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## **Permanent Forum on Indigenous Issues**

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### **Implementation of recommendations on the six mandated areas and on MDGs**

**Information received from the UN system and other intergovernmental  
organizations\*\***

## **UNDP (United Nations Development Programme)**

### **Summary**

This report highlights UNDP initiatives and activities undertaken in 2006 to implement the recommendations of the Permanent Forum. It provides an overview of UNDP's work with indigenous peoples, with special focus on lands, territories and resources. The report is a contribution to inform and facilitate the work of the Permanent Forum. Further information on specific activities, projects and programmes is available from relevant UNDP offices.

\* E/C.19/2007/1.

\*\* The present document was submitted late in order to ensure the inclusion of the most recent information.

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## I. Policy Framework

1. The UNDP corporate mandate, development cooperation processes and agreements, and the aspirations of indigenous peoples guide UNDP's engagement with indigenous peoples and their organizations. In the context of the International Decade of the World's Indigenous People (1995-2004), and building on previous initiatives and experiences, UNDP issued a policy guidance note in August 2001 entitled: **UNDP and Indigenous Peoples: A Policy of Engagement**. The objective of the policy note is to provide UNDP staff with a framework to guide their work with indigenous peoples. Centred on the Millennium Development Goals as set by world leaders at the World Summit in September 2000, it is underpinned by the normative human rights framework and recognizes indigenous peoples' vital role in, and contribution to, development. The declaration of a 2<sup>nd</sup> Decade of the World's Indigenous Peoples: Partnerships in Action and Dignity (2004-2015) has given UNDP's engagement with indigenous peoples a fresh impetus.

2. In May 2000, UNDP established a Civil Society Organizations Advisory Committee to the Administrator to provide strategic advice to senior management on key policy directions. The 15-member committee, which includes the chair of the Permanent Forum, has helped to bring indigenous peoples' concerns to the attention of the UNDP Administrator and senior management. National civil society advisory committees to United Nations Country Teams are being established in a number of countries to serve as a forum for dialogue and policy advice on a number of national development priorities, including issues related to indigenous peoples.

3. In April 2006, *UNDP and Civil Society Organizations: A Toolkit for Strengthening Partnerships* was launched. The toolkit contains numerous tools to guide country offices in developing partnerships and programmes with civil society organizations (CSO) and

includes references to indigenous peoples' organizations. These include a methodology for CSO mappings, capacity assessment, an operational guide for working with CSOs, information on the design and role of CSO advisory committees and a list of resources. The toolkit can be accessed online:

[http://www.undp.org/cso/documents/CSO Toolkit linked.pdf](http://www.undp.org/cso/documents/CSO_Toolkit_linked.pdf)

## Human Development Reports

4. UNDP identifies a critical issue of global concern as the theme for its annual human development report. These reports provide important statistical information on the human development index and are major resource and advocacy tools in devising targeted policy and programmatic interventions at all levels, with particular focus on the achievement of the MDGs.

5. The 2006 Human Development Report **Beyond Scarcity: Power, Poverty and the Global Water Crisis** highlights the linkage between water governance with rising inequality and unprecedented population growth. It identifies poverty as the major constraint for access to clean water, and discusses how identity is a factor in this regard: 'Group identity is a marker for disadvantage in many countries. In Latin America it is reflected in disparities between indigenous and non-indigenous people. In Bolivia the average rate of access to piped water is 49% for indigenous language speakers and 80% for non-indigenous language speakers'.<sup>1</sup>

6. The 2006 human development report on water also analyzes the impact of large scale development projects: 'in the rush to develop large scale infrastructure for irrigation or power generation, many governments have ridden roughshod over the rights and claims of communities

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<sup>1</sup> 2006 Human Development Report: *Beyond scarcity: Power, Poverty and the global water crisis*.  
<http://hdr.undp.org/hdr2006/report.cfm>

lacking bargaining power, with indigenous peoples often among the worst affected’<sup>2</sup>. It also addresses the growing trend for privatization of state enterprises, and how this has exacerbated socio-economic problems even further. ‘One consequence [of giving concessions to private companies for water management] was that there were no provisions for protecting the customary rights of highly vulnerable indigenous people—a factor that became politically explosive.’<sup>3</sup> In Chile for example, ‘Indigenous groups have also mobilized to use the legal system in a bid to reassert their claims. In 2004 the Aymara and Atacamenos indigenous groups in northern Chile secured a historic ruling that customary use establishes a prior claim that overrides subsequent private water rights’.<sup>4</sup>

## Regional and National Human Development Reports

7. UNDP also undertakes regional and national reports which serve as policy advocacy documents, to take stock of human development, and help draw attention to pressing development priorities. The Asia-Pacific Regional Human Development Report, *Trade on Human Terms* (2006), examines regional and international trade in the context of human security. With regards to indigenous peoples, the report notes that Geographical Indicators (GIs)—labels identifying a good with attributable geographic features as originating in a particular territory—can protect local knowledge and natural endowments. Debates surrounding intellectual property rights have been particularly contentious for indigenous groups, and the report finds that ‘in 2004 market value of pharmaceutical derivatives from indigenous people’s traditional medicine was estimated at \$60 billion.’<sup>5</sup>

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<sup>2</sup> Idem.

<sup>3</sup> Idem.

<sup>4</sup> Idem.

<sup>5</sup> Asia and the Pacific Regional Human Development Report: *Trade on Human Terms: Transforming Trade for Human Development in Asia and the Pacific*. [http://www.undprcc.lk/rdhr2006/rdhr2006\\_report.asp](http://www.undprcc.lk/rdhr2006/rdhr2006_report.asp)

8. National Human Development reports analyse the development challenges facing indigenous peoples at the country level. The Philippines' NHDR, *Peace and Conflict Prevention: Human Security* (2005) cites exploitation and marginalization of indigenous cultural communities as one of the root causes of rebellion in the south of the country. A root cause for rebellion is identified as the exploitation and marginalization of indigenous cultural communities, including lack of respect for and recognition of ancestral domain and indigenous legal and political systems.<sup>6</sup> The Guatemala NHDR *Ethnic-Cultural Diversion: Citizenry in a Plural State* (2005) provides important disaggregated data related to human development and sparked a national debate on government response to racism, discrimination and consistent exclusion. A follow-up to the report was elaborated during 2006 by a group of Mayan professionals and spiritual guides in an effort to clarify the concept of human development within the Mayan cosmo-vision, examined in the book *Raxalaj Mayab' K'aslemalil* (2007).. .

