



Support to Indigenous Peoples

Strategy for Danish support to Indigenous Peoples

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Danida

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List of abbreviations

ECOSOC	(United Nations) Economic and Social Council
EC	European Commission
EU	European Union
ILO	International Labour Organisation
IPO	Indigenous Peoples Organisation
NGO	Non Governmental Organisation
PRSP	Poverty Reduction Strategy Paper
SPS	Sector Programme Support
UN	United Nations
UNDP	United Nations Development Programme
UNCHR	United Nations Commission on Human Rights
UNWGIP	United Nations Working Group on Indigenous Peoples
WB	World Bank
WSSD	World Summit on Sustainable Development

1 Introduction

Denmark's development policy aims at reducing poverty by promoting sustainable development through pro-poor economic growth. Equal opportunities for and participation by men and women in the development process, promotion of human rights and democratisation and concern for the environment are important crosscutting issues in Denmark's development policy.

The strong emphasis on human rights and democratisation, as well as economic development in Danish development policy, implies that indigenous peoples and their concerns must be duly reflected in development cooperation activities and initiatives. Indigenous peoples must be given real influence on all matters that concern their economic, political and cultural situation, and developmental changes must respect indigenous peoples' sense of belonging, including belonging to a given territory. Development cooperation should contribute to the enhancement of the capacity of indigenous peoples to take an effective part in the planning and implementation of development programmes.

The first 'Strategy for Danish Support to Indigenous Peoples' was formulated in 1994. In 2000-2001 a review of the strategy was carried out by a team of indigenous experts. The present strategy is based on the findings of the review and a consultation process with Danish and international representatives of indigenous peoples and organisations working with and for indigenous peoples.

This Strategy for Danish Support to Indigenous Peoples is a fully integrated part of the overall framework governing Danish development policy, which in turn is an integral part of Denmark's foreign policy. The promotion of common security, democratic government and respect for human rights together with the fostering of economically, socially and environmentally sustainable development form the main objectives.

Thus, it is possible to integrate the concern for indigenous peoples at all levels of Denmark's foreign policy and development cooperation and raise indigenous issues through policy dialogue with partner countries.

2 Strategic outline

2.1 Objective and main elements of the strategy

The objective of Danish support to indigenous peoples is

- to strengthen the right of indigenous peoples to control their own development paths and to determine matters regarding their own economic, social, political and cultural situation.

The strategy is intended to provide a platform for permanent dialogue for the promotion of indigenous rights. The strategy falls in line with international agreements and conventions such as ILO Convention 169, ratified by Denmark, and the EU policy on support to indigenous peoples in developing countries.

The strategy has five key elements:

1. *Strengthening of indigenous peoples' rights through international processes.* This will entail promotion of the respect for indigenous peoples' rights through political dialogue based on international declarations and agreements and support to indigenous peoples' participation in relevant international fora.
2. *Inclusion of indigenous peoples' concerns in bilateral development cooperation.* This will entail deepened dialogue, where relevant, on indigenous peoples' issues with Danish cooperation countries and inclusion of indigenous peoples' needs in sector programme support, where relevant.
3. *Inclusion of indigenous peoples' concerns in multilateral development cooperation.* This will entail dialogue with relevant multilateral institutions on policy development as well as exchange of experiences and exploration of areas of cooperation and common interest.
4. *Cooperation with indigenous organisations, IPOs, and NGOs.* This includes continued financial support to IPOs and relevant NGOs, and support for activities aimed specifically at promoting the conditions and rights of indigenous peoples.

5. *Consideration of indigenous peoples in economic and trade related issues.* This includes innovative approaches to overcoming the economic and trade related problems of indigenous peoples, including issues relating to the protection of indigenous peoples' knowledge.

2.2 Target group, definitions and concepts

The exact number of indigenous people in the world today is unknown, but it is approximately in the region of at least 350 million people in more than 70 different countries. It is estimated that there are around 5000 distinguishable indigenous peoples/ethnic groups, each with their own form of social organisation and culture.

The identification of indigenous peoples is an important issue as it has direct implications for the recognition or lack of recognition of certain rights. Uncertainty about the criteria for identification has been perceived as a barrier for addressing indigenous peoples adequately in political processes as well as in development projects and programmes – including this strategy.

Although the terms “indigenous” and “peoples” are not yet defined under international law, important international processes relating to the development of a framework for indigenous peoples' rights are taking place within the UN system. The UN Working Group on a Draft Declaration on the Rights of Indigenous People (UNWGIP) has i.a. been working on the definition issue since it was established in 1995.

Although some states have insisted on a formal definition, Denmark together with many others have challenged the merits of a formal definition, arguing that the diversity of the world's indigenous peoples is such that no single definition is likely to capture the breadth of their experiences and existence.

The closest to a formal definition are the criteria contained in ILO Convention No. 169 of 27 June 1989. This convention applies to:

“Peoples in independent countries who are regarded as indigenous on account of their descent from populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions”.

