



*Second International Decade of the World's Indigenous  
People  
2005-2014*

*Questionnaire for UN system and other intergovernmental  
organizations*



**Information submitted by the European Commission**

**Unedited version**

## **Mid-term evaluation – Second International Decade of the World's Indigenous People 2005-2014**

### **Questionnaire for UN system and other intergovernmental organizations: European Commission**

In line with the competences of the European Community with respect to indigenous peoples, this questionnaire covers the general questions on the implementation of the Second International Decade of the World's Indigenous People (Part A of the questionnaire) with regard to the policy of the European Commission in its external relationships with third countries.

*1) Has the agency / organization established specific plans and activities or benchmarks to implement the goal and objective of the Second International Decade of the World's Indigenous People?, if so please describe them.*

In 2005, the European Commission established an Inter-Service Group on indigenous peoples to ensure the coordination of indigenous peoples-related activities carried out by different Commission services as well as to strengthen the profile of indigenous peoples' issues in the overall European Community development agenda. The Inter-Service Group has adopted a work programme for the implementation of European Union policies on indigenous peoples, in which the mandate of each Commission's service is defined and specific tasks are established. In line with the work programme, the European Commission:

- has identified focal points on indigenous peoples' issues in all European Commission services whose programmes directly or indirectly affect indigenous peoples;
- ensures coordination of its external actions, and their consistency with European Union policies on indigenous peoples;
- ensures the European Commission's active participation in international and multilateral fora on indigenous peoples issues;
- ensures the awareness-raising and training of its personnel (both at headquarters and European Commission Delegations in third countries) on issues related to human rights and democratization in general, and to indigenous peoples in particular;
- assesses the current level of integration of indigenous peoples issues in European Community cooperation policies and programmes, and analyses the impact of European Community development cooperation policies and programmes on indigenous peoples;
- mainstreams indigenous peoples' issues into the European Union policies, practices and work methods;
- promotes the participation of indigenous peoples at all stages of the programme cycle.

2) *How does the agency / organization perceive the impact of the Declaration on the Rights of Indigenous Peoples in its activities and overall direction?*

The European Union strongly supported the General Assembly Resolution adopting the text of the United Nations Declaration on the Rights of Indigenous Peoples in September 2007: together with a wide range of countries, the Member States of the European Union voted unanimously in favour of the Declaration.

The Declaration was the result of more than 20 years of negotiations in the United Nations framework, involving – in an innovative process for the United Nations standard setting practice – indigenous representatives on an equal footing with representatives of United Nations Member States. The European Union considers the Declaration a valuable addition to the United Nations instruments for the promotion and protection of human rights. The adoption of the Declaration advances the rights and ensures the continued development of indigenous peoples around the world.

In addition, the European Commission takes good note of the fact that the Human Rights Council Expert Mechanism on the Rights of Indigenous Peoples in its report of 26 June 2009 considers the United Nations Declaration on the Rights of Indigenous Peoples of 2007 to reflect *“the existing international consensus regarding individual and collective rights of indigenous peoples in a way that is coherent with, and expands upon, international human rights standards, including the interpretation of human rights instruments by international bodies and mechanisms. As the most authoritative expression of this consensus, the Declaration provides a framework of action aiming for the full protection and implementation of these rights.”*<sup>1</sup>

The principles of the European Union engagement towards indigenous peoples are applied in the context of the United Nations Declaration on the Rights of Indigenous Peoples of 2007. These principles are enshrined in the Council Resolution of 30 November 1998<sup>2</sup> focusing on the issue in the framework of development cooperation, the European Commission Working Document on support for indigenous peoples in the development co-operation of the community and the Member States of 11 May 1998<sup>3</sup>, and the European Union Council Conclusions of 18 November 2002.<sup>4</sup>

The 1998 Council Resolution recognizes that cooperation with and support for the establishment of partnerships with indigenous peoples are essential for the objectives of poverty elimination, sustainable development of natural resources, the observance of human rights and the development of democracy. It notes in particular

- the key role played by indigenous peoples in the conservation and sustainable use of natural resources;

---

<sup>1</sup> Report of the Expert Mechanism on the Rights of Indigenous Peoples, UN-Doc. A/HRC/EMRIP/2009/2.

