

Questionnaire to the UN system and other intergovernmental organizations in preparation of the 15th session of the UN Permanent Forum on Indigenous Issues

The report of the Fourteenth session of the UN Permanent Forum on Indigenous Issues provides a number of recommendations within its mandated areas, some of which are addressed to the UN system and other intergovernmental organizations.

The secretariat of the UN Permanent Forum on Indigenous Issues invites the UN system and other intergovernmental organizations to complete the attached questionnaire on any action taken or planned in response to the Permanent Forum's recommendations. All questionnaire responses will be placed on the Permanent Forum's website and also compiled into one report for the Forum's fifteenth session.

Please submit your completed questionnaire by **1 January 2016** to:

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The full questionnaire can be downloaded from this site:

<http://undesadspd.org/IndigenousPeoples/UNPFIIISessions/Fifteenth/Questionnaire.aspx>

The fifteenth session of the Permanent Forum on Indigenous Issues shall be held at United Nations Headquarters from 9 to 20 May 2016.

The provisional agenda for the Permanent Forum's fifteenth session includes:

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. Follow-up to the recommendations of the Permanent Forum.
4. Implementation of the six mandated areas of the Permanent Forum with reference to the United Nations Declaration on the Rights of Indigenous Peoples.
5. Discussion on the theme "Indigenous peoples: conflict, peace and resolution".
6. Dialogue with indigenous peoples.
7. Dialogue with Member States.
8. Dialogue with United Nations agencies, funds and programmes.
9. Coordination among the three United Nations mechanisms pertaining to indigenous peoples:
 - (a) Coordination among the three United Nations mechanisms pertaining to indigenous peoples;
 - (b) Dialogue with the Special Rapporteur on the rights of indigenous peoples and the Chair of the Expert Mechanism on the Rights of Indigenous Peoples.
10. Future work of the Permanent Forum, including issues considered by the Economic and Social Council and emerging issues.
11. Provisional agenda for the sixteenth session.
12. Adoption of the report of the Permanent Forum on its fifteenth session.

Questionnaire

At its fifteenth session in 2016, the Permanent Forum's theme will be **Indigenous peoples: conflict, peace and resolution.**

1. Please provide information on how your agency is working on issues of conflict, peace and resolution for indigenous peoples in the seven socio-cultural regions of the Permanent Forum¹. In particular, the situation of indigenous women should be highlighted in your responses.

IOM provides services to pastoralist communities who make up one of the largest category of indigenous people in African. As per the conceptualization of the African Commission on Human and Peoples' Rights (ACHPR) and international mechanisms dealing with indigenous peoples' rights, indigenous peoples in Africa are generally understood as nomadic and semi-nomadic pastoralists and hunter/gatherers who live in situations of marginalization and discrimination. Indigenous groups are also known as First Nation. Pastoralist communities inhabit over 21 countries on the African continent, ranging from the Sahelian West, the rangelands of Eastern Africa and the Horn, to the nomadic populations of Southern Africa.

Pastoral communities are concentrated in some of the most arid regions of the continent, which necessitate semi- or wholly-nomadic livestock grazing. Many of these communities are affected by recurrent conflicts and inter and intra-tribal clashes, which have escalated in the recent past due to a decline on pastoral resources as a result of climate change (mainly in the form of persistent drought), heightened competition for land due to rapid population increase and commercial interests, created tension by congestion in one area in search of pasture and water for their livestock and proliferation of small arms due to perennial civil conflict.

Eastern Africa has numerous pastoral groups in a broad geographical band that stretches from the Kenya-Somalia border northwards into Ethiopia; and northwest to encompass regions of Uganda, South Sudan and Sudan. These regions have suffered large-scale intra-state wars that have supplied pastoral groups with modern weaponry, resulting in protracted conflicts with numerous neighbours. The Toposa of Southern Sudan, for instance are, at various times, in conflict with one or a number of neighbouring groups including the Turkana, Dassenach, Didinga, Dinka, and some of the Karamoja sub-clans. Population shifts to the south prompted, primarily by climactic change, have given rise to conflicts over resources and land tenure, particularly in regions in Kenya, South Sudan, Uganda, Somalia.