Furthermore, the convention states that *“Self-identification as indigenous or tribal shall be regarded as a fundamental criterion”.*

Martinez Cobo, a former Special Rapporteur to the UN, developed a series of criteria for identifying indigenous peoples that are generally regarded to be the most acceptable to indigenous peoples. According to Martinez Cobo:

“Indigenous communities, peoples and nations are those which, having a historical continuity with preinvasion and precolonial societies that developed on their territories, consider themselves distinct from other sectors of the society now prevailing in those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop, and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal systems.” (UN Doc.No.E/CN.4/Sub.2/1986/87).

Experience gathered during the implementation of the 1994-strategy has demonstrated that the absence of a single international definition is no hindrance for carrying out concrete Danish support to indigenous peoples. Development practitioners are encouraged to engage in a constructive process of identifying the indigenous peoples in a specific context based on the flexible concept of self-identification, as stated in ILO Convention 169. Thus, the principle of self-identification is the cornerstone of the Danish Strategy for Support to Indigenous Peoples.

For the practical task of identifying the indigenous peoples in a specific region, it can be summarised that most, but not necessarily all, indigenous peoples present many of the following characteristics:

- Self-identification as indigenous
- Historical continuity with pre-colonial societies
- Strong link to territories
- Distinct social, economic or political systems
- Distinct language, culture and beliefs
- Form non-dominant sectors of society

The term “indigenous peoples” used in this strategy refers to both men and women.

2.3 The need for a rights-based approach

The situation of indigenous peoples varies greatly from one part of the world to the other. In some countries, indigenous rights have been reflected in the national legislation to some extent; in other cases the mere existence of indigenous peoples is denied.

The right to self-determination is the most important demand of the indigenous peoples' own organisations in both the national and international context. The right to self-determination as distinct peoples is regarded as the fundamental right, which is the basis for a broader recognition of culture, language, religion and other issues.

The right to self-determination – as first defined in UN Security Council Resolution 1514 (XV), 1960 – is the right to determine one's own political status. In more practical and pragmatic terms this means the right to control one's own future and to freely form the terms of one's own economic, social and cultural development. Although some states have difficulties with the concept, as they perceive it as a threat to the territorial integrity of the states, it is important to emphasise that the exercise of the right to self-determination is a continuous process which gains shape and significance in the process.

The Danish strategy takes a right-based approach to indigenous peoples, stating support for the right to self-determination as the basic principle for defining indigenous rights in both national and international contexts. This collective right constitutes a necessary framework for protecting indigenous people's individual human rights, including the specific rights of women and children.

The vast majority of indigenous peoples live in developing countries, and development cooperation is therefore an avenue for positively addressing their situation. However, in some cases indigenous peoples are excluded from the benefits of development taking place in the surrounding society. In other cases indigenous peoples are drawn into development which they have not themselves initiated and which they are not able to control. Although the great differences in the situation of indigenous peoples in different parts of the world are mainly linked to the general political and economic framework offered by the states, indigenous peoples themselves also have different expectations regarding their future. This calls for flexible approaches, even more so because there will often be internal differences within each group as well as differences over time on what path to follow. No matter what strategy indigenous peoples decide on, the crucial issue is the right for indigenous peoples to choose for themselves. In order to be consistent with the overall right to self-determination, development cooperation should respect the following principles:

- Right to full and free participation
- Right to free prior informed consent

2.4 Poverty

All available studies indicate that indigenous peoples are disproportionately represented among the poor. Even in countries that are not among the poorest in the world, indigenous peoples often live in 'poverty pockets'. This is the rationale behind retaining the

provision for Danish support to indigenous peoples' projects to be possible also within countries with a GNP of more than 2,500 USD/Cap.

National poverty maps and poverty reduction strategies are often designed without the participation of indigenous peoples and often do not take into account their diverse perceptions and notions of poverty. In some cases, poverty indicators and measurements may even reflect a discriminatory disregard for indigenous values, whereby expressions of indigenous identity as such become an indicator of poverty.

Indigenous peoples hold their own diverse perceptions of poverty, which often go beyond a simplistic understanding of poverty as lack of income; generally their rights and identities are at the centre of their concepts of wellbeing and quality of life.

In order to address the multiple dimensions of poverty, strategies for combating poverty will necessarily have to work towards improving the design of state policies and assessing the need for focusing programmes more towards indigenous peoples. Such strategies should, if found relevant, also address strategic issues relating to indigenous rights, such as agrarian reforms, land rights and access to natural resources.

Denmark is committed to contributing to poverty reduction through the support to a nationally defined poverty reduction strategy (PRS). Innovative approaches to ensuring indigenous peoples' participation in the poverty reduction strategy paper (PRSP) processes should be sought, including the establishment of mechanisms for consultations, capacity-building and institutional support to indigenous organisations. This would eventually allow indigenous peoples to provide empirical data and monitor their poverty situation.

2.5 Cross-cutting issues

The overall poverty reduction goal, as well as the cross-cutting issues of Danish development cooperation, i.e. gender, environment, and human rights and democratisation, are all issues of crucial importance for indigenous peoples. However, the links between indigenous rights and the cross-cutting issues are not fully explored and may, in some cases, even be contradictory.