<sup>2</sup> [http://ec.europa.eu/external\\_relations/human\\_rights/ip/docs/council\\_resolution1998\\_en.pdf](http://ec.europa.eu/external_relations/human_rights/ip/docs/council_resolution1998_en.pdf).

<sup>3</sup> [http://ec.europa.eu/external\\_relations/human\\_rights/ip/docs/working\\_doc\\_98\\_en.pdf](http://ec.europa.eu/external_relations/human_rights/ip/docs/working_doc_98_en.pdf).

<sup>4</sup> <http://register.consilium.europa.eu/pdf/en/02/st14/14183en2.pdf>.

- the positive contribution of indigenous peoples in the development process;
- the vulnerability of indigenous peoples, and the risk that development programmes may disadvantage them;
- that indigenous peoples have the same rights as everybody else to a secure livelihood;
- that indigenous peoples should also have access, on a non-discriminatory basis, to the opportunities and natural resources required to achieve these aspirations, as well as multilingual education and health services; and
- that indigenous peoples have the right to choose their own development paths, which includes the right to object to projects, in particular in their traditional areas; this includes compensation where projects negatively affect the livelihoods of indigenous peoples.

The 1998 Working Document identifies the recommended areas and issues that should be contained in the development of an eventual methodology. The 2002 European Union Council Conclusions recall the Council's strong commitment to the 1998 Council Resolution within the framework of European Community development cooperation.

*3) Does the agency / organization celebrate the International Day of the World's Indigenous People?*

Since the establishment of the International Day of the World's Indigenous People in 1994, the Commissioner for External Relations and European Neighbourhood Policy has issued a statement on the occasion of the International Day on 9 August almost every year. In addition, European Commission Delegations all over the world have been organizing numerous events on or around 9 August. Such events include meetings with indigenous leaders, press conferences, press articles, participation in seminars and visits to projects funded by the European Commission.

*4) What has been the agency / organization's most significant and main contribution to the implementation of the goal and objectives of the Second Decade?*

The European Union raises indigenous peoples' issues in its political dialogues with third countries and takes an active part in promoting the issue of indigenous peoples at the United Nations. In September 2007, the Member States of the European Union supported the United Nations Declaration on the Rights of the Indigenous Peoples manifesting the European Union's commitment to the rights and concerns of indigenous peoples. The European Union continues to be keenly involved in the United Nations fora dealing with indigenous issues as well as contributing to the cooperation work of United Nations agencies dealing with indigenous peoples. Key international processes include the United Nations Permanent Forum on Indigenous Issues, the Expert Mechanism on the Rights of Indigenous Peoples, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples, the Convention on Biological Diversity, the African Commission on Human and Peoples' Rights and the Arctic Council.

Indigenous peoples' issues have been consequently mainstreamed in EC development cooperation strategies.<sup>5</sup> The first step in this regard and for programming interventions targeted specifically towards indigenous peoples is generally an analysis of the political, social, economic and cultural situation of indigenous peoples in the country or area concerned, incorporating an assessment of the impact of EU development co-operation policies, programmes and projects on indigenous peoples. Such analysis and assessment is made with the participation of indigenous peoples and on the basis of indigenous peoples' own concepts of development. Poverty reduction strategies that might be appropriate for vulnerable populations belonging to the mainstream society might not correspond to the expectations and needs of indigenous and tribal populations and might fail to address the aspect of discrimination. Therefore, the only way to define such needs and expectations is by consultations with the peoples concerned as these vary considerably from one group to the other even in the same country.

European Commission supported actions targeting indigenous peoples – both global actions and those carried out at country level - either address the issue directly or as a cross-cutting issue. In line with the commitments contained in the European Consensus on Development,<sup>6</sup> the promotion of the rights of indigenous peoples has been incorporated into the Community's cooperation instruments and in Country and Regional Strategy Papers. Specific references can be found notably in the Regulations establishing the financing instruments for Development Cooperation ("DCI"), for the European Neighbourhood and Partnership ("ENPI") and for Stability ("SI").

A good example of a programme with indigenous peoples' issues as a cross-cutting issue is an European Commission programme launched in early 2007 to support the strengthening of the justice sector by combating impunity in Colombia. The indigenous peoples as such were not directly targeted; however, as a result of mainstreaming indigenous peoples' rights into the programme design, more than 150 000 indigenous people will eventually benefit from the programme.

