fully or largely integrated into the national (and consequently, the globalised) economic system.

Research undertaken in Pgakenyaw (Karen) communities by the Inter-Mountain Peoples Education and Culture in Thailand Association (IMPECT) underlines the feasibility of shifting cultivation, even in the changing economic conditions of Asia. It is a dynamic system, which is capable of changing to suit differing circumstances while remaining loyal to the idea of self-reliance in food production. It is combined with wet rice paddy, animal husbandry, specialized cropping, kitchen gardens, hunting and gathering and small-scale agroforestry in order to supply the needs of the



village. New ideas for supplementing income and ensuring the continuation of the villages' self reliance include handicraft production, which has gained in popularity among the women's organisations. The strength of the shifting cultivation system is being undermined by government policies to protect the forests, which attempt to ban or reduce the system. The clearest message from the villages is that the rotational farming system is integral to the concept of being a Pgakenyaw. It is the physical manifestation of the lifestyle, beliefs, culture and history of the people as a whole and if it were to be abandoned, a large loss would be felt by the people (IMPECT, 1998).

On the one hand, indigenous peoples demand respect for their land rights and their traditional management systems. On the other, they are often disadvantaged with regard to access to markets, credit and extension services that could maximise the potential of indigenous management and production systems. Further, they are often in a weak position when it comes to negotiating and trading resources, and exploitation by middlemen is notorious in many indigenous societies. This points to the need for building capacity in indigenous and government institutions to formulate policies and programmes that facilitate indigenous peoples' access to services and markets and strengthen their position with regard to the market.

Access to credit

Many indigenous farmers do not have access to credit due to a lack of adequate credit policies. An IDB report (1999) notes that one of the main obstacles for indigenous peoples' access to credit is *'banks tending to be suspicious of (a) would-be borrowers from rural areas (often perceived to be illiterate or semi-literate), (b) the unfamiliar character of the investments sought by indigenous applicants for credit, and (c) the lack of collateral in the form of alienable land'*.

5.1.3. Complying with emerging international standards

Important international standards regarding indigenous peoples' rights in connection with environmental programmes and natural resource management development interventions have been set in recent years. Indigenous organisations often complain, however, that international standards do not guide the implementation of programmes that affect them, for example related to management of National Parks and Protected Areas. This is often simply due to the fact that responsible staff in forest departments, agricultural ministries etc. are not aware of the implications of international conventions and agreements. In other words, decisions made at the international level do not always trickle down to the level of implementation. SPS in the area of Agriculture, Natural Resource Management and Environment must help bridge this gap and always take a point of departure in internationally agreed minimum standards within forums such as the CBD and the IUCN (World Conservation Union). Recent internationally formulated standards that are highly relevant to indigenous peoples and must be respected in sector programme support on natural resource management include the right to full and effective participation in management of protected areas.

5.1.4. Best practices for implementation

Guiding principles

- The basis for the sustainable development of indigenous economies is recognition of their rights to land and resources.

- Where a legislative framework is in place, these rights can be directly addressed through SPS by building the capacity of government and indigenous institutions to implement the legal provisions. In cases where there is no specific legislative framework, donors must explore other avenues for supporting indigenous land rights. This can involve dialogue with partner countries on fundamental discourses on rural development (such as addressing negative stereotyping of certain modes of production), dialogue on importance and sustainability of a diversity of modes of production adapted to differentiated geographical conditions, discussions of policy reforms, discussion of modalities for innovative and inclusive development interventions etc. Such discussions and negotiations should also include consultations with research institutions specialising in innovative approaches and with indigenous organisations. SPS programmes on agriculture, natural resource management and environment can in this way play an important catalyst role in promoting fundamental policy reforms in countries where indigenous peoples' rights are not recognised.
- Respect and build on indigenous knowledge and management systems as well as existing indigenous institutions for agricultural development, natural resource management and environmental protection, recognising the role of both men and women.
- SPS must follow and contribute to the implementation of international standards on indigenous peoples' rights with regard to natural resource management as set out in relevant decisions and work programmes of the CBD, the IUCN, etc. This includes capacity building of relevant staff in ministries and state agencies.