2.5.1 Democratisation and human rights

The promotion of democratisation and respect for human rights is a cross-cutting theme in Danish development cooperation. However, indigenous perspectives on democracy and political representation may differ from 'mainstream' concepts just as the concept of democracy also differs greatly among indigenous peoples themselves. There can be many roads to democracy, and the communities concerned must find

their own political processes leading to the desired result of open, transparent and ruled-based government held accountable by their constituencies.

There seems to be a direct link between the negation of indigenous rights and the outbreak of violent conflicts in many parts of the world. Prevention and conflict management activities will often have direct impact on the situation of indigenous peoples, although differentially for men and women. Furthermore, experience shows that indigenous peoples are extremely vulnerable during violent conflicts and have a disproportionately high representation among refugees and internally displaced people.

2.5.2 The environment

Often, indigenous peoples' survival, identity and culture depend on a specific environment and the natural resources, that are part of this environment. The biggest threat to indigenous peoples is often related to threats against the environment on which they depend. Development projects, economic interests and immigration threaten indigenous peoples' rights to their land and resources. In many cases they do not have recognized legal rights to their lands and therefore risk becoming marginalized on their own lands. Even well intended conservation programmes have devastating impacts on the livelihood and the resource access rights of indigenous peoples. This is especially the case for those peoples who do not have strong organisations to speak for them and in those countries where they are not adequately represented in the political system.

In accordance with Denmark's development policy, environmental issues should be integrated in all aspects of development cooperation and ensure that the use and management of natural resources by the present generation do not take place at the expense of future generations. This calls for specific consideration for indigenous peoples and their children in order to ensure that current developments are not in conflict with their survival as peoples in the future.

The situation of indigenous peoples is context specific and so is their relationship to the land and natural resources. The strategy therefore supports an analysis of the situation of indigenous peoples in the programme countries where this is relevant and their full participation in programmes and projects, that affect their livelihood and environment. The strategy also proposes that programme components and projects address territorial and environmental issues of indigenous peoples through assistance to the conservation, improvement and sustainable use of the territories, lands and natural resources. This may include support to national policies concerning their legal rights to their territory and its biodiversity to increase awareness of indigenous peoples and their relationship to and dependence on their territories and natural resources at national, regional and local levels of the situation.

Denmark will work both bilaterally and in international fora for the recognition of the rights of indigenous peoples to land and resources.

2.5.3 Gender

Indigenous men and women do not necessarily enjoy equal rights and opportunities in life, neither within their own indigenous group nor in the national state society. In many indigenous communities, women and men have separate ritual, social and economic responsibilities and institutions. Some of these practices and institutions may be considered discriminatory or even violations of the human rights of either sex, but also some members of the community or even the children. On the one hand, such systems are clear expressions of cultural concepts; on the other hand they can be in conflict with the Danish policy and strategy of ensuring equal opportunities and access to resources for both men and women. The debate on gender roles, rights and changes is by no means silenced in indigenous societies. Gender specific analyses and activities are conducted at community-level and there is a growing network of indigenous women's organisations which addresses both their general concerns as indigenous peoples and their specific concerns as women. This reveals the challenge of encompassing two sets of rights.

In cases where indigenous practices and norms are in conflict with other principles in Danish development assistance, dialogue is needed. To achieve such a dialogue, training and education addressing indigenous girls and women and gender issues will often be relevant. Furthermore, support to indigenous women's organisations and networks should strengthen the internal discussion between indigenous men and women on self-determination and specific gender-based rights and opportunities. The Strategy for Gender Equality in Danish Development Cooperation should guide the Danish support to indigenous peoples.

For the purpose of this strategy, this implies that whenever the individual rights of indigenous peoples are being referred to in this text, it means both indigenous men and women. In practice this strategy also obliges all involved parties to ensure that an appropriate gender balance is pursued in all activities and initiatives related to supporting indigenous peoples.

3 The key strategic elements

The strategy has five key strategic elements. Under each of these headings a number of specific strategic directions are presented, with a brief discussion of the context and relevance of each. The five elements are:

1. Strengthening of indigenous peoples' rights through international processes.
2. Inclusion of indigenous peoples' concerns in multilateral development cooperation.
3. Inclusion of indigenous peoples' concerns in bilateral development cooperation
4. Cooperation with indigenous peoples' organisations, IPOs, and NGO's.
5. Consideration of indigenous peoples in economic and trade related issues.

3.1 Strengthening of indigenous peoples' rights through international processes

The international system is to a large extent build around nation states. Since indigenous peoples do not have nation states of their own, and in many cases are poorly represented in the governmental systems at national level, they risk being politically marginalised at the international level.

The UN and other international organisations now generally recommend asking the advice of indigenous peoples in all matters of significance for their existence, and regard indigenous peoples as important liaisons in the work to ensure sustainable development.

That is why Denmark has continuously been advocating the participation of indigenous peoples in relevant international fora, in order to ensure that their rights and conditions are improved and that ways are found so that indigenous peoples can be given a voice of their own at the international level. Furthermore, it is important to link the Strategy for Danish support to indigenous peoples to the Millennium Development Goals (2000).

International meetings and conferences give indigenous peoples the possibility of having their rights and needs reflected and provide a forum for sharing experience and information. This often contributes towards finding new solutions at the national level.