9. The 2007 Human Development Report from Thailand entitled: *Sufficiency Economy and Human Development* raises the issue of persistent malnutrition among indigenous children in remote northern areas<sup>7</sup> while Nepal's 2004 Human Development Report: *Empowerment and Poverty Reduction*, focuses on empowerment of women and disadvantaged groups and addresses the issue of structural discrimination. Indigenous people also experience violations of their inherited rights to natural resources and abrogation of their traditional land tenure systems, along

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<sup>6</sup> 2005 Philippine Human Development Report *Peace and Conflict Prevention: Human Security*.  
[http://hdr.undp.org/docs/reports/national/PHI\\_Philippines/Philippines\\_2005\\_en.pdf](http://hdr.undp.org/docs/reports/national/PHI_Philippines/Philippines_2005_en.pdf)

<sup>7</sup> 2007 Thailand Human Development Report: *Sufficiency Economy and Human Development*.  
<http://www.undp.or.th/NHDR2007/index.html>

with expropriations of their lands, displacements from their traditional homelands and heavy taxes, including a number 'collected' in unpaid labour.<sup>8</sup>

## Global Programmes

10. HURIST (Human Rights Strengthening Programme - 1999-2006) is a joint programme of UNDP and the OHCHR, aimed at integrating human rights into development programming processes by building the capacity of UNDP country offices, supporting the development of National Human Rights Action Plans (NHRAPs), developing tools and methodologies on Human Rights-Based Approach to Development Programming and documenting and disseminating good practices in the application of the HRBA. HURIST supported the implementation of UNDP's first human rights policy - *Integrating Human Rights with Sustainable Human Development* (1998). HURIST's work will be continued through UNDP's GLOBAL Human Rights Strengthening Programme (2007-2011).

11. In 2002, HURIST incorporated an indigenous peoples' component, aimed at enabling implementation of the UNDP policy of engagement with indigenous peoples (2001) and to create a mechanism for dialogue at the national level to ensure the participation of indigenous peoples in UNDP activities at both the policy and programme levels. In 2004, HURIST launched two pilot projects in Ecuador and Kenya, which are ongoing. In 2006, with funds from the Catalan Cooperation Agency, HURIST continues its work in Ecuador, and has expanded to Bolivia and Guatemala with three inter-linked strategies: (a) to raise awareness of the Human Rights Based Approach to Development; (b) to develop the capacity of UN staff to address indigenous issues; and (c) to create consultative mechanisms between the UN System and indigenous peoples' organizations.

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<sup>8</sup> 2004 Nepal Human Development Report: *Empowerment and Poverty Reduction*.  
<http://www.undp.org.np/publication/html/nhdr2004/index.php>

12. In 2006 the work of HURIST Kenya continued to focus on two specific outputs: (1) To create a forum for dialogue at the national level to ensure the participation of indigenous peoples in UNDP activities at both the policy and programmatic levels; and (2) to sensitize and create awareness on indigenous human rights issues among UN Agencies, members of parliament and relevant government agencies. The programme resulted in the formation of UNIPACK – the UN Indigenous Peoples Advisory Committee in Kenya, which plays a key role in bringing together the UN and indigenous peoples. The process has strengthened information sharing and communication with indigenous peoples at the country level as well as exchanges to foster engagements with these communities. Specific activities include needs assessment reports as requested during regional consultations held across the country as part of the implementation of the HURIST programme.

13. As a tangible result from lessons and linkages and through its engagement in the 5<sup>th</sup> funding cycle of the Assisting Communities Together (ACT), a global programme jointly implemented by the OHCHR, UNDP, UNDP Kenya was able to mainstream indigenous peoples' projects into the ACT funding procedure. As a result, from a total of eight community-based projects granted in 2006, six are being implemented by indigenous peoples' organizations. The projects are currently approaching completion and are implemented within the context of the World Programme for Human Rights Education (WPHRE), first phase (2005-2007), with a focus on the primary and secondary school systems. Specific issues addressed are: (i) human rights education in primary and secondary learning institutions, i.e. schools; (ii) promotion of children's rights in conflict situations; (iii) promotion of gender issues and women's rights; and (iv) the issue of culture and its impact on the education system.



14. HURIST Ecuador focuses on project development with the following three goals: (i) To strengthen the Ombudsman's Office on indigenous peoples' issues; (ii) To strengthen dialogue mechanisms at the national level, that focus on the implementation of human rights through the establishment of a national indigenous peoples forum; (iii) To disseminate inter-culturalism and human rights in primary education curricula of DINEIB (National Office of Intercultural and Bilingual Education).

15. Following up on the success of the pilot phase (2003-2004), HURIST Ecuador is currently in its 2<sup>nd</sup> phase, and is being implemented through the Office of the Indigenous Peoples' Ombudsman. One of the objectives of the project is to strengthen this governmental institution through capacity building, publication of its yearbook, and through the elaboration of different studies on issues crucial to indigenous peoples including: (a) the inclusion of human and collective rights into the intercultural school system curriculum; (b) the meaning of free, prior and informed consent; and (c) the implementation of collective rights. Discussions are ongoing to identify the modalities for the creation of a consultative mechanism between the UN system and indigenous peoples. This is complemented by a process of consultation to elaborate a national report on Indigenous Peoples and MDGs. The UN Inter-Agency Working Group on Inter-Culturalism, of which UNDP is an active member, contributes to the implementation of the project, and has inspired the establishment of a similar mechanism for cooperation in Bolivia.