General operational practices

- Participatory mapping of existing indigenous customary rights and management systems is a precondition for the formulation of programmes for environmental protection, natural resource management and agricultural development. However, there is a need to be cautious as the encoding of customary law precipitates its interpretation along positivist law models, which tentatively may undermine the positive flexibility, accessibility, and community "ownership" of customary law.
- Formulation of a research agenda that identifies indigenous priorities with regard to land and forest use, including low-intensity subsistence production forms adapted to specific natural environments, sustainability of traditional practices, etc.
- A strengthening of the negotiation, administrative and management capacities of indigenous communities is crucial in order to meet the challenges of shifting economic realities and exploitation by third parties, e.g. through support to participatory research and extension approaches, legal accompaniment, improvement of access to credits and markets.

Below is one example of how these guiding principles are interpreted in a specific sector programme for natural resource management in Nepal:

Community forestry in Nepal

In Nepal, Danida is supporting the establishment of Forest User Groups (FUGs) through SPS. Most people in the rural areas of Nepal rely on forest produce such as fuel, fodder, fruit and medicine, for their survival. These resources are utilised and sustained through a diversity of management systems and practices, reflecting the cultural, geographical, climatic and biological diversity of Nepal. The main problem for indigenous peoples is that their diverse management systems and differentiated settlement patterns (e.g. shifting cultivation, transmigration, pastoralism) are not recognised and therefore not contemplated in the policies and programmes for community forestry. →

Indigenous peoples who practise shifting cultivation and pastoralism have no legally recognised land rights and are largely excluded from participating in the FUGs, thus eventually being forced to abandon their traditional practices. Indigenous peoples generally do not have proportionate representation in the local institutions and decision-making processes, including the FUGs. Subsequently, where the FUGs comprise mixed populations, indigenous peoples tend to be marginalised and their specific rights, needs and priorities are often not addressed.

The best practices identified in order to adequately address indigenous peoples in the community forest programme are:

- Mandatory mapping of customary rights and traditional management systems in existing and new community forest areas.
- Inclusion of traditional governance structures in community forestry management instead of establishing new institutions.
- Employment of indigenous (male and female) motivators to ensure that these reflect the ethnic composition of the areas concerned.
- Extension materials should be translated into local languages.
- Reorientation training of forest officials.
- Inclusion of IPOs for community mobilisation and empowerment of excluded groups along with other civil society organisations.
- Case studies on indigenous management practices (e.g. pastoralism and shifting agriculture vs. continuous cropping/intensive forestry systems) in order to document sustainable practices and identify conflicts of rights and interests.

5.2. Human Rights

Indigenous peoples' rights are per se an integral part of human rights. The mainstreaming of indigenous rights in development cooperation and SPS is thus in itself a way of promoting human rights.

From the 1980s, indigenous peoples have made strong advances in the human rights arena through the establishment of the UN Working Group on Indigenous Populations in 1982 and the launching the UN International Year of the World's Indigenous People (1993), the subsequent UN Decade of the World's Indigenous People (1995-2004) and establishment of the UN Permanent Forum on Indigenous Issues in 2000. The adoption of a UN Declaration on the Rights of Indigenous Peoples continues to be goal supported by indigenous organisations and communities worldwide.

Specific human rights programmes offer additional opportunities and channels for directly addressing a number of indigenous concerns:

- *Inclusion of indigenous rights in policy dialogue*
Most donors maintain an ongoing dialogue with partner countries on human rights issues. An explicit focus on indigenous rights in the context of these dialogues can contribute in a positive and proactive way to building consensus around an understanding of indigenous rights and their implications. Training and capacity building in donors agencies, particularly in decentralised representations, is often a precondition for the inclusion of indigenous rights in such dialogues.
- *Support to the justice sector*
Many human rights programmes include support to the justice sector. In this regard, specific support to the training of indigenous lawyers, establishment of translation facilities, research on indigenous peoples' customary laws and judiciary systems, seminars and workshops for judges and lawyers and the inclusion of indigenous rights in university curricula in the fields of law can all be instrumental in building national capacity on indigenous rights.
- *Support to national monitoring institutions*
Support to institutions such as a national Ombudsman and the Human Rights' Commission to monitor the respect for indigenous rights and to support indigenous peoples' own organisations in doing so, is potentially a useful tool.
- *Creating linkages to international human rights instruments*
In some cases, it is possible to build the dialogue around a common policy framework, e.g. ILO Convention 169. In other cases, it is possible to open a dialogue on the future ratification of such instruments or explore the possibilities offered by more indirect instruments such as the Convention on the Rights of the Child, the Convention on Biological Diversity or ILO Convention 107.
- *Public awareness raising on indigenous rights and cultures*
In many countries, there is a lack of knowledge or prejudices and discriminatory attitudes towards indigenous cultures. Human rights programmes can contribute to raising public awareness of indigenous peoples' rights and situations as well as their contributions to the national cultural heritage. The methods used can include support to training of indigenous journalists, media campaigns, establishment of radios, educational material, documentaries, museums or other.
- *Creation of strategic alliances*
In many countries, the low awareness of indigenous rights is reflected and reproduced among civil society and human rights organisations. Even in countries with strong human rights organisations there may be very little knowledge about

the violations of indigenous peoples' rights, including a weak focus on monitoring and reporting on their situation. Training and capacity building for civil society and human rights organisations may be instrumental in reversing this situation.

- *Support to specialist indigenous organisation.*

Most human rights programmes offer the possibility of providing direct institutional support to specialist organisations, including indigenous research institutions, information networks, lawyers and others. Such direct support is crucial for indigenous peoples to have the possibility of advocating their rights in national society and even for building capacity on indigenous rights within donor agencies.

- *Support to indigenous networking and international participation*

Many indigenous organisations are linked to the global indigenous movement, negotiating their rights in the context of the UN Commission on Human Rights, the UN Permanent Forum on Indigenous Issues, the Convention on Biological Diversity, and the Commission on Sustainable Development, among others. In order to ensure that these processes are rooted in local, national and international processes, it is crucial to support the training, capacity building, information sharing, net-working and research of indigenous organisations.

For the indigenous peoples of the African continent, the International Year of the World's Indigenous People (1993) was the entry point to the already established indigenous forum at the UN. The Vienna World Conference on Human Rights in the same year gave momentum to the debate on indigenous issues, e.g. in Kenya, and is still a major reference for both indigenous peoples and the government.

African indigenous peoples emphasise that the networking opportunities offered through international participation are vital, as they are otherwise handicapped due to communication and economic restraints. International participation facilitates their access to information, publications and research as well as communication between different African peoples. They may even get a chance to access their government representatives, which, in some cases, is more difficult within the country.

In Bangladesh, awareness of indigenous peoples' rights started to increase following the International Year and Decade of Indigenous Peoples. The importance of international processes has been felt more strongly in the Chittagong Hill Tracts (CHT) because of the severe human rights violations. It is generally believed that international awareness and pressure was an important factor in influencing the peace process in the CHT and the repatriation of 70,000 refugees to Bangladesh.

5.3. Decentralisation

5.3.1. *Respecting indigenous governance institutions and territoriality*

Since the 1990s, many countries have embarked on reforms to decentralise the public sector. Decentralisation implies a transfer of responsibilities and resources from the centre to local government. Some sector programmes are designed specifically to support decentralisation; others can be supportive of the process by strengthening the capacities of governance structures at central and local levels. There is no doubt that the process of decentralisation, offers opportunities for the population, indigenous as well as non-indigenous. However, there are a number of specific concerns related to respect for indigenous governance institutions and territoriality in the context of decentralisation:

- Indigenous peoples are characterised by having their own authorities and governance systems – in most cases these are not taken into account in the local governance structures. This may eventually undermine indigenous authorities or create divisions within indigenous societies.
- In countries where a legislative framework for recognising indigenous peoples' territorial rights has been developed (for example, Bolivia and Nicaragua), the division of competencies and responsibilities between indigenous territorial authorities and local governments is unclear, overlapping and even contradictory in some cases.