Denmark has supported mechanisms that allow participation of indigenous peoples' representatives from a number of organisations that would otherwise not be able to attend international meetings. Some of this support, in terms of substantial contributions, has been channelled through the UN voluntary fund for indigenous populations.

- Denmark will continue to support indigenous peoples' participation in all relevant international fora.

The most notable progress since the 1994-strategy has been the establishment of the United Nations Permanent Forum for Indigenous Issues. The Forum held its first meeting in May 2002. The Permanent Forum is a subsidiary organ to ECOSOC, with a mandate to discuss indigenous issues relating to economic and social development, culture, the environment, education, health and human rights. The Forum will provide expert advice and recommendations, raise awareness, prepare and disseminate information and promote the integration and coordination of activities related to indigenous issues within the UN system. The Forum is unique in the sense that it consists of sixteen members, eight experts nominated by governments and eight indigenous experts appointed by the president of ECOSOC following consultations with indigenous organisations. The Forum establishes a platform for indigenous peoples' issues that is highly placed in the UN-hierarchy. Thus, the Forum is expected to take on a pivotal role in future international cooperation on indigenous peoples' issues.

- Denmark will continue to support the UN Permanent Forum for Indigenous Issues as the natural focal point for international dialogue on questions of concern to indigenous peoples

The UN Working Group on a Draft Declaration on the Rights of Indigenous People was established in 1995 as an open ended intersessional working group under the UN Human Rights Commission. The progress of the Draft Declaration working group has been modest.

- Denmark will continue to work for the early adoption of the UN declaration that reflects the rights and aspirations of the indigenous peoples.
- Denmark will work actively to promote active participation or contributions by the Nordic countries, the European Union and other countries, including the Danish programme countries, towards the completion of the declaration and to ensure the continued participation of indigenous peoples in the process.

The UN Human Rights Commission has decided to appoint a special rapporteur on indigenous peoples human rights' issues who will report on the application of human rights mechanisms with regard to indigenous peoples in the future.

- Denmark will support the work of the UNCHR special rapporteur on indigenous peoples' human rights.

Much work has been done by the UN Working Group on Indigenous Populations under the UN Human Rights Commission. The working group has prepared a draft declaration on the rights of indigenous peoples and has introduced the practice by which all representatives of indigenous peoples can be represented at relevant UN meetings. Indigenous peoples have become increasingly well organised and equipped to take advantages of the possibilities to voice their case internationally, i.a. in connection with UNWGIP.

- Denmark will support the international capacity building of indigenous peoples in the area of indigenous peoples' rights, human rights, democratisation and diplomacy training with a view to strengthening indigenous peoples' participation in international meetings.

One of the leading UN specialised agencies addressing indigenous peoples is the International Labour Organisation (ILO). Most importantly, ILO convention 169 deals with indigenous peoples and tribal peoples in independent countries. The importance of the convention is that it legally binds the countries that have signed and ratified the convention. Denmark has ratified ILO convention 169. Although this convention does not fulfil all requirements of indigenous peoples in every respect, it is at present the most important document dedicated to the international protection of the rights of indigenous peoples. The ILO has launched a number of initiatives to focus and strengthen its work with indigenous peoples and Denmark has supported this work.

- Denmark will continue to urge ILO member countries to sign and ratify ILO convention 169. Denmark will continue to support the ILO's work for indigenous peoples.

Outside the UN family, a number of other international fora are important for indigenous peoples' issues. Among those fora are the EU, the Arctic Council (AC), the Nordic Council of Ministers (NCM) and the Organisation on Security and Cooperation in Europe (OSCE). In the Arctic Council (AC), six IPOs have the status of Permanent Participants in the Council, which allows for their full and effective participation in all meetings and deliberations. Denmark and Greenland Home Rule have, from the beginning, played a strong and proactive role in supporting indigenous peoples' participation

and i.a. supported the Arctic Council Indigenous Peoples' Secretariat, that serves as a technical and dialogue facility for the indigenous participants.

- Denmark will continue to raise specific concerns linked to the situation of the indigenous peoples in appropriate international fora, e.g. indigenous peoples in the Arctic in AC and OSCE contexts.

The dynamics between the international arena and the national and local level is vital. Real changes require changes in the legal framework and policies at the national level. If this link is absent, the process will have no real effect on the lives of indigenous peoples.

- Denmark will continue to support indigenous peoples' networking, capacity-building and training at international, regional, national and local levels in order to further strengthen indigenous peoples' participation in the UN processes and linkages between international processes and the broader grassroots indigenous movement.

Within a number of existing international fora there is room for special initiatives and new thinking concerning indigenous peoples. The Government of Denmark and the Home Rule Government of Greenland, together with a number of like-minded countries, institutions and organisations launched a "Partnership on Indigenous Peoples and Sustainable Development – Capacity-building for dialogue" in connection with the World Summit on Sustainable Development (WSSD) in Johannesburg in 2002. The Partnership aims to: promote knowledge on indigenous peoples' rights and priorities in development agencies and national governments; exchange experience of best practice, and enhance the capacity of indigenous peoples to influence policy processes and decision-making regarding sustainable development.