In Southern Africa the various indigenous groups in South Africa are collectively known as Khoe-San, comprising the San people and the Khoekhoe. The San groups include the ǀKhomani San residing mainly in the Kalahari region, and the Khwe and Xun residing mainly in Platfontein, Kimberley. The apartheid system enforced under South African rule led to far reaching discrimination, and segregation and the relocation of many indigenous populations.

IOM activities among pastoral communities in the region include:

¹ UNPFII's seven socio-cultural regions are Africa; Asia; Central and South America and the Caribbean; the Arctic; Central and Eastern Europe, Russian Federation, Central Asia and Transcaucasia; North America; and the Pacific.

- A. Policy advocacy focusing on promoting migration as an adaptation strategy to climate change. IOM in partnership with UN-OCHA, UNEP and Institute for Security Studies launched Security in Mobility (SIM) Initiative (see http://reliefweb.int/sites/reliefweb.int/files/resources/8E4A32AF1BCEE2544925775800065831-Full_Report.pdf). The SIM approach advocates for integrated and comprehensive interventions across three pastoralist clusters of Turkana-Karamoja, Masai and Mandera-Somali clusters. The initiative calls for the provision of humanitarian assistance, basic services, facilitated migration and comprehensive security to run concurrently within pastoralist areas.

The SIM approach involves:

- (i) Humanitarian Assistance; construction of water pans, water trucking during severe drought to accompany mobile pastoralists to grazing areas, destocking before the onset of droughts before livestock become weak and provision of food aid
 - (ii) Provision of Basic Services; water (boreholes and pans), infrastructure (roads, communication for early warning, schools, hospitals), development of livestock and other markets, alternative livelihoods support soil conservation measures, reforestation, environmental education, support for livestock through veterinary treatments, vaccinations and marketing
 - (iii) Facilitated migration; establishing a regional framework to regulate and ensure the safe movement of pastoralists (IOM is already working with IGAD on the establishment of transhumance corridors to facilitate cross-border pastoralist movements), mapping of natural resources to establish modalities for managing natural resource sharing among communities and across districts/borders.
 - (iv) Comprehensive Security; guaranteed security when pastoralists are migrating with their cattle, peace dialogues and ceremonies to ensure peace before migrating to other areas, collective regional disarmament and regional initiatives for peace.
- B. Tracking human mobility and the resultant humanitarian needs of pastoral populations using the Displacement Tracking Matrix (DTM) tools and methodologies. In Early 2015, IOM conducted a DTM survey across 7 counties in Kenya in order to approximate the number of IDPs in Kenya. Five of the seven counties are prone to pastoral conflicts namely Turkana, Mandera, Wajir, Garissa and Marsabit.
- C. Creating synergies Early recovery and community stabilization before, during and after crises/displacements; mainly Peace building, shelter and livelihoods (livestock support, horticultural support, water management, vocational trainings and start-up kits) support.
- D. Provision of support services such as health, water, Income Generating Activities (IGAs). These services are tailored to the mobile nature of pastoral populations.

2. [With respect to the implementation of the recommendations of the Permanent Forum addressed specifically to your agency:](#)

- (i) Please provide information on the status of implementing the recommendations of the Permanent Forum addressed specifically to your agency

As mentioned above effects of climate change have been recurrent among the pastoralist communities. This has led to movements and displacement of families internally and across the borders of the region. Majority of this population/groups rely on livestock as their main source of livelihood hence, the movements are usually in search of pasture and water for their livestock. Climate change adaptation initiatives have been on going to curb the situation which has been more frequent in the current years. Previously dry spells were witnessed after four to five years, recently this recurs after every two years in the region.