Bolivia has a very strong framework for Decentralisation and Popular Participation, which includes provisions for the transfer of 20% of tax revenue to the municipalities. It is furthermore envisaged that the debt relief funds for poverty alleviation will be channelled through the municipalities. There is also a strong framework for the recognition of indigenous community lands (Tienas Comunitarias de Origin (TCOs)).

The establishment of Municipalities and TCOs is related to two independent and historically different processes, which are expressions of fundamentally different visions of development. TCOs are intended to re-establish indigenous territoriality and authority but they are often divided between several municipalities; there is no clarification of responsibilities and competencies between TCOs and municipalities; and there is no recognition of indigenous authorities in the municipal structure.

Due to pressure from the indigenous organisations, provisions were made for the establishment of Indigenous Municipal Districts (DMIs) and Associations of DMIs' (MDMIs). The establishment of DMIs and MDMIs are attempts to insert indigenous administrative entities within the context of decentralisation. The establishment of DMI/MDMIs requires approval by the municipalities, which are sometimes reluctant to do so. Moreover, the law does not allow for the decentralisation of funds from the municipalities to DMIs/MDMIs.

5.3.2. *Participation in local governance institutions*

Decentralisation is seen as a vehicle for democratisation as it increases public participation and involvement in the formulation and implementation of programmes at local level. However, the democratisation effect of decentralisation may be weakened by the following factors:

- Existing power relations are often reproduced in local governance structures. As a reflection of their marginal position, indigenous peoples, and particularly indigenous women, are often under-represented in local governance structures.
- Many indigenous people, particularly women, are not recorded in official registers and therefore do not have the basic right to participate in political life.
- In most countries, political participation at the municipal level is only permitted through national-level political parties. This excludes the possibility for the direct political representation of indigenous leaders and authorities. Indigenous leaders who are elected to the municipalities come under pressure from the political parties.
- The capacity of local governance institutions to address indigenous peoples' needs and priorities is often low.

5.3.3. Lessons learned for implementation

- In most countries, the law emphasises the involvement of civil society in municipal planning and monitoring and establishes different mechanisms to ensure this. These mechanisms may offer an opportunity for enhancing the participation of indigenous peoples and strengthening the links between municipal and indigenous authorities. The potential of such mechanisms for ensuring indigenous participation should be fully explored with a focus on strengthening relations and not only institutions.
- The amendment of existing electoral laws to allow for the participation of local parties and groups at municipal level is a step towards the democratisation of societies.
- Local governance institutions are often weak and lack the knowledge and capacity to address indigenous peoples' rights and priorities. Dialogue, training and capacity building of local governance institutions with regard to indigenous issues are important elements of democratisation through decentralisation.
- Training and awareness raising at grassroots level on the issue of decentralisation and the scope for political participation is important in order to build up indigenous participation.
- The registration of indigenous people, particularly women, in public registers and the issuing of identity cards is a priority in a number of countries.

5.4. Education

5.4.1. *Respecting cultural and linguistic diversity*

The education sector can potentially address two of the most fundamental concerns and rights of indigenous peoples: respect for their cultural and linguistic diversity.

Cultural rights² are an integral part of human rights. Indigenous peoples constitute the vast majority of the world's cultural diversity. This cultural diversity is a resource, made up of unique and complex bodies of knowledge, know-how, practices and representations that are maintained and further developed through extended histories of interactions with the natural environment and other peoples.

Language is an expression of cultural identity, through which knowledge about the environment, history and science is stored and transmitted to future generations. More than half of the world's approximately 6,000 languages are in danger of extinction. Considering that there are approximately 4,500 – 5,000 indigenous languages, it must be assumed that these represent the vast majority of endangered languages. Due to the structural marginalisation of indigenous peoples, there is little or no legal recognition, institutional support or social acceptance of indigenous languages. Most indigenous peoples face obstacles to having their languages recognised within the educational sector.