- Together with like-minded countries, donors and indigenous peoples' organisations, Denmark will continue to explore innovative avenues for the promotion of international work for indigenous peoples, including ways of securing the active participation of both indigenous men and women.

3.2 Inclusion of indigenous peoples' concerns in multilateral development cooperation

Multilateral cooperation is fast becoming very important for indigenous peoples as it has the potential to influence their situation significantly.

During the last decade a number of international development organisations have taken steps to introduce specific strategies for support to indigenous peoples in an effort to actively integrate indigenous peoples in mainstream development work.

- Denmark will work to ensure that indigenous peoples are to a greater extent direct beneficiaries of the development work of the international organisations, including the UN, its specialised organisations, programmes and funds, the development banks and the European Commission's development programmes.
- Denmark will work to ensure that international development organisations show respect for the rights of indigenous peoples and communities to determine and to be in control of their own future.

Both the World Bank (WB) and the United Nations Development Programme (UNDP) are very important actors in the developing countries, where the vast majority of indigenous peoples live. Poverty Reduction Strategy Papers (PRSPs) and similar tools for comprehensive approaches in the individual countries are becoming increasingly important as the overall framework for donor and government development cooperation. Thus, in order to gain influence on their own development, indigenous peoples will need to become better equipped to access the processes around the PRSPs and similar overall strategies. Multilateral cooperation has mainly been concerned with indigenous peoples' rights and conditions in a gender neutral way. More focus on indigenous men's and women's specific rights and conditions is called for.

- Denmark, being a shareholder of and donor to the World Bank and one of the largest contributors to the UNDP, will aim to stimulate the policy development of these institutions, using the Danish strategy as a platform and standard for exchanging experience, exploring areas of cooperation and common interest, and enhancing the capacity to include gender dimensions and aspects in policies and strategies.

The policy dialogue in all the above-mentioned fora is important. However, it is important to realise that once formal policy platforms for indigenous peoples' participation and rights are established, the next step is to focus on operational issues. The development of mechanisms for permanent follow-up and monitoring of the implementation of policies is thus as important as the development of policies.

Regarding the European Union (EU), Denmark has been a committed supporter of indigenous issues, i.a. setting the standards for European cooperation with indigenous peoples on a rights-based policy in connection with the 1998 council resolution. Denmark has continued to push for progress for the implementation of this resolution and during the Danish EU presidency in November 2002 the strong commitment in the resolution was recalled, and the Commission was encouraged to implement the strategic goals. Within this context, Denmark is also financing a "national expert" within the EC to strengthen implementation.

- Denmark will continue to work with the European Commission to improve the implementation of the EU policy on support to indigenous peoples and to work for greater inclusion of indigenous peoples in general European human rights policy and development cooperation. Denmark will also seek to mainstream the concern for indigenous peoples into the general external policies of the EU, e.g. trade agreements and environment cooperation.

3.3 Inclusion of indigenous peoples in bilateral development cooperation

Since most indigenous peoples live in developing countries, development cooperation has become an increasingly important instrument for addressing indigenous peoples' rights and needs. Direct cooperation with countries where indigenous peoples live is among the most potent avenues for donors to support improved conditions for indigenous peoples. The following factors seem to determine the scope for addressing indigenous peoples' rights in bilateral cooperation:

- The reflection of indigenous peoples' rights in national legislation and sector framework.
- The level of influence and organisational strength of indigenous peoples.
- The existence of common international instruments to link up to.
- The level of awareness of indigenous issues among relevant Danida staff.
- The existence of communication and consultation mechanisms between Danida and indigenous peoples in programme countries.
- Synergy between bilateral and multilateral assistance.

Denmark's bilateral development cooperation is concentrated on 15 programme countries, two of which will be phased out in the period 2004-2009. Denmark has close, ongoing development dialogue with these countries around comprehensive country strategies, increasingly linked to PRSP processes. As part of such dialogue, it is ensured that Danish assistance is channelled into sectors and activities where the needs of the recipient country match the priorities of Danish development policy. In this context the situation of indigenous peoples is one of the areas to be considered when designing the cooperation with programme countries.

Violations of human rights are an unfortunate but common problem in many developing countries – not necessarily by design, but often as a consequence of a lack of resources. Denmark finds it essential for government authorities and institutions in the programme countries not to be involved in violations of the rights of indigenous peoples and for authorities to take effective measures to bring the violations committed by third parties to a halt. Furthermore, Denmark will support the capacity building of governments and indigenous peoples in addressing and reconciling conflicts between

indigenous peoples and third parties. The overall strategy for Danish development policy emphasises positive human rights improvement activities as the point of departure for further cooperation in this field.

- Where relevant, Denmark will raise the question of the conditions and rights of indigenous peoples in high-level consultations with programme countries. Denmark will be ready, when appropriate, to work with the partner country government, indigenous peoples and other stakeholders with a view to identifying proactive measures that can improve the situation of indigenous peoples.
- A common understanding of the possibilities and the limitations of donors and other stakeholders should be facilitated through dialogue between Denmark and indigenous peoples in recipient countries.