IOM has advocated for UN Joint initiatives that would assist these communities adapt to the changes, diversify their livelihoods, create peaceful coexistence and promote durable solutions. One such initiative is the Kenya-Ethiopia Cross-border Integrated Programme in Moyale that was recommended by IOM and embraced by the UN Resident Coordinator and the government still ongoing with its launch having been in December 2015. Currently, the approach is being replicated in two other areas. In Namibia, IOM and UNESCO have worked on a joint proposal to address the impact of Climate Change on nomadic communities. A quick assessment was done most recently with the CROs in Kunene and Omusati regions as well as some interviews with Himbas communities. The question of human mobility will be a priority intervention.

- (ii) What are some of the obstacles your agency has encountered in implementing the recommendations of the Permanent Forum?

The majority of countries in the East, Horn and Southern Africa do not have in place specific legislation for the promotion and protection of indigenous rights. One country that does is the Republic of Congo, where the Parliament on the 30th December 2010, adopted a law for the promotion and protection of the rights of indigenous peoples. According to the ACHPR no other countries in Africa have legislation that provide for the protection of indigenous peoples' rights. This in itself represents a significant obstacle as it restricts the possibility for the recognition of the legitimacy of indigenous structures, institutions and regimes

Within East, the Horn and Southern Africa, there is lack of a normative framework to facilitate pastoralists' mobility. Facilitated pastoralist mobility will reduce the current risk emanating from essential pastoralists migration in search of pasture and water. Broader border assessments have been undertaken in a number of countries including between Angola and Namibia, with the idea that the development of a border residency card or permit could facilitate the mobility of cross border populations including pastoralists However, for many pastoralists and tribal groups the presence of international borders has little significance to existing practices of heading and grazing, representing a challenge for conventional border management and control.

Land ownership and rights policies and laws are in place in many countries in the region but have not be articulately enforced at the ground level especially in the areas where pastoralist inhabit. As such,

petition for land ownership has been a main cause for recurrent tribal clashes among the communities. Furthermore, many countries continue to have dualistic land tenure and land administration regimes and economic management systems, which remain as a legacy of European Colonial rule granted onto a diverse range of indigenous economic and cultural practices. Efforts at the reform of land held by indigenous communities through a variety of measures including individual and group titling or appropriation for cash crop production in a number of African countries have been met with limited success as a result of the persistence of social and cultural attachment to land and, in some cases, contestation and conflict, as has been apparent in Kenya, Uganda, Malawi, Zimbabwe, Namibia and South Africa.

Another obstacle is the traditional practices that negatively impact the community's relation between and among each other both internally and across the border. An example, cattle rustling which over the years have been taken up by the young men in the communities. Increasing periods of drought, have also led escalation in inter-community and cross-border competition over resources—resulting in conflict, such as in the case of the border between Kenya and Uganda. This insecurity then further restricts access to resources, becoming a threat to the overall livelihoods of these communities who are already highly vulnerable to drought.

Problems are exacerbated by the fact that pastoralists do not benefit from formal recognition and protection in the way that displaced people groups do.

For example, displaced pastoralists in north-eastern Kenya have little recourse to legal or political support from the government, and are rarely mentioned in either national or international discourses about displacement in Kenya (and other countries in the region).

(iii) **What are some of the drivers that facilitate your agency's implementation of the recommendations of the Permanent Forum?**

- Support by the governments and their interest to seeing the pastoralists communities stabilize
- Partnerships between different agencies including state and non-state actors and regional bodies which guarantee holistic approach in addressing issues affecting pastoral groups, including through a coordinated agency response within the UNDAF
- Involvement of targeted communities in the design and implementation of programs which ensures sustainability (Celebration of Pastoral Week every year).
- Harnessing already existing traditional structures/mechanism into programming. This improves programme uptake and ensures sustainability (mathanyiko peace agreement in Turkana cluster which has been in existence for a very long time).

Building economic and social resilience through the diversification of economies to reduce dependence on climate-sensitive sectors, including through the use of indigenous knowledge and practices and the strengthening of community organizations.