16. HURIST Bolivia: Under the framework of the HURIST programme, with support from the Catalan Agency for Development Cooperation, in 2006 Bolivia initiated a project titled *Dialogue about indigenous rights and intercultural society*. Through this project UNDP has promoted strong partnerships with other UN Agencies to work on indigenous issues.

17. The HURIST project has facilitated the production and wide diffusion of two reports about indigenous peoples in Bolivia:

- The study entitled *Gama étnico-lingüística de la población boliviana* - The Ethnic and Linguistic Diversity of the Bolivian Population - was published, and includes a geographical information system that details, from the national to the community levels, the ethnic and linguistic composition of the Bolivian population. It is based on an innovative methodology that combines the variables of self-identification, languages spoken and mother tongue, according to the data produced by the 2001 National Census;
- Based on this methodology, the second publication, titled *Indigenous Peoples and Millennium Development Goals* was conducted jointly by the Governments Unit of Economic and Social Policy Analysis (UDAPE) and the UN System. It identifies the gaps that exist between indigenous and non-indigenous populations regarding MDGs achievement.

18. In 2007 the project will work with UDAPE in order to improve the existing sources of information (census, surveys, administrative records etc.), and develop a system of indicators that better reflect indigenous perspectives on well being.

19. The team in charge of the Bolivia National Human Development Reports produces regular radio programmes about critical issues of development that are broadcast in Spanish and in the two major indigenous languages (Quechua and Aymara) of the country. In cooperation with the Ministry of the Presidency and the ILO a technical workshop on the right to consult was held 4-5 September 2006. A consultative workshop on “Indigenous peoples and MDGs” was organized in cooperation with the Ministry of Foreign Affairs and Culture. In addition, two internal capacity-building workshops have been held for UN staff.

20. HURIST-Guatemala is being implemented jointly with the PASOC (program especially addressed to support civil society organizations) and as part of follow up to the 1996 Peace Agreements. In Guatemala, the issue of human rights and indigenous peoples remains a serious challenge. The strategy to implement the Human Rights Approach to development focuses on promoting the mechanisms created within the framework of the Peace Agreements. Thus, the consultative mechanism, the main thrust of the HURIST programme, is being developed by strengthening of indigenous peoples' participation in the Development Councils - official spaces to consult and assess local and national development policies. In this context, a series of videos have been produced in indigenous languages for capacity building, as well as a manual on social auditing. A toolkit on the implementation of the indigenous peoples' component into development projects as a cross cutting issue has been developed, published, and disseminated widely through UN agencies and national NGOs. HURIST has also supported the elaboration of a study on the access to justice of indigenous peoples as recommended by the Access to Justice Sub-commission of the Justice Commission which was established through the Peace Agreements.

## Regional Approaches to Indigenous Peoples Issues

21. In response to a demand for targeted interventions at the regional level, UNDP is currently implementing a demand-driven indigenous specific programme in Asia. The US\$ 2 million Regional Initiative on Indigenous Peoples' Rights and Development (RIPP<sup>9</sup>) was established within the framework of UNDP's Policy of Engagement with Indigenous Peoples and has three interlinked strategies:

To enhance inter-country sharing of experiences on priority issues, particularly with regard to reducing the incidence of poverty among indigenous peoples;

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<sup>9</sup> <http://regionalcentrebangkok.undp.or.th/practices/governance/ripp>

To build capacity among all stakeholders, strengthen information networks and knowledge management systems particularly among indigenous peoples; and  
To support their full and effective participation in policy dialogue at all levels.

22. RIPP has developed a broad and diverse programme of work aimed at creating a space for regional cooperation and dialogue for governments, indigenous peoples, UN agencies and civil society. RIPP is based at the UNDP Regional Centre in Bangkok and is funded through UNDP core resources, an indication of UNDP's commitment to indigenous issues as part of its policy and programmatic approach.

23. The RIPP commenced operations at the end of 2004, and is in its first phase. It has been endorsed by Cambodia, Indonesia, Philippines, Thailand and Vietnam and implements projects and activities in different countries around the region as outlined below. RIPP seeks to generate greater awareness of development challenges faced by indigenous peoples in the region and to strengthen the regional cooperation framework by emphasizing the need to bring indigenous peoples into the development discourse. It is overseen through a steering committee composed of indigenous peoples' representatives, governments and UNDP, and is underpinned by rights based development approaches.

24. RIPP has been active in a number of initiatives over 2006, in close partnership with governments, indigenous organizations and UN agencies working through UNDP country offices. In 2006 some 30 projects and programmes were led or partnered by RIPP including analytical research, gap analysis, pilot projects and capacity development, with gender as a cross cutting issue. Work undertaken in the programme is broadly divided into the following strategic

areas: (i) Natural Resource Management and Land; (ii) Law and Policy; (iii) Access to Justice; and (iv) Capacity Development.

25. Law and Policy. RIPP strives to use governance systems to promote the rights and development choices of indigenous peoples. In this context, law and policy frameworks are an essential part of effective and sustained change. RIPP works on strengthening national policy and programming frameworks in a number of countries to offer a neutral space to bring together governments, agencies and indigenous peoples' organizations/CSOs to discuss and agree frameworks for cooperation.

26. In Cambodia, UNDP is engaged in providing assistance to the Royal Government of Cambodia in finalizing and implementing a policy on highland peoples' development, currently under consideration by the Council of Ministers. This is complemented by programmatic support to strengthen mechanisms for dialogue with agencies and indigenous peoples, and is part of UNDP's ongoing work in the country.

27. In Indonesia, the process of conducting an analytical review of law and policy brought together the Government, National Human Rights Commission and indigenous peoples to discuss how to better align national laws and policies with the aspirations and rights of indigenous peoples. Another element of UNDP-RIPP's engagement included the official commemoration of World's Indigenous Peoples' Day on 9 August 2006 for the first time in Indonesia, with His Excellency the President of Indonesia attending the ceremony. Indigenous Peoples' day was also celebrated in a number of countries in Asia including Bangladesh and Cambodia.