The Strategy for Danish Support to Indigenous Peoples is a general document that cannot provide analyses of the specific situations of indigenous peoples in all programme countries. In order to operationalise a concern for indigenous peoples in the policy dialogue with partner countries, and in line with the ongoing decentralisation process of Danish development cooperation local adaptations of the strategy will be needed.

- Where relevant, country strategies for Danish programme countries should seek to comprise an analysis of the situation of the indigenous peoples and the possibilities for strengthening Danish support. The specific country strategies should, if pertinent, include an integrated operative interpretation of the general strategy for support to indigenous peoples.

Bilateral Danish development cooperation is increasingly designed as sector-wide approaches to feed into the national development framework. On the one hand, this limits the scope for activities targeted at specific groups such as indigenous peoples. On the other hand, sector programme support (SPS) can influence structural reforms, benefiting otherwise marginalised groups such as indigenous peoples, for example through bilingual teaching in the national education sector. Moreover, SPS can allow Denmark to work directly with very sensitive issues such as land rights and gender concerns in all its phase, beginning with their design.

In the sector approach, the main responsibility for implementation of the programmes lies with national institutions and/or local government institutions. However, when dealing with indigenous peoples in an SPS context, it must be taken into account that indigenous peoples' interests and priorities are not necessarily reflected in the priorities of government development plans from the outset. In some cases, indigenous people's priorities may even be in direct conflict with national government priorities and with

third party interests. The direct participation of indigenous peoples in the definition of priorities for bilateral cooperation is therefore a necessary starting point to ensure further reflection on indigenous rights in the programmes, where relevant. Involving indigenous organisations and structures is a way of validating their legitimacy and building capacity in the process. It is through such processes that bilateral cooperation can potentially strengthen indigenous peoples' rights and capacity to self-determination. If indigenous peoples' traditional government structures are not actively involved in the implementation strategies employed, there is an inherent risk of a de facto undermining of the legitimacy and capacity of such institutions.

- SPS should, where possible, be designed with sufficient flexibility to allow for full participation of the indigenous peoples in the identification, design, implementation and operation of concrete interventions. This will directly improve their livelihoods and ensure that felt needs are met and ownership obtained.
- Partner countries' commitment to respect for indigenous peoples' collective and individual rights should be direct. Sector Programme Support documents should, where possible, outline benchmarks for the inclusion of indigenous peoples and concrete indicators for performance. These should be shared with indigenous peoples in order to facilitate a common assessment of results.
- The mechanisms for consultation with indigenous peoples in bilateral cooperation should be strengthened in general, where relevant. Direct dialogue would facilitate a common understanding of roles and responsibilities and a definition of common objectives, indicators of achievement and benchmarks in the development process.

Donor coordination is an important feature, and since an increasing number of agencies have developed policies on cooperation with indigenous peoples there is an increase in the momentum for doing so.

- Denmark will seek dialogue with other bilateral and multilateral donors in order to explore common ground and attitudes towards the inclusion of indigenous peoples' rights.

It should also be acknowledged that even where most of the bilateral cooperation is channelled through SPS, there will still be cases where it is not possible to address indigenous peoples' needs and priorities through sector-wide support. In these cases, specific indigenous peoples projects may be considered. Several mechanisms can be used such as the local grant authority, the Human Rights and Democratisation framework and support for NGOs. Larger projects can be funded through the country programmes.

- Denmark will continue to seek the possibility of engaging in specific indigenous peoples projects.

Although development cooperation is an important instrument for addressing these peoples' needs, this does not imply that most of the indigenous people's problems can be solved through development cooperation only. No matter how sympathetic bilateral donors are to indigenous peoples' demands, a number of issues remain that are beyond the scope of influence of bilateral cooperation and should, therefore, be resolved through processes at the relevant level, whether this is local, national or international.

- Denmark will support and contribute to the facilitation, advocacy and mediation of indigenous peoples' participation in human rights and democratisation reforms and processes.

3.4 Cooperation with indigenous peoples' organisations, IPOs, and NGOs

The role of NGOs and IPOs

A number of NGOs (Non Governmental Organisations) and IPOs (Indigenous Peoples Organisation) have a long tradition of support to, cooperation and collaboration with indigenous peoples in national and international processes both in the Northern and Southern hemispheres. Furthermore, NGOs (and IPOs) have for many years been an important channel for Danish humanitarian, developmental and environmental cooperation in developing countries .

NGOs have the responsibility to consider indigenous peoples' participation, rights, needs and priorities along the lines of this strategy in any Danish funded project or programme assistance in which they engage, where indigenous peoples directly or indirectly are affected by the project or programme intervention. Furthermore, Danish NGOs should be encouraged to define strategies for their work with indigenous peoples.

Indigenous peoples need to be self-organised in order to be able to enter into constructive dialogue with the authorities of their countries. Support to capacity building through training and education, on their own terms and under their own control, (for both men and women) is often necessary to achieve such a level of organisation.

In the context of multilateral, bilateral and NGO/IPO assistance to indigenous peoples, NGOs/IPOs have an important role to play within the following areas in close partnership with indigenous organisations and groups:

- Support to indigenous peoples' lobbying and campaigning for indigenous peoples' rights at national and international levels.