3. Please provide information on the following:

a) Please include information on **programs, projects or other activities** that are specifically aimed at promoting the implementation of the UN Declaration on the Rights of Indigenous Peoples, or activities where indigenous peoples are among the major beneficiaries. Where possible, please provide links to websites, publications or other sources of relevant information.

IOM has over the years implemented various activities among the target group which include:-

- (i) Security in Mobility initiative; advocates for integrated and comprehensive interventions
- (ii) Research/assessment:
 - Pastoralism on the edge; the purpose of the assessment was to solicit for evidence so as to widen and deepen understanding on climate-related changes and particularly, the effects of droughts, their dynamics and how these changes have affected the pastoralist (mobile) communities in Kenya.
 - Pastoralism and HIV & AIDS in IGAD countries; programme mapping, data synthesis, and recommendations for policy and further research in Kenya.
- (iii) Community Stabilization :
 - Shelter reconstruction
 - Livelihood support among pastoralists and refugee host communities in response to climate change and refugee influx in northern Kenya.
 - Livestock support -together with the government line ministry, IOM Kenya in 2012 treated 42,217 livestock (goats, sheep, cows and camels) and vaccinated 18,355 livestock, consequently benefiting 350 households. In 2012 and 2013 did restocking with camels and hybrid goats to over 200 households
 - Income generation activities mainly targeting the women and youth groups
 - Vocational skills training and provision of start up kits
 - Water management approaches – borehole drilling, rehabilitation of boreholes and/or water points
- (iv) Peace building and conflict resolution; establishment of community peace centres, participation in the pastoral week and sports for peace events.
- (v) Empowerment of Reformed warriors (cattle rustlers)

b) How is your organization planning to support Indigenous Peoples within its programs, projects or any other activities in line with the aims of the **2030 Agenda for Sustainable Development**?

In 2015, IOM launched the Migration, Environment and Climate Change Division within the Department of Migration Management which aims to contribute to the global knowledge base on the relationship between migration and environmental change, including climate change. One of the strategic objectives of this division has been advocacy for the inclusion of migration into adaptation planning. Few countries of Eastern Africa, the Horn and Southern Africa have developed National Adaptation programmes or plans, nevertheless National adaptation programmes of action (NAPAs) provide a process for Least Developed Countries (LDCs) to identify priority activities that respond to their urgent and immediate needs to adapt to climate change, and a number are in the process of putting into place such programmes.

The African union acknowledges pastoralism is a way of life which has resulted in the formulation of a Policy Framework for Pastoralism in Africa. Among other things, the policy recognizes the rights of pastoralists and underlines the importance of strategic mobility. However, to date, only the ECOWAS has made significant strides in promoting pastoral mobility. In 1998, ECOWAS heads of state agreed on a regional framework (Decision A/DEC.5/10/98) for regulating cross-border transhumance among its fifteen member states. The decision was then backed by Rule C/REG.3/01/03 (adopted in 2003). Together, the decision and rule define the conditions for movement of livestock; looking after animals; and hosting transhumant cattle. Discussions are ongoing with the IGAD region to establish a protocol on transhumance mobility.

The African Union has also developed a draft Strategy on Climate Change, which is to be sent to Council for approval in 2017. The Strategy recognizes the importance of addressing the vulnerabilities increasing the resilience of indigenous communities through the use of indigenous knowledge and practices and the strengthening of community organizations in particular. The Strategy also recognizes climate change combined with increasing population, and corresponding demands for the continuously degraded environment resources, is linked to forced migration and natural disasters increase in resources-based conflicts in Africa.