The links between language, culture and the environment suggest that biological, cultural and linguistic diversity are distinct but closely and necessarily related manifestations of the diversity of life. Indigenous cultures are therefore crucial to the efforts of achieving sustainable development.

5.4.2. *Exclusion and low achievement levels*

There is a generalised lack of reliable disaggregated data but available studies indicate that indigenous peoples, and among them especially girls and women, generally present the highest illiteracy rates and the lowest enrolment and achievement levels in the education sector.

A Social Assessment of Educationally Disadvantaged Groups in Nepal (CERID, 1997) identifies 24 educationally disadvantaged groups, constituting approximately 45 % of the population. The Assessment shows a clear correlation between low school achievement and ethnicity/caste. Indigenous peoples and low castes are generally below the national average, but there are also considerable variations among the different indigenous peoples. Some indigenous groups, such as the Thami, are at the very bottom of the literacy index, with probably around 4 per cent of the population literate.

This is due to a number of factors, such as:

- Education as a means of assimilation, resulting in discrimination against expressions of indigenous cultures and inadequate curricula and teaching methodologies.
- Monolingual education in non-indigenous languages, accelerating the disappearance of indigenous languages and contributing to low levels of school achievement.

² Cultural rights are defined in Article 27 of the Universal Declaration of Human Rights, in Articles 13 and 15 of the International Covenant on Economic, Social and Cultural Rights, and the UNESCO Universal Declaration on Cultural Diversity.

- Difficult access to schools, as indigenous peoples often live in geographically marginalised areas with poor infrastructure.
- Poverty, which prevents parents from sending their children to school.
- Cultural, social and economic barriers to the education of girls.
- Conflict, which affects indigenous children disproportionately and in which cultural differences are often mobilised and politicised through the education system.

All of these factors constitute both an expression of and a reason for the continued marginalisation of indigenous peoples and indigenous women.

5.4.3. *Main aspirations: bilingual and intercultural education*

The response from indigenous communities has been a demand for intercultural and bilingual education.

It is a common problem in indigenous communities that schooling is promoting values and perceptions alien to local practice and thereby distancing indigenous children and youth who go to school from their own communities. In some countries indigenous peoples are experimenting with developing locally relevant curricula in order to respond to the problem of alienation. Local indigenous organisations are crucial catalysts for these processes and can play an important role in mobilising teachers on the one hand (incorporating local knowledge in the school curricula) and indigenous parents on the other (interacting with the local school administration and demanding that their children get the appropriate education they have a right to).

Intercultural education implies a mutual learning process, accepting those who are different without losing one's own identity. It is a way of combating the prejudices that lead to racial discrimination as it involves all ethnic groups in the society in a common search for knowledge of differences, and relates schools and curricula to the challenges of cultural diversity, using education as an instrument for the advancement of democracy, tolerance and human rights. In this sense, intercultural education must involve all sectors of society and not only address indigenous peoples.

Bilingual education allows the students to develop capacities in their mother tongue and also to fully engage in the national society through the learning of another language. It allows them to preserve their identity, self-respect and self-esteem and to develop more flexible and alert minds on the basis of a greater volume of memory for mastering different language systems (UNESCO 2001).

Bi- and multilingualism is the way to prevent languages from becoming endangered but, paradoxically, it is not encouraged among most of the major language groups, whose speakers regard monolingualism as the norm and the preferred state for human language (UNESCO, 2001). The right to education in one's own language is underlined in a number of national constitutions and international policy instruments³.

IBE has been gradually accepted by a number of countries in Latin America, where the remaining main challenge is the institutional and technical capacity to ensure proper implementation of Intercultural and bilingual education (IBE) policies.

³ These international instruments include ILO Convention 169, the Draft Declaration on the Rights of Indigenous Peoples and the UNESCO Universal Declaration on Cultural Diversity.

In some cases, IBE has gained a bad reputation, as the lack of experience and trained teachers as well as a tendency to fixate on indigenous identity and knowledge has implied qualitative problems – especially with regard to preparing the children for the labour market in the dominant society. This has led to resistance against IBE in some indigenous communities – a problem that can presumably be overcome through qualitative improvement of IBE.