28. Natural Resource Management and Land. In view of the centrality of this issue to indigenous peoples, and as a contribution to the PFII session this year, RIPP conducted a series of studies on natural resource management policies and practices in Bangladesh, Cambodia, Malaysia and Thailand. The analysis of forest laws and policies and their impact on indigenous peoples highlights the link between natural resources, land and indigenous peoples' rights, and the need to take greater account of this synergy when devising policies and programmes affecting indigenous peoples. The series include a regional overview synthesizing best practices and lessons learned to guide future policy and practice. A common feature highlighted in all the studies, even where the status of indigenous peoples is recognized, is the policies of discrimination and exclusion of indigenous peoples in land ownership and natural resource management. Even when there are historical facts showing indigenous peoples as rights-holders to particular resources, this is ignored and the alienation of indigenous peoples' lands continues. The NRM series were implemented through focus group discussions and policy dialogue which brought together indigenous peoples and government agencies.

29. The NRM series are complemented by a pilot study on land use management in Vietnam has been completed, and the results disseminated to policy makers. This will feed into a wider strategy on integrating indigenous rights into biodiversity and environmental protection legislation, in which government and indigenous organisations will play an active role.

30. Access to Justice. The issue of access to justice and the interface between formal and customary law is critical to good governance and poverty reduction. UNDP-RIPP has conducted a series of analytical case studies into this issue to assess the gaps and challenges towards more inclusive governance. Analyses from Bangladesh, Cambodia, India, Philippines and Thailand are part of a regional series on Inclusive Governance for Disadvantaged Groups in cooperation

with the UNDP Asia Regional Governance Programme and UNDP Asia Pacific Gender Mainstreaming Programme. The case studies were conducted in a participatory and empowering process and highlight the root causes for legal marginalization of indigenous peoples with land emerging as a critical issue. This is of particular relevance in the context of the thematic focus of this Sixth session. The studies also emphasize the need for greater recognition of customary rights and juridical pluralism as an effective means of providing equitable and easy access to justice for marginalized groups, and provide important input and guidance to UNDP programming at the country and regional level.

31. Capacity Development of all partners and stakeholders is a key element and through training programmes, workshops, study tours and virtual e-learning networks; UNDP-RIPP seeks to increase awareness and capacity on indigenous peoples issues. In partnership with the Asia Indigenous Peoples' Pact Foundation and its local partners, UNDP-RIPP is training indigenous women in developing their decision-making skills and capacity. Following up on community based trainings held in Bangladesh and Malaysia, including sharing/exchange of experiences, in 2006, UNDP-RIPP supported skills training in decision-making for indigenous women from Myanmar and in the Philippines. Past trainings have helped shape a community training manual on Indigenous Women and Decision-Making. The manual provides easy to use modules on how to orient and conduct trainings, and helps indigenous women explore and understand the key challenges they face today. It also informs on relevant national legislation and international laws with relevance to indigenous women's rights.

32. Another initiative of UNDP-RIPP, in cooperation with UNDP's Asia Regional Governance Programme, Asia Pacific Gender Mainstreaming Programme and Capacity 2015 is a targeted programme for Young Leaders in Governance aimed at strengthening the skills of our future

leaders. In 2006, two sub-regional trainings were organized for South and South-east Asia wherein young indigenous leaders are also trained using modules developed specifically for this purpose. In addition, follow on national trainings were conducted by YLG fellows in Bangladesh, in partnership with UNDP's CHT Development Facility and in the Philippines. The Young Leaders in Governance programme will continue in 2007 with funding from the UN Democracy Fund.

33. UNDP-RIPP is engaged in strengthening the application of the Human Rights Based Approach to Development as an advocacy tool, with a training manual and human rights trainings in process, guided by a task force of indigenous experts. Within this framework, discussions are ongoing with the Asian Development Bank under the 'Engaging in Dialogue' initiative wherein RIPP is facilitating consultations with indigenous peoples on the ADB's Safeguard Review process.

#### Special Rapporteur on Human Rights and Fundamental Freedoms of Indigenous Peoples

34. UNDP participated at a regional consultation with the UN Special Rapporteur on the Human Rights and Fundamental Freedoms of Indigenous Peoples held in Phnom Penh, Cambodia 9-11 February 2007. Indigenous representatives from all over Asia drew the attention of the Special Rapporteur to the successes, obstacles and opportunities in addressing human rights of indigenous peoples today. The consultation was organized by Tebtebba Foundation in close cooperation with the NGO Forum.

35. The Special Rapporteur also gave a briefing on his work and mandate to UN country teams during a private visit to Thailand in February 2007. The briefing was organized by RIPP, and helped raise awareness of indigenous peoples rights in the Asia region among UN staff.



36. A follow-up visit by the Special Rapporteur was paid to Guatemala in May 2006 to verify the implications of the recommendations issued in 2003. On his occasion, the Indigenous Legal Defense, a Mayan organization applying the ILO Convention 169 to claim collective rights, presented its second report, supported by UNDP, on the implementation of the recommendations

## Data Disaggregation

37. As a follow up to the Forum's recommendation on the need for disaggregated data on indigenous peoples, UNDP-RIPP has piloted two data disaggregation projects:

A pilot project, implemented by the Tebtebba Foundation, addresses the lack of accurate information gathering vis-a-vis indigenous peoples. Working in close cooperation with the National Statistics Office of the Philippines in an effort to institutionalize disaggregation of data, the project has developed new tools for survey and census collection which include both disaggregated data and specific indicators to reflect the development circumstances of indigenous peoples. These tools will be shared with other offices and countries in the region;

38. In cooperation with the Secretariat of the Permanent Forum, UNDP-RIPP provided support to Nepal Tamang Gudung to disaggregate data using the information collected during the 2001 population census and other relevant surveys in Nepal. The project assembled, compiled and disaggregated data from published and unpublished records, files, survey reports and documents of government bodies, departments, universities, and census data in the Central Bureau of Statistics. The data was disaggregated on the basis of ethnicity, from the perspective of indigenous nationalities in Nepal and includes statistics on demography, education, health, migration, economy, human development, human rights and the political status of caste and indigenous peoples/nationalities including women and children.