- Strengthening the administrative, technical and political capacity of indigenous peoples' organisations and networks to actively participate in relevant local, regional, national and international fora dealing with issues related to their rights, self-determination, trade agreements, environmental aspects and other matters of concern.
- Cooperating with specific Danish sector programmes at the local level where relevant in order to enhance the awareness and capacity to include indigenous peoples'
- Carrying out specific indigenous peoples' projects in cases where indigenous peoples' rights, needs and priorities cannot be addressed by the Danish sector programmes, i.e. in programme countries and non-programme countries, either through the local grant authority, the Human Rights and Democratisation Framework, or the NGO window.

Cooperation between NGOs, IPOs and donors

It should be recognised that there are a number of challenges in the cooperation between IPOs, NGOs and donors. Few IPOs have the institutional capacity to engage in direct cooperation with donors. This highlights the need for institutional capacity building in indigenous societies, but also underlines the importance of flexibility when dealing directly with IPOs from the donor side. In line with the ongoing decentralisation process, the bulk of interaction between IPO's and Danish authorities will be taken care of through the local Danish Missions in programme countries. This includes financial support through the local grant authority. On the basis provided by the overall strategy for Danish development cooperation, Danish assistance can target indigenous peoples through several channels.

- Danish assistance to indigenous peoples can be channelled through Danish, international and local NGO's, including IPOs. This also includes aid for indigenous peoples in non-programme countries.
- This includes, not least, support to the indigenous people's own organisations to ensure that they formulate their own needs, political aspirations and development needs.
- The possibility to grant financial support to NGO projects for indigenous peoples in countries with a GNP per capita of more than USD 2,500 will be continued.

3.5 Consideration of indigenous peoples in economic and trade related issues

Indigenous peoples are often dependent on the land where they live in a very direct way and many indigenous peoples and local communities, especially those with a highly tradition-oriented way of life, are usually highly dependent on locally available biological resources. The survival of these communities and cultures depends on their continued use and control of such resources. Increased pressure on resources due to changes in demography, the climate, technology, or even by foreign encroachment on indigenous

lands often results in environmental degradation, in many cases with the consequence of driving indigenous peoples from their traditional territories. Such pressures are important root causes of poverty and social problems, which constantly aggravate migration from rural to urban areas, and transnational migration in other cases. In this connection, Danish development cooperation aims at supporting activities that can help to administer, control, preserve and use natural resources in a sustainable way, not least through the building of institutions at local level and, where relevant, by necessary legal reforms. The indigenous people play an important role in ensuring sustainable utilisation of resources and must therefore continue to have the opportunity of practising their occupations, e.g. recognising productive, reproductive and community work of men and women, through market access and the recognition of their land and resource rights.

- Denmark can, where relevant, support development activities aimed at the preservation and development of sustainable methods of gathering, catching, hunting, fishing, whaling, slash and burn cultivation and animal husbandry.
- Denmark will continue to support land-titling programmes and other legal and political processes aimed at securing indigenous peoples their traditional land and resource base.

Indigenous peoples' experience with sustainable utilisation of natural resources and the protection of their knowledge and experience are dealt with in the Convention on Biological Diversity of 5 June 1992. The convention also deals with intellectual property rights. The parties to the convention are obliged – subject to national legislation – to respect, protect and preserve knowledge, innovations and practices which are found among indigenous peoples and in local communities with a tradition-oriented way of life, and which are important for conservation and for sustainable utilisation of biological diversity. With the approval of the indigenous peoples in question, the convention furthermore obliges the signatory states to promote the extensive use of this knowledge, etc., and to inspire the fair share of any benefits derived from using indigenous peoples' knowledge, innovations and practices of this nature.

- Denmark will continue to support indigenous peoples in developing intellectual rights regimes, and work to reach agreement on the protection of the intellectual rights of indigenous peoples in international fora.

Indigenous peoples' access to and participation in the international trade negotiations, including the World Trade Organisation (WTO), and international negotiations on intellectual property rights in WIPO, are very weak. Furthermore, experience shows that it is difficult to raise indigenous issues within trade related agreements as an isolated

topic due largely to the enormous complexity of the relevant trade negotiations. However, since trade related issues have substantial implications for indigenous peoples' production patterns including all the economic, political, juridical, technological, ethical and religious implications to which indigenous "production" is often linked, this continues to be a subject of high importance for indigenous men and women.

- Denmark will continue to build alliances with other governments on specific issues (such as trading in seals and whales) and to create windows within the WTO for addressing indigenous issues. Furthermore, Denmark will support preferential trade for products resulting from indigenous production, provided that it is based on sustainable utilisation of natural resources.

Indigenous peoples are in the process of defining their political position on trade issues and the challenge is how to make operational recommendations and strategies based on this political position. This requires enormous specialisation within a broad range of disciplines, which is generally difficult for indigenous organisations to achieve given their relatively disadvantaged situation. In line with the overall Danish priority of the issue of "trade & development".

- Denmark will support indigenous peoples' efforts to strengthen their organisational skills with regard to trade related matters.