In Africa and Asia the challenge of gaining an understanding and acceptance of IBE remains.

5.4.4. *Lessons learned for implementation*

Most countries are in the process of developing national Education For All (EFA) strategies that will also constitute the framework for donor support to the education sector.

The Dakar Framework for Action has been adopted by most governments and outlines the ways to achieve the ambitious goal of EFA by the year 2015. The main goals of the Dakar Framework are (sections of special relevance for indigenous peoples are in italics):

- (i) expanding and improving comprehensive early childhood care and education, especially for *the most vulnerable and disadvantaged children*;
- (ii) ensuring that by 2015 all children, particularly girls, children in difficult circumstances and those *belonging to ethnic minorities*, have access to and completely free and compulsory primary education of good quality;
- (iii) ensuring that the learning needs of all young people and adults are met through equitable access to *appropriate learning and life skills programmes*.

It is thus of utmost importance that governments, indigenous peoples, donors and civil society organisations work together to ensure that the provisions of special relevance for indigenous peoples are adequately taken into account in the definition and implementation of national EFA strategies.

In order to ensure appropriate implementation, the following experiences and practices should be taken into account:

General approach

Education has the potential to contribute to a respect for indigenous rights but also implies a risk of contributing to conflict and to the disappearance of indigenous knowledge, cultures and languages if indigenous needs and priorities are not taken adequately into account. The aims outlined in the Dakar Framework for Action place special emphasis on ensuring education and meeting the learning needs of all children, particularly the most disadvantaged and those belonging to ethnic minorities.

- Working gradually towards the establishment of IBE programmes for indigenous children is a strategy for ensuring the relevance to and meeting the learning needs of indigenous students, and is a basic human right.

Some, mainly Latin American, countries have developed IBE policies and strategies that allow donors to directly address indigenous peoples' concerns in the education sector. Even if IBE is not well consolidated in other regions, most countries do have constitutional provisions related to linguistic rights.

- Constitutional and legislative provisions regarding linguistic rights are often not implemented in the context of formal education but provide entry points for addressing the issue of bilingual education.
- Intercultural education has the potential to prevent conflict if it not only addresses indigenous students but is a feature of the entire education sector in multicultural societies.

In some countries where indigenous peoples constitute a minority of the population, IBE will be a minor component within the general sector, while in other countries it will be a main feature of the entire sector.

- Regardless of the numerical presence of indigenous peoples, national sector policies and strategies should specify objectives and implementation strategies for IBE as well as monitoring mechanisms for implementation. Disaggregated data on indigenous peoples' school enrolment and achievement levels is a necessary tool.
- Institutional and technical capacity building is necessary in order to offer good quality IBE. In some cases, it may be useful to initiate specific IBE pilot initiatives outside the sector programme support in order to generate experience and capacity that can later benefit the broader sector. In these cases, focus should be on the systematisation and exchange of experience and institutional capacity building.
- Some numerically small and educationally disadvantaged groups are specifically vulnerable to losing their languages and being marginalised in the education sector. These groups should be identified and targeted, e.g. through earmarked support within broader sector programmes, providing access to secondary education, teacher training and others.
- The Dakar Framework recognises the importance of the participation of civil society in the formulation, implementation and monitoring of strategies for educational development as well as in educational governance and management. The establishment of Indigenous Educational Councils at different levels is a mechanism to ensure an institutionalised platform for sustained dialogue with indigenous communities.
- Support to awareness raising and capacity building of indigenous communities at the local level ensures indigenous parents' meaningful participation in local school management.

IBE strategies

In order to adequately implement IBE strategies, the following specific recommendations should be considered:

- Indigenous teachers are crucial to the implementation of any IBE strategy. The development of national policies and strategies for indigenous teacher training, recruitment and deployment – including access of indigenous students to secondary and higher education – is a necessary starting point.
- Scholarships are one way of promoting indigenous students', and particularly girls', access to education, but criteria for the selection of students should be carefully defined and monitored.
- In order to offer bilingual education and contribute to the preservation of indigenous languages, education programmes should, where necessary, elaborate alphabets, grammars, vocabularies and didactic material in indigenous languages.
- The development of adequate strategies and material for teaching of national languages to indigenous students should be prioritised.
- The development of diversified and culturally appropriate and locally relevant curricula that build relevant qualifications and take into consideration the needs of both boys and girls, are key to ensuring the respect for indigenous cultures and the preservation, transmission and development of indigenous knowledge.