## **Initiative and Activities at the Country Level**

### **UNDP Bangladesh**

39. In December 2005, UNDP Bangladesh initiated a five-year multi-sectoral development programme “*Promotion of Development and Confidence Building in the Chittagong Hill Tracts*” for the resumption of a significant scale of international development assistance to the CHT and to build confidence among the people and institutions of the CHT to promote long-term peace. The CHT programme is supported primarily by the European Commission, as well as by Australia, Japan, Norway, USAID and others. The operational strategy of the project aims at reducing poverty, especially among the very poor and to consolidate harmony and stability by helping local institutions to function more effectively and spearhead economic progress. The objective of this project is to revitalize the Chittagong Hill Tracts by empowering government institutions and communities to pursue their own development goals and by creating an enabling environment for poverty reduction and confidence-building and trust among all stakeholders.

40. The present condition of the majority of people in the Chittagong Hill Tracts underscores the need for immediate assistance and quick results. Today, more than 40 percent of the population is unemployed, while only 30 percent live above the national poverty line, while 50 percent for children drop out of school sometime during their primary education. Infrastructure, such as roads and health facilities, has deteriorated almost beyond use, while other such facilities have already been abandoned. Small development projects will be funded through the ‘Quick Impact Fund’ which will offer communities direct access to micro-grants to undertake small-scale health, infrastructure, and employment projects that are conceived and managed locally. This is in response to UNDP’s belief that ‘communities know best about their problems, development needs and solutions, and once empowered in terms of organizational, technical and financial

capabilities, they will provide the most effective means for realizing both peace-building and development opportunities.’<sup>10</sup>.

## **UNDP Bolivia**

41. *Creation of a national council for dialogue:* Through a consultative process with indigenous peoples’ organizations and the Government in Bolivia, an agreement was signed on 14 December 2006 for the creation of a National Council for Dialogue that gathers representatives of the five major indigenous and peasants organizations of the country, on the one hand, and representatives of UN agencies in Bolivia, on the other. The Ministry of Foreign Affairs also has a delegate who participates as an observer in the council.

42. The Council is defined as a space for consultation, partnering, exchange and dialogue on central themes of national development policies, the Constituent Assembly and the Permanent Forum on Indigenous Issues. The Council approved an action plan for 2007 that includes the following main activities:

The strengthening of Bolivian participation in the UNFPII, starting with the Sixth Session, which also entails increasing awareness and information in the country about the UNFPII conclusions and recommendations;

The provision of expert assistance to the Constituent Assembly and to the indigenous organizations in matters related with international norms of human rights and indigenous rights; and

The incorporation of indigenous organizations in the consultation process for the elaboration of the 2008-2012 UNDAF.

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<sup>10</sup> For more details see 15 December 2005 Medial Release from UNDP Bangladesh at [www.un-bd.org/undp](http://www.un-bd.org/undp)

43. *Creation of a UN inter-agency thematic group on intercultural issues:* The main objective of this thematic group is to strengthen the technical and institutional capacity of the United Nations System on issues related to indigenous rights and inter-culturalism, and to support the empowerment of indigenous peoples by increased partnerships with their representative organizations. This group has played a leading role in the process that has resulted in the creation of the National Council for the Dialogue with Indigenous and Peasant Peoples mentioned above. These activities complement and are in support of UNDP Bolivia's work under the HURIST Programme as mentioned earlier.

## **UNDP Cambodia**

44. UNDP Cambodia has provided support to the Royal Government of Cambodia through an access to justice programme and through the Regional Indigenous Peoples' Programme in developing a policy on indigenous peoples development. This has been in close cooperation with the Ministry of Rural Development (Department of Ethnic Minority) and support has been directed to preparing a strategic framework and action plan for indigenous peoples' development. This has been complemented by direct support to indigenous peoples and their organizations in participating in national policy dialogue processes and to an indigenous peoples' forum for development. In 2005, for the first time in Cambodia, the International Day of the World's Indigenous Peoples was celebrated, as it was in 2006, with UNDP support. UNDP also supports an indigenous youth network in Cambodia, including to a small team using media to disseminate and share the experiences and challenges faced by indigenous peoples in Cambodia.

45. In February 2007, a seminar aimed at providing a space for dialogue on *Indigenous Peoples and Access to Land in Cambodia*, was organized by the OHCHR, ILO, the NGO Forum on Cambodia, with support from UNDP. It brought together representatives of the Royal

Government of Cambodia – including the Secretary of State from the Ministry of Land Management, Urban Planning and Construction, the Director-General of the Council for Land Policy and the Under-secretary of State of the Ministry of Rural Development - indigenous peoples, civil society, donors and UN agencies to discuss key issues related to land and resource rights. The UN Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples and the Chairperson of the Permanent Forum also participated at the workshop. Indigenous peoples stressed the importance of land to their livelihoods, culture and identity, and the increasing problems in access to lands and natural resources, as a result of land alienation, including through concessions.

46. A regional workshop on land was organized in Cambodia by the Asia Indigenous Peoples Pact Foundation in cooperation with the International Work Group for Indigenous Affairs and other partners as a key contribution to the UN Permanent Forum's focus on land, territories and resources during the 6<sup>th</sup> session.

## **UNDP Ecuador**

47. UNDP Ecuador has undertaken some initiatives to protect the rights of indigenous peoples. This includes supporting the process of establishing a council mandated to advise the UN system in Ecuador on the planning, implementation and evaluation of its policies and programmes on indigenous peoples, and to assist the UN system in strategies that promote and secure the implementation of human rights and collective rights of indigenous peoples in the country. The Council will also support the follow up to the recommendations of the Forum and the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples.