The circumstance under which a given item is produced is a growing concern for more and more consumers in the world. Human rights violations, corruption and environmental and economic sustainability are fast becoming competition parameters for private industry. This gives indigenous peoples a new set of possibilities for influencing private sector actors - something that has hitherto been difficult. As a state actor, Denmark, has the possibility to influence the actions of private companies through national and international legislation, but should also inspire the private sector to take voluntary steps. One possibility is to recommend that private companies adopt codes of conduct regarding their dealings with indigenous people, e.g. based on ILO Convention 169, something that the private sector has shown interest in connection with human rights and corruption issues.

- Denmark will advocate voluntary codes of conduct for national and transnational companies that are active in areas where indigenous peoples live.

In this context, increased public awareness of the economy, the use of nature and the living conditions of indigenous peoples may contribute towards striking a better balance between interests in preserving nature and the protection of the territories of indigenous peoples.

- Denmark will support information activity that furthers an understanding of the culture, economic systems and rights of indigenous peoples so as to bring about a change in attitudes which will mean that the indigenous peoples and their rights and economic systems are respected and maintained, also in practice.

4 Management systems

Quality assurance, monitoring and evaluation

To ensure that Danish support to indigenous peoples is effective and efficient, it is necessary to establish outcomes, objectives and indicators for the various processes, programmes and projects at all levels. It is also necessary to perform quality assurance of support interventions.

Performance quality assurance will be integrated in the Performance Review, carried out by the Ministry's Quality Assurance unit.

The support to indigenous peoples will be integrated into annual Business Contracts where relevant.

5 Notes

1) A team of indigenous experts were invited to make a review in order to assess the relevance of the Danish strategy seen from an indigenous perspective. The overall assessment of the review team was that:

“The Danish Strategy is multifaceted, which has allowed Denmark to focus on the areas of crucial importance for indigenous peoples at a number of different levels; international promotion of indigenous rights, support to indigenous peoples through multilateral and bilateral cooperation, cooperation with NGOs and IPOs as well as economy and trade related issues. These elements are all highly relevant, and the team finds that they cover the main areas of concern to indigenous peoples.”

The reviewteam also stated that:

“The existence of a coherent and comprehensive Danish strategy has created results at many levels, from the very local level, where Danish-funded NGOs are supporting the capacity-building of indigenous organisations, to the international level, where Denmark is playing a leading role in the UN processes on indigenous rights.”

With respect to the international level, the team assessed that “Denmark has given important and in some cases decisive contributions to the strengthening of Indigenous Peoples’ rights through international processes by promoting and establishing diplomatic and formal platforms within the UN.”

Finally, the reviewteam found that the Danish Strategy was “one of the first and most progressive national strategies for support to indigenous peoples. It has thus had an important inspirational effect beyond the Danish cooperation, and has been an example and reference point for the international community.”

While the review complimented the overall policy, it also pointed to the fact that more work needed to be done on the implementation of the strategy. More concretely, the review-team identified a number of opportunities for strengthening coordination and coherence in the implementation of the Danish strategy. In order to strengthen the opera-

tional impact of a revised Danish strategy, the team specifically recommends the following:

- The diversity of indigenous peoples' issues and the situations in which they live should be reflected at all levels of Danish cooperation. For instance, the application and reinforcement of legal instruments will vary from country to country, as will indigenous peoples' capacity and institutional strength.
- The capacity to address indigenous peoples should be raised within the relevant Ministries and Embassies, providing staff with basic knowledge on identifying indigenous peoples, indigenous rights, methodological lessons learned etc.
- Decentralised dialogue should be initiated to involve indigenous peoples in programme countries in permanent monitoring and follow-up and exchange of experience on the implementation of the Danish strategy.
- The revised Danish strategy should be systematically disseminated to indigenous partners and, where relevant, be made available in languages known by indigenous peoples.
- The exchange of experience should include operative techniques for specific areas, based on concrete experience (e.g. in the fields of bilingual education and resource management).
- Action research on specific issues should be promoted, linking indigenous peoples and academics in order to generate new knowledge on specific issues, and linking this research to processes of empowerment of indigenous peoples.
- Institutional strengthening of indigenous peoples should be prioritised, as there is an absence of institutions on the indigenous side to fully engage in the development process.

All the above-mentioned reports can be found on the homepage of the Danish Ministry of Foreign Affairs: [www/um.dk](http://www.um.dk).

¹¹⁾ The general strategy for Danish development cooperation is described in "Partnership 2000" and further perspectives are drawn up in the Danish Government Platform (Dec. 2001), the "Review of Denmark's Official Development and Environmental Assistance to the Developing Countries" (January 2002), as well as the government policy priorities set out in "A World of Difference" (June 2003).

III) The Strategy for Danish Support to Civil Society in Developing Countries – including Cooperation with the Danish NGOs, effective as of October 2000, confirms the commitment to focus Danish international cooperation on strengthening civil society organisations with a view to enhancing sustainable development and human development and promoting democratisation and popular participation in the development and process. Danish NGOs are mentioned as relevant agents for entering into partnership agreement with civil society and popular organisations as well as supporting multi-lateral assistance and bilateral sector programme assistance within sub-components due to their specific project/programme experience or relations to specific target groups.

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