- Research and higher education in IBE should be supported in order to generate the necessary technical capacity.
- Education programmes can positively contribute to overcoming prejudices against indigenous cultures and languages by supporting training and awareness raising in civil society and public institutions.
- Possibilities for using media, communication and information technology in order to develop innovative approaches to education and learning should be explored.
- School designs are often defined according to norms and preferences that ignore indigenous values and practices. Programmes that support the development of educational infrastructure should diversify school design in different cultural contexts.

5.5. Transport

5.5.1. Access and control

There are two main concerns for indigenous peoples within the sector: on the one hand to improve access to their communities, which implies access to markets, social services, information and ultimately to political participation. On the other, they need to ensure indigenous control of lands and resources that would otherwise be opened up for external exploitation, usually with highly negative consequences once the improved infrastructure is in place.

The Danida-supported transport sector programme (PAST) in Nicaragua has an explicit focus on indigenous rights in its support to community roads. It stipulates as a precondition that, prior to the improvement of access, the communities in question should be in a position to defend their resources. However, in spite of the precautions taken, experience shows that it has not always been possible to avoid accelerated exploitation of timber resources by third parties, based on very unfavourable agreements for the communities. The programme has responded to this challenge with an increased focus on training, capacity building and legal advice to the communities as well as the rejection of a few projects where there was uncertainty about the possibility of the community defending its resources.

5.5.2. Best practices for implementation

Guiding principles

- Careful mapping of existing land and resource rights.
- Participatory assessment of the specific impact on indigenous rights in the context of broader social and environmental assessments.
- Full participation and free and prior informed consent of the communities in question.
- Strengthening of the communities' mechanisms to control land and resources, e.g. legal accompaniment, institutional capacity building and training in rights and negotiations with third parties.

Working methodology

The PAST programme in Nicaragua has addressed indigenous peoples' need for improved accessibility through the construction of community roads, wharfs, canals and others. Key elements in the implementation strategy are: dual involvement of communities and municipalities, strengthening of existing community authorities and structures, defence of land and resource rights and a focus on maintenance of transport infrastructure. PAST has, from the beginning, employed consultants with specific experience in working with indigenous peoples, who have closely monitored the social and environmental impacts of the programme. PAST works continuously with systematisation of experience and is in the process of preparing guidelines for its work with indigenous peoples. Some of the more specific best practices are:

Practice	Effect
Establishment of Management and Maintenance Committees in the Communities.	Planning, management, coordination and maintenance of the projects are located in the communities, directly linked to the community authorities. This creates capacity and legitimacy and strengthens the existing community structures.
Use of labour force (men and women equally) from the communities.	Creation of employment and income. Skilled labour force. Generation of capacity for later maintenance. Sense of ownership.
Training of community members and exchange visits; project staff residing in the communities.	Strengthening of technical, organisational, administrative and management capacities of the communities. Sustainability and opening up of new opportunities and initiatives.
Purchase of materials locally	Local employment and income
Community contribution of 5% of construction costs.	Ensuring that the project is high priority. Sense of ownership.
Payment of the 5% contribution in cash or kind (materials, labour, food).	Flexibility ensures the participation of the poorest communities and those least integrated into the monetary economy.
Signing of maintenance agreement prior to the commencement of a project.	Sustainability of the project.
Follow-up on maintenance 3 years after project completion.	Stability in maintenance system. Continuous learning process and adjustment of social and technical methodology within the programme.
Shared responsibilities for maintenance: community-municipality.	Strengthening of community-municipality links. Strengthening of municipal planning.
Opening of a community bank account for maintenance.	Strengthening of the administrative and financial capacity of the community.