The rights of indigenous peoples have also been identified as a thematic funding priority of the European Instrument for Democracy and Human Rights ("EIDHR"). Under its objective "*Strengthening the role of civil society in promoting human rights and democratic reform, in facilitating the peaceful conciliation of group interests and in consolidating political participation and representation*", there is wide scope for specific actions in the field of indigenous peoples, to be implemented both at country level or at transnational and regional levels. The projects funded under the EIDHR are targeted at international organizations, NGOs and indigenous organizations. They mainly aim at (i) supporting indigenous peoples and their representatives in participating in and following up on United Nations relevant to indigenous peoples, and (ii) supporting civil society activities aimed at promoting ILO Convention 169 and its principles. By way of example, the funded projects include:

---

<sup>5</sup> See the Programming Guide for Strategy Papers "Indigenous Peoples" of December 2008, available at [http://ec.europa.eu/development/icenter/repository/F47\\_indigenous\\_peoples\\_fin\\_en.pdf](http://ec.europa.eu/development/icenter/repository/F47_indigenous_peoples_fin_en.pdf).

<sup>6</sup> [http://ec.europa.eu/development/icenter/repository/european\\_consensus\\_2005\\_en.pdf](http://ec.europa.eu/development/icenter/repository/european_consensus_2005_en.pdf).

- *Indigenous rights advocacy and capacity-enhancement project*  
 The EIDHR supported the activities of the Copenhagen-based organisation International Work Group for Indigenous Affairs (“IWGIA”)<sup>7</sup> in this three-year project with a total grant of almost €720,000. The aim of the action was to improve indigenous peoples' possibilities to defend their rights by using international human rights instruments, and to strengthen their capability to link international human rights processes with national and local efforts.  
 The project was carried out notably through the following activities:
  - enhancing the participation of indigenous representatives (men and women) in UN meetings dealing with indigenous peoples rights;
  - enhancing the participation of indigenous representatives (men and women) from Africa in the substantive sessions of the African Commission on Human and Peoples Rights (“ACHPR”);
  - enhancing the contributions from indigenous peoples to the work of the UN Permanent Forum on Indigenous Issues;
  - strengthening the indigenous peoples' network in Francophone countries;
  - supporting the Indigenous Peoples' Human Rights Watch in the Philippines to improve access to justice among indigenous peoples in the Philippines; and
  - documentation of the global situation of indigenous peoples.
  
- *Capacity building for indigenous peoples at the United Nations*  
 Indigenous peoples are the best promoters of their own rights if they have adequate logistics, documentation and information. Based on this understanding, the EIDHR supports the activities of doCip, the Geneva-based Indigenous Peoples' Centre for Documentation, Research and Information<sup>8</sup>  
 This three-year project, funded by the EIDHR with a grant of €50,000, aims to enhance the efficiency of the different UN processes addressing the rights of indigenous peoples.  
 The project is carried out notably through the following activities:
  - organising technical secretariats at the UN during the conferences, in close cooperation with the Office of the High Commissioner on Human Rights;
  - providing translation and interpretation services in English, French, Spanish and Russian as well as adequate IT equipment, contacts, etc;
  - publishing logistical information in four languages prior to sessions;
  - collecting, compiling and distributing records of these international processes and managing a network that brings together documentation centres addressing indigenous issues;
  - providing training to indigenous representatives and to other support activists on how to document human rights violations;
  - publishing a quarterly that is the only quadrilingual source of information on indigenous issues at the international level;

---

<sup>7</sup> [www.iwgia.org](http://www.iwgia.org).

<sup>8</sup> <http://www.docip.org/anglais/welcome.html>.

- transferring skills to indigenous human rights activists in francophone Africa, particularly women, to enable them to implement, at the local and regional level, UN recommendations related to indigenous peoples' rights, particularly during pan-African indigenous peoples' conferences or during sessions of the African Union. Documentation, information and contacts are also available to diplomats, members of Parliament, national and international officers, NGOs and researchers.
  
- *Promotion of indigenous and tribal peoples' rights through implementation of the principles of ILO Convention No. 169*  
 This project was implemented by the International Labour Organisation ("ILO"). The 4 year contract with a grant of €800,000 aimed at promoting respect for indigenous and tribal peoples' rights, through the implementation of the principles of ILO Convention 169, which is of course the only legally binding international instrument for the protection of these rights. The project targeted key indigenous and government institutions at a global scale through the documentation and exchange of good practices of implementation of Convention 169. It supported also the work of the African Commission on Human and Peoples Rights in its efforts to document existing legal provisions and needs for legislative reform in the African region; and it enhanced the capacity of selected indigenous and government institutions or dialogue on, and implementation of relevant ILO conventions on indigenous and tribal peoples' rights in Nepal, Bangladesh and India. An accomplishment linked to this project was the ratification, in September 2007 of ILO convention 169 on the right of indigenous peoples, by the Government of Nepal.
  