In terms of strategic involvement, IOM contributes substantively to the Nansen Initiative, acknowledging that enhanced international policy attention is being given to human mobility in the context of environmental degradation, climate change and disaster risk reduction. As a Standing Invitee of the Nansen Steering Group, a member of the Nansen Initiative Consultative Committee and a participant in the Nansen Group of Friends, IOM has made substantial and regular contributions to Nansen Initiative activities. It has mobilized its worldwide network of experts in regional, national and subnational offices for each of the Nansen Initiative Regional Consultations and Civil Society Consultations and for research papers.

c) Any **capacity development** initiatives your organization is involved in that is aimed at indigenous peoples, governments, UN agencies or others which feature the rights and well-being of indigenous peoples

IOM have considered various approaches in empowering the community. In 2015, IOM in partnership with Green Teams Initiative conducted Climate Change and Green Team Entrepreneurship Training programme in ASAL counties reaching out to more than 200 youths. The training was to encourage creative and innovative ideas that would cater solutions for effects of climate change. The establishment of peace centres in the pastoralist areas provides a neutral space for peace dialogue and resolution and the opportunity for cultural tourism about the heritage of People through the exhibits of their artifacts.

d) Any activities to **raise awareness on indigenous peoples**, including publications, films, audio material, maps, or other materials that feature or focus on indigenous peoples. Include the name, a brief description and information on how to access the material.

-Promotion of the Pastoral week through the media informs people outside the community to learn more about the culture of the pastoral people.

-Community peace and cultural centre in Turkana; The Center provides a platform for the promotion of the rich cultural expression and as a central point for the revitalization, development, dissemination and promotion of the diverse cultural expressions of the Turkana people and neighbouring communities.

- IOM established a local radio in Turkana County that is managed by a youth group empowered to be the IGA. Through this medium various discussions on peace prevention and peacebuilding, livelihood diversification, livestock treatment and pastoralist culture and practices are promoted.

- IOM has prepared a number of documentaries, publications (pictorials) on the activities implemented, good practices in some of the areas for awareness raising. These materials have been distributed widely.

e) Does your organization collect or assist with the **collection of statistical data on indigenous peoples**? If so, then please provide further information, including on how to access this information.

IOM Ethiopia has continuously carried out surveys using the DTM system and the Internal Displacement Monitoring Report is available and widely used by both the government and humanitarian actors to respond. These surveys have also targeted the pastoralist communities living in the Southern part of Ethiopia.

In early 2015, IOM Kenya conducted a survey using the Displacement Tracking Matrix (DTM) system across 7 counties in Kenya in order to approximate the number of IDPs in Kenya. Five of the seven counties targeted the pastoralist communities, prone to pastoral conflicts namely Turkana, Mandera, Wajir, Garissa and Marsabit. As well, a socio-economic survey was conducted in Garissa County, Kenya. The statistical data and both reports are available.

In 2014 IOM Tanzania undertook the voluntary registration of over 30,000 irregular migrants, the majority from neighbouring countries aimed at irregular Burundian, Rwandan and Ugandan migrants, who wish to regularize their status in Tanzania. Many irregular migrants from Burundi, the Democratic Republic of the Congo, Rwanda and Uganda live in the region. Their migration background varies, some driven by environmental factors.

IOM supports governments to establish Border Management Information Systems, including the installation of IOM's MIDAS. These data capture systems register and track all movements across international borders including those of indigenous populations. Technical applications can be added to complement these border management systems, such as frequent traveller applications which can capture the biodata of those who frequently cross

international borders including pastoralists and cross-border communities. The MIDAS system is installed in more than 20 countries globally, the majority of which are located in sub-saharan Africa and in particular Tanzania, Somalia and Djibuti.

f) Does your organization support the **participation of indigenous peoples** at the United Nations or elsewhere, in decision making processes that affect them? This includes financial support, policies on participation, consultative mechanisms, or any other initiative that promotes the participation of indigenous peoples.