48. The UN Inter-agency working group on Inter-culturalism (GTI) is a mechanism to coordinate the work of the UN system in Ecuador with relation to indigenous peoples and Afro-Ecuadorian descents, lead by the UN Population Fund (UNFPA). The GTI helps with the follow up to the recommendations of the Permanent Forum and the Special Rapporteur on indigenous peoples. It has recently produced its second report to the Forum.

49. The Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous Peoples of the Human Rights Council visited Ecuador in April 2006 and presented his report to the Council in 2007. He stressed the need for special attention to the increasing problems faced by indigenous peoples living in remote areas due to illegal logging and other activities carried out in their territories<sup>11</sup>.

50. UNDP Ecuador has also begun supporting activities related to the protection of the rights of isolated indigenous peoples, including the process of establishing an inter-institutional coordination led by the Ministry of the Environment, identifying priorities for the protection of isolated indigenous peoples, and participating in the “Seminario Regional sobre pueblos indígenas aislados y en contacto inicial de la amazonía y el Gran Chaco” (November 2006, Santa Cruz de la Sierra, Bolivia).

## **UNDP Kenya**

51. The Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous Peoples visited Kenya at the invitation of the Government from 4-14 December 2006. This visit was coordinated by the UNDP country office, in the framework of an existing agreement with OHCHR, and organized in close cooperation with the Government of Kenya and

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<sup>11</sup><http://www.unhchr.ch/huricane/hurricane.nsf/view01/E98A8F9551BA4621C1257165002C38F6?opendocument>

the Kenya National Commission on Human Rights (KNCHR). This was an important partnership in the process of enhancing indigenous peoples' issues in Kenya.

52. The UN Indigenous Peoples Advisory Committee in Kenya (UNIPACK, created through the HURIST programme mentioned earlier) was instrumental in facilitating specific components for the visit of the Special Rapporteur. UNIPACK members were instrumental in organizing the Special Rapporteur's meetings with indigenous communities in various parts of the country, and the Special Rapporteur was able to visit many pastoralist and hunter-gatherer communities during his mission including Maasai communities in the Kaijado, Laikipia and Narok districts, the Ogiek in Mau Forest, the Endorois in Lake Bogoria, the Sengwer in the Cherangany hills and the Somali in the North Eastern region.

53. A national indigenous peoples' workshop was convened with participation of indigenous representatives from all over the country. In the workshop, UNIPACK members presented the main human rights challenges faced by their own communities as a result of engagement within the framework of the HURIST programme. The information provided was subsequently used by the Special Rapporteur in the preparation of his final report on the visit. A report on mainstreaming indigenous peoples' issues as a result of implementation of the HURIST programme in Kenya was also launched at the workshop.

54. In his report presented at the 4th session of the Human Rights Council in March 2007, the Special Rapporteur analyzes the different challenges faced by indigenous peoples in Kenya, as well as a number of Government initiatives that have started to address these challenges in recent times. Even though the term "indigenous" is not widely used by official institutions, the Government has acknowledged that pastoralist and hunter-gatherers communities face a situation

of discrimination and marginalization in relation to other segments of the national policy due to historical injustices, exclusion from decision-making, and failed development policies. As a result, the Government has currently embarked on a number of policies specifically aimed at improving the situation of these communities, including affirmative action measures, and also started to recognize their distinct ways of life in the definition of development strategies.

55. Of the many challenges faced by indigenous peoples in Kenya, the Special Rapporteur's report underlines the violation of their land and resource rights as a result of colonial practices; the widespread illegal allocation of titles in traditional indigenous lands; the creation of protected areas; the destruction of the forests; and the policies aimed at the privatization of pastoralist lands. These processes, linked to the environmental impact of development projects and the lack of recognition of indigenous traditional livelihoods has left a balance of increased landlessness, resource-related conflicts, and poverty. The Special Rapporteur recommends the urgent implementation of new land policies aiming at seeking redress for historical and contemporary injustices, as well as the inclusion of indigenous peoples in decision-making processes affecting their communities. The report pays special attention to the overall situation of marginalization of indigenous communities in their access to basic social services, including education and health, and the difficult situation faced by indigenous women across the country.

56. The partnerships enhanced through the Special Rapporteur visit as well as the findings from the mission are/were important in the contributing to the national process of engaging with indigenous peoples in Kenya. This comes at a time when the country is in the process of formulation of a national action plan and policy on human rights that has already set out to consider indigenous peoples issues in the process. This process has also so far received input from an experts meeting convened by the Kenya National Commission on Human Rights



(KNCHR) to explore how best to engage/incorporate indigenous peoples issues into the process of formulation of the National Action Plan and policy on human rights.

## **UNDP Suriname**

57. In Suriname a US\$ 75,000 UNDP-Government project aimed at empowering indigenous and Maroon authorities to fully participate in a national land rights' dialogue has been initiated, with support from UNDP's Democratic Governance Thematic Trust Fund (DGTTF). A joint Indigenous Peoples and Maroons (of African descent) Land Rights Commission was established in February 2007, and is the official counterpart for further discussions with the Presidential Land Rights Commission, composed of various governmental representatives.

58. UNDP in Suriname is also supporting the Ministry of Regional Development in developing a comprehensive programme for regional development, with emphasis on participatory planning. The collective rights of the indigenous peoples and tribal Maroons features prominently in this process, including collective land rights and legal recognition of traditional authorities and of the 'community' entity.

## **Global Environment Facility Small Grants Programme (GEF/SGP)**

59. Since 1992, the Global Environment Facility (GEF) Small Grants Programme (SGP) has promoted grassroots action to address global environmental concerns. GEF SGP allocates grants of up to \$50,000 – with an average grant size of between US\$20,000 – directly to non-governmental, community-based organizations and indigenous peoples' organizations to support their efforts to protect the environment while generating sustainable livelihoods. The programme is a corporate initiative of the GEF, and is implemented by UNDP on behalf of the three implementing agencies of the GEF, which include UNDP, UNEP and the World Bank.