- *Promotion of indigenous and tribal peoples' rights through legal advice, capacity-building and dialogue*  
 In 2008, this was initiated as a joint management between the European Commission and the ILO. This two years project with a grant of €330,000 is the continuation of the implementation of the previous project by ILO and the work carried out in the regions of Latin America, South Asia and Central Africa.
  
- *Implementation of recommendations made by the UN Special Rapporteur on the Rights and Fundamental Freedoms of Indigenous Peoples*  
 The European Union has a record of supporting the UN Special Rapporteur on the Rights and Fundamental Freedoms of Indigenous Peoples. This support has also materialized in a project with the Office of the High Commissioner for Human Rights for the implementation of his recommendations relating to Mexico and Guatemala. The project, which received a grant of €800,000, has been qualified by the Special Rapporteur in a study he presented at the fourth session of the Human Rights Council<sup>9</sup> as an example of "best practice" that could be applied to other countries.

---

<sup>9</sup> A/HRC/4/32/Add.4 of 26 February 2007.

5) *How does the agency / organization plan to enhance the awareness of indigenous peoples issues amongst its staff?*

The European Commission enhances the awareness of indigenous peoples issues amongst its staff predominantly through the internal quality support process and staff training, which materialized in a series of different activities, such as:

- The European Commission offers expertise to European Commission Delegations and to centrally managed operations' units at headquarters in order to contribute to better quality of the programmes in the field of governance, human rights, gender, and vulnerable groups in general and indigenous peoples' issues in particular. In doing so, the European Commission quality support process assures that indigenous peoples' issues are duly reflected in European Community programmes.
- In 2008, the European Commission completed a study on integrating support for promoting the rights and issues of indigenous peoples in EC co-operation with African, Caribbean and Pacific countries with case studies from Suriname and Kenya, including operational recommendations to European Commission Delegations on how to integrate indigenous people issues in development cooperation.<sup>10</sup>
- The operational conclusions of this study led to the preparation of a '*Draft Tool for EC Co-operation with Indigenous Peoples in ACP countries*'<sup>11</sup> that is designed to provide advice and assistance to European Commission Delegations in countries where co-operation activities might affect indigenous peoples or their territories / rights.
- In September 2009, the European Commission launched a study titled "*Civil society mapping in Asia*", with focus on Nepal, which will include an analysis of the role of indigenous peoples organizations within civil society, and recommendations to the European Commission Delegation of Nepal on how to involve such organizations in EC policy dialogue and programming cycle.

6) *In what types and sectors of indigenous issues has the agency / organization been most involved during the last five years?*

The European Union strongly supported the General Assembly Resolution adopting the text of the United Nations Declaration on the Rights of Indigenous Peoples in September 2007. Consequently, the types and sectors of indigenous issues, in which the European Commission has been involved in the past years are very much linked to the effective implementation of the rights enshrined in the Declaration of 2007, including the right to self-determination, an inalienable collective right to ownership, use and control of lands, territories and other natural resources, rights to maintain and develop their own political, religious, cultural and educational institutions, and protection of their cultural and intellectual property.

---

<sup>10</sup> [http://ec.europa.eu/europeaid/what/universal-issues/human-rights/documents/ip\\_study\\_final.zip](http://ec.europa.eu/europeaid/what/universal-issues/human-rights/documents/ip_study_final.zip).

<sup>11</sup> [http://ec.europa.eu/europeaid/what/universal-issues/human-rights/documents/draft\\_tool.zip](http://ec.europa.eu/europeaid/what/universal-issues/human-rights/documents/draft_tool.zip).



From an assistance perspective, the mainstreaming of indigenous peoples' issues in European Community development cooperation as well as the programming interventions targeted specifically towards indigenous peoples make it necessary for the European Commission to be particularly aware of issues such as agriculture, natural resources, environment, human rights and democracy, administrative reform, decentralization, education, health and transport.