Yes

Policy advocacy focusing on promoting migration as an adaptation strategy to climate change. IOM in partnership with UN-OCHA, UNEP and Institute for Security Studies launched Security in Mobility (SIM) Initiative (see http://reliefweb.int/sites/reliefweb.int/files/resources/8E4A32AF1BCEE2544925775800065831-Full_Report.pdf). The project initiated as a result of the IOM study : “Pastoralism at the Edge - Effects of drought, climate change and migration on livelihood systems of pastoralist and mobile communities in Kenya” (<http://ronairobi.iom.int/resources/publications/item/132-pastoralism-at-the-edge-effects-of-drought-climate-change-and-migration-on-livelihood-systems-of-pastoralist-and-mobile-communities-in-kenya>).

g) Any information on **conferences and other meetings** organized or supported by your organization on indigenous peoples for 2016 and 2017 or to which indigenous peoples will be invited to participate.

IOM is planning to implement in 2016 a Mobility Tracking in Karamoja,Uganda.

For centuries, the Karamoja sub-region of Uganda has been inhabited primarily by pastoralist whose livelihood system is built upon protecting and providing for their livestock. In order to exploit the seasonal availability of pasture, the people of Karamoja practice transhumance, or the regular movement of herd among fixed points.² During the wet season pastoralist live in largely permanent *manyattas* situated in locations suitable for agriculture and during the dry season the cattle is taken to *kraals* in areas receiving more rainfall. Through mobility, pastoralists have been able to maintain productivity of their herds, but also avoid cattle raids, reduce pressure on household food stocks, access better economic opportunities and strengthen social ties with neighbours.³

The traditional mobility patterns of the people of Karamoja have been disrupted by various government policies and programmes. For example, after the disarmament campaign which began in 2001, the Government of Uganda (GoU) created protected *kraals* aimed to guard unarmed people and their animals from cattle raids. Although the security situation improved in the sub-region, the mobility and livelihoods of its inhabitants were severely affected. As stated by a study published by USAID and Mercy Corps:

² FAO, Pastoralism in the New Millennium. <http://www.fao.org/docrep/005/y2647e/y2647e02.htm>

³ IOM, Child Migration from Karamoja”, February, 2014, p. 15-16.

“The inflexibility in the design and implementation of the protected *kraal* system has traded protection for mobility. This lack of mobility along with high concentrations of animals being confined to the protected *kraals* at night has resulted in disease-related livestock mortality that possibly even exceeds absolute losses incurred to raiding prior to disarmament.”

(<http://www.statehouse.go.ug/media/news/2015/02/04/president-calls-increased-commercial-farming-karamoja> and <http://www.statehouse.go.ug/media/news/2014/08/12/karamoja-must-be-food-basket-president-museveni-tells-youth-international-yout>)

Through the Mobility Tracking in Karamoja (MTK) project, IOM Uganda will track the mobility of the people of Karamoja over two years using DTM tools. In addition, it will measure the impact of mobility at the household level with the overall objective to contribute to informed service delivery and evidence-based planning and policy for the Karamoja sub-region. A review conference which will provide an opportunity for a wide-variety of stakeholders including beneficiaries to provide feedback is also planned.

h) Does your organization **support or have long standing partnerships** (including of multi-stakeholder character, with non-UN Partners of relevance to indigenous peoples, such as the private sector, academia and research centers as well as regional or national networks representing indigenous peoples) towards achieving the goals of the UN Declaration on the Rights of Indigenous Peoples?

Facilitate the establishment of a Free Movement of Persons Regime in the IGAD Region:

Mapping of the major transhumance corridors and establish pilot transhumance corridor(s) with identified key priority routes. Within these corridors, a model has already been developed for an IGAD Transhumance Certificate, which will enable relevant authorities to monitor the herds before they leave the country of origin, protect the health of the local herds and make it possible to inform the host community of the arrival of transhumance livestock.

i) Does your organization include **social safeguards** at programmatic and project work which include a specific policy or principle on indigenous peoples? Has your organization adopted the principle of free, prior and informed consent as a requirement for project development with indigenous peoples?

IOM has developed tools and frameworks which can respond to the needs of indigenous peoples, in particular in targeted materials that have been developed by IOM Colombia.