The programme currently operates through a decentralized management system in 95 developing countries around the world.

60. While the Small Grants Programme is generally praised in comparison to other GEF operations, it is not without problems. Indigenous peoples and local community organisations complain that the procedures for securing GEF small grants remain complex and may often take months and even years to be approved.<sup>12</sup> At SGP consultations, indigenous participants complained that their proposals are often disregarded or bounce back from the National Steering Committees, and that in many cases the SGP system is difficult to access for indigenous peoples. SGP has made efforts to develop more culturally appropriate and user-friendly procedures for securing SGP funds, including an innovative method of using video and non-written application procedures piloted in Indonesia.

61. Indonesia: visual proposal development for indigenous peoples<sup>13</sup>: In March 2004, the NSC of the Indonesia SGP approved the introduction of video funding proposals for indigenous peoples and local communities in cases where written formats are culturally inappropriate. The first video proposal was compiled by the Orang Rimba people requesting funds for a project to support community protection of their forest lands adjacent to the Bukit Dua Belas National Park in Sumatra. The making of the video proposal was made possible in April 2004 with an SGP planning grant. The initiative worked with an intermediary multi-lingual anthropologist and outside film makers (both of whom were selected by the indigenous community as “trusted individuals”) abiding by the principle of free prior and informed consent with regard to project

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<sup>12</sup> GEF (2003) *Compilation of NGO interventions – GEF Council Meeting, May 2003*

[http://www.gefweb.org/Partners/partners-Nongovernmental\\_Organ/Compilation\\_of\\_NGO\\_Interventions\\_-\\_May\\_03\\_-\\_2003.pdf](http://www.gefweb.org/Partners/partners-Nongovernmental_Organ/Compilation_of_NGO_Interventions_-_May_03_-_2003.pdf)

<sup>13</sup> Visual proposal development: An alternative to make Small Grants more accessible to Indigenous Peoples - Case Study: The Living Fence and the Jungle School: protecting the Orang Rimba and their forest home. Bukit Dua Belas National Park, Jambi, Sumatra, Indonesia Power Point presentation, GEF-Small Grants Programme Indonesia

design and agreements. The memorandum of understanding for the project recognised a tailored in-kind contribution from the Orang Rimba in order to ensure compatibility with their economic and cultural circumstances.

62. The Orang Rimba proposed forming a “living fence” around their forest territory through the establishment of a series of gardens and settlements to defend the forest against illegal loggers, oil palm companies and colonists. The SGP project financed solar panels for the village schools so that young people could work on the establishment of the territorial demarcation during the day and engage in study in the evenings. Preparation for the project proposal video was found to be a useful tool for advocacy, education materials and stimulated policy dialogue with national park and forest authorities.

## **Engaging with the GEF/SGP in Kenya: Fostering national level partnerships and access to resources**

63. The UNIPACK committee in Kenya participated in various fora at the national level. Of significance was the invitation of the National Steering Committee (NSC) of the GEF/SGP to participate in their NSC meeting and advise the committee on how to better address indigenous peoples’ issues in its small grants programme. This was in line with recommendations of the previous PFII where the Participatory Video Methodology (see above) was presented as an opportunity to access the GEF Small Grants.

64. In ensuing consultations with indigenous communities at the grassroots level, these communities highlighted environmental priorities. After evaluation by the GEF/SGP national steering committee three participatory videos have been produced to address environmental issues and to enhance the livelihoods of indigenous communities. Furthermore, the video

proposals were presented to the NSC on 23<sup>rd</sup> February 2007. In addition, the chair of the UNIPACK has been invited to be a member of the GEF/SGP National Steering Committee in Kenya to promote further integration of indigenous peoples' issues into the national process.

## Small Grants Programme (SGP) – Promotion of Tropical Forest (PTF) in Malaysia

65. Small Grants Programme (SGP) – Promotion of Tropical Forests (PTF) Malaysia is part of a regional programme called EC-UNDP Small Grants Programme for Operations to Promote Tropical Forests. PTF Malaysia's main community focus is on the indigenous peoples of Malaysia.

66. PTF supports organizations working with indigenous communities to implement small forest related projects, which promote sustainable forest use. Since 2004, it has helped implement over 20 projects in various communities throughout Sarawak, Sabah and Peninsular Malaysia. Unique to PTF Malaysia is the support towards start-up indigenous community-based organizations.

67. As of January 2007, it can be seen that supporting indigenous organizations ensures a more direct outreach to our target communities, even if more facilities and monitoring need to be in place to ensure that they are able to comply with the administrative and financial reporting requirements. PTF Malaysia's range of projects is broad in category and specific to the locale of the project. We are supporting projects that demonstrate both economic enterprise and sustainable forest use. In some areas, this means supporting direct reforestation and ecotourism. In others it means supporting handicrafts, small agri- and food- industries. In others, support of traditional knowledge documentation is essential to sustainable forest management. What is

important is that the community is able to have a decisive stake in the management and implementation of the project and to be impacted directly as a result of the project.<sup>14</sup>

## **UNDP/GEF SGP in Suriname**

68. The UNDP/GEF SGP in Suriname has over 20 community projects involving indigenous and Maroon peoples, focusing on global environmental issues in relation to local sustainable livelihoods, e.g. nature tourism and micro-hydro energy. In addition, the GEF SGP in partnership with the CSO Division has been working to facilitate indigenous peoples' access to grants through innovative methods such as participatory video-making. Two consultative workshops were held in 2004 and 2005, and in 2006 a 'how-to' handbook on participatory video commissioned by GEF SGP, CSO Division and Hurist was launched. ▲

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## **The Equator Initiative**

69. The Equator Initiative ([www.undp.org/equatorinitiative](http://www.undp.org/equatorinitiative)) is a partnership of the United Nations Development Programme, civil society, business, governments and communities to help build the capacity and raise the profile of grassroots efforts to reduce poverty through the conservation and sustainable use of biodiversity. The Equator Initiative works in close collaboration with indigenous organizations. Over 40% of Equator Prize finalists and winners (2002 – 2006) self-identify as indigenous groups, communities, or initiatives. Through Equator Dialogues, the Equator Initiative creates a platform for local voices and celebrates the success of community action to achieve the MDGs. Through community dialogue spaces and special events, Equator Dialogues draws critical attention to local development and conservation successes while fostering peer-to-peer exchange and direct access to decision makers and policy processes.