5.6. Health

It is generally acknowledged that more work has to be done on the issue of health in relation to indigenous rights. A WHO Consultation in 1999 on the health of indigenous peoples led to the formulation of a Declaration on the Health and Survival of Indigenous Peoples by the Committee on Indigenous Health and a proposal for a Framework for Indigenous Peoples' Health Policy by Ms. Mihi Ratima. These key documents constitute an important starting point for addressing indigenous peoples' concerns within the sector. The main themes highlighted in this process are:

5.6.1. Recognition of indigenous health knowledge and practices

It is widely acknowledged that the major determinants of health are outside the direct influence of the health sector. The proposed Framework for Indigenous Health (1999) underlines the interconnectedness of health and other vital aspects of indigenous peoples' lives, e.g. access to land, environmental protection and cultural integrity. Indigenous peoples generally define health in holistic terms, incorporating not only physical, emotional and mental dimensions but also spirituality.

Traditional health systems are an integral part of indigenous cultures but many of these have been gradually undermined by lack of respect from the dominant society, social disintegration, which disrupts the intergenerational transmission of knowledge, and environmental destruction, which threatens the resources required for traditional medicine. In some cases, traditional health practices may also have harmful effects. Furthermore, states have imposed other health systems in an ad hoc way, which means that in many cases indigenous peoples have access to neither system.

Indigenous health systems

Traditional health systems have developed over generations to meet the particular needs of indigenous peoples within their local environment. They include customary public health systems, the practices of traditional healers and traditional medicine. Traditional healers are the repository of specialised health knowledge and provide health leadership to indigenous communities, in some cases alongside Western-trained health specialists. It is estimated that around 80% of the population of developing countries rely upon traditional healing systems as their main source of health care and it is therefore reasonable to assume that a high proportion of indigenous peoples are reliant upon traditional healers to provide health care (Ratima, 1999).

One specific problem in relation to traditional medicine is the use of indigenous peoples' traditional knowledge and natural resources for the commercial production of medicines, without any benefit to the indigenous holders of such knowledge and resources.

5.6.2. Access to health services

In spite of the general lack of disaggregated data, available information provides evidence that indigenous peoples are marginalised in terms of access to health services, and there are wide disparities between the health status of indigenous peoples and that of other population groups. A recent report from UNICEF points out that indigenous children have poorer health than others, including lower vaccination rates and higher mortality rates (UNICEF, Innocenti Research Centre, 2004).

Indications of poor health conditions

Life expectancy at birth is generally 10-20 years below that of the total population and infant mortality rates tend to be 1.5-3 times those of the population as a whole. Indigenous peoples also suffer disproportionately high morbidity and chronic illness. Malnutrition, communicable diseases, parasitic diseases, intentional and unintentional injury, mental health problems, cardiovascular disease, tuberculosis, diabetes and cancer are just a few examples of major areas of concern. Substance misuse is also an area of concern (Ratima, 1999).

Indigenous peoples demand equity within the health sector, understood as equal opportunities to achieve their own potentials and aspirations, which may be different from those of other sections of the population.

5.6.3. Recommendations for implementation

- Development of mechanisms for participation at decision-making levels (policies, programmes).
- Allocation of specific resources in order to overcome the wide disparities between indigenous peoples and other population groups.
- Focus on capacity building, e.g. training of indigenous health workers and strengthening of indigenous peoples' institutions with the aim of ensuring local ownership of health institutions and promotion of culturally appropriate approaches to health services.
- Recognition of indigenous peoples' intellectual property rights to customary knowledge, e.g. traditional medicines.
- Regular and systematic gathering of disaggregated quality information.
- Formulation of a research agenda identifying priorities, e.g. traditional healing practices and systems, mental health, substance abuse, links between land loss and poor health, the health impact of macro policies.
- Employ a specific focus on indigenous women and children as they are in many cases seriously affected by bad health conditions.

Annex A: References

This list is by no means exhaustive but provides a few key references that can serve as entry points for accessing more detailed background information on the topics presented in the tool kit.

General references, indigenous rights

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