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<sup>14</sup> For more details, go to <http://www.sgpptf.org/countries.asp?Country=Malaysia>

70. Most recently, at the Community Taba at the Eighth Conference of the Parties to the Convention on Biological Diversity (COP 8), the Equator Initiative partnered with the Intertribal Committee of Brazil to produce and organize the meeting space. In addition to participating in the daily programme of the Taba, indigenous groups from around the world coordinated several side events at the space, as well as culture shares. Following the organizing of a successful side event at COP 8, the Equator Initiative has deepened its collaboration with UNDP RIPP, and is currently planning regional community dialogue spaces in Thailand and Papua New Guinea to take forward the recommendations surfacing from COP 8 and to mobilize for COP 9 as they pertain to indigenous people's priorities in the field of biodiversity conservation and poverty reduction.

71. Furthermore, capacity development is an important aspect of the Equator Initiative's engagement with indigenous people. For example, as a result of his work with the Equator Initiative, and as an Equator Prize 2004 finalist, Gladman Chibememe, an indigenous Zimbabwean, and Secretary of the Chibememe Earth Healing Association (CHIEHA), Zimbabwe, has been serving on the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions. He has also facilitated a number of the community dialogue spaces, as well as another indigenous leader, Donato Bumacas, the Executive Director of the Kalinga Mission for Indigenous Children and Youth Development (KAMICYDI) of the Philippines. Most recently, KAMICYDI worked with the Equator Ventures team to elaborate a proposal to launch a micro-credit facility for indigenous women in their community. The proposal has received private funding and is under development.

## **Millennium Development Goals (MDGs)**

72. Over the last four years UNDP has engaged in raising awareness of the MDGs among indigenous peoples and their organizations at various international fora. UNDP seeks to collaborate with indigenous peoples and their organizations in achieving the MDGs and recognizes greater efforts are needed to include the participation of indigenous peoples' organizations in the development of the MDG Country Reports that monitor the progress of the goals. Greater coordination between indigenous peoples' organizations and the Millennium Campaign remains a challenge.

73. UNDP builds the capacity of communities to "localize the MDGs" by providing small grants to community oriented sustainable development projects as well as through community to community learning exchange facilities that encourage the sharing of knowledge and best practices among community-based organizations. In addition, community dialogue spaces profile communities during global conferences and highlight the contribution of communities and especially indigenous peoples in achieving the MDGs. These dialogue spaces bring together representatives of communities and indigenous peoples with international government and CSO leaders for a frank exchange on how to develop an enabling environment for community participation in regional development.

74. The Policy Dialogue "Localizing the MDGs in Sarawak: Improving Equity in Sarawak" organised by the United Nations Country Team (UNCT) of Malaysia, discussed localizing the MDGs, in particular from the perspective of improving spatial and ethnic equity in development outcomes in the lesser developed East Malaysia state of Sarawak. The aim of this policy dialogue was to:

- take stock of progress towards the MDGs in Sarawak;
- identify priority strategies to overcome constraints;

- create space for dialogue, and
- build awareness about the roles that can be played by stakeholders.

This was a joint event with funding from UNCT, UNICEF, and UNDP.

75. The dialogue reviewed programmes that address poverty, including those in the Ninth Malaysia Plan (9MP), taking into account the special needs of the indigenous communities, including challenges related to the dispersion of population over a vast terrain; locality, ethnicity, occupation, differences in values/cultural, etc. Unintended, unmanaged, unheeded socio-economic factors can have impact on long term growth and equity. There is a need to mainstream the marginalized indigenous communities. While indicators on health-related MDGs indicate good progress in Sarawak, sharp disparities exist among rural/urban populations, ethnic groups and districts. Vulnerable groups include children, poor women, rural indigenous groups, elderly, disabled, and migrant labour. The dialogue also addressed issues related to strategies to improve environmental management which is hindered by constraints posed by the limited manpower in enforcement agencies to monitor compliance, inadequate coordination of stakeholders and lack of public awareness. A summary report on the policy dialogue is downloadable at [http://www.undp.org.my/index.php?navi\\_id=7](http://www.undp.org.my/index.php?navi_id=7)

### **Inter-Agency Support Group on Indigenous Issues**

76. UNDP is an active member of the IASG. On 12 July 2006, the UN Development Group, of which UNDP is the chair, endorsed a proposal to draw the attention of the UN country teams to the 'Programme of Action of the Second International Decade of the World's Indigenous Peoples and to take, to the extent possible, appropriate actions in this regard. The UNDG also recommended that the IASG, composed of 30 UN system agencies, funds and programmes and other inter-governmental organizations, in consultation with the UNDG Programme Group,



provide support and guidance in mainstreaming indigenous issues in UN operational activities, working through existing mechanisms and procedures. UNDP is a member of the task force established to implement this recommendation.

## **Conclusions and Recommendations**

**77. UNDP welcomes the opportunity to work with the Forum in ensuring greater engagement of indigenous peoples in UNDP's policies and programmes, and how to more effectively ensure responsive governance mechanisms. It looks forward to strengthening our cooperation and to advice on how to improve our work to ensure greater conformity with indigenous peoples rights and aspirations, and in implementing the recommendations of the Permanent Forum.**