

# NEW DEAL FOR INDIGENOUS PEOPLES

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*The World Bank's broad objective towards indigenous people is to ensure that the development process fosters full respect for their dignity, human rights and cultural uniqueness*

INDIGENOUS people the world over are estimated to be around 250 millions. In Bolivia, Guatemala and a few other countries they form a majority. However, in India and China they constitute a minority though they number millions. They are by and large none too sure of their resource-rights, about their ability to organise themselves to protect their land or resource base, and about their ability to adapt traditional resource management systems to meet modern needs. However, their survival to the present day demonstrates their ability to maintain the earth's resources for centuries without destroying the ecological base.

Over the years the World Bank has extended assistance to projects without paying any attention to their adverse impact on the indigenous peoples in the areas covered by them, generating in the process widespread protests from social action and support groups. The bank was activated to formulate a policy framework for the indigenous peoples, which was published during May 1982 with the title "Tribal Peoples and Economic Development". Despite this, there was not much respite to the development-related anguish of the indigenous people in the areas covered by World Bank assisted projects.

In September 1991, the Operational Directive on Indigenous Peoples which expands the policy framed in 1982 was issued by the Operational Directive (WBOD) defined tribals as social groups with a social and cultural identity distinct from the dominant society that makes them vulnerable to being disadvantaged in the development process. The WBOD specifically mentioned that because of the varied and changing contexts in which indigenous peoples are found, no single definition can capture their diversity. It brought out that indigenous peoples are commonly among the poorest segments of a population that they engage in economic activities that range from shifting agriculture in or near forests to wage-labour or even small-scale market-oriented activities, and that they can be identified in particular geographic areas by their varying characteristics. The bank's current broad objective towards indigenous peoples is to ensure that the development

process fosters full respect for their dignity, human rights and cultural uniqueness. The objective of the WBOD is to ensure that indigenous peoples do not suffer adverse effects during the development process, particularly from Bank-funded projects and that they receive culturally compatible social and economic benefits. The Bank is aware that there will be cases where, when dealing with the most isolated indigenous peoples, adverse impacts are unavoidable and the required "mitigation plans" have not been developed. According to the WBOD, in such cases the bank will not appraise projects until suitable plans are developed by the borrower and reviewed by the bank. Besides, in other cases indigenous peoples may wish to be and can be incorporated into the development process. The WBOD expects that a full range of positive actions by the borrower must ensure that indigenous peoples should benefit from development investments.

The WBOD has amplified the bank's stand on the protection of indigenous peoples' land rights. It states that where traditional lands of indigenous peoples have been brought by law into the domain of the State, and where it is appropriate to convert traditional rights into those of legal ownership, alternative arrangements should be implemented to grant them long-term renewable rights of custodianship and use. And these steps should be taken before the initiation of other planning steps that may be contingent on recognised land-titles.

In the protracted debate that has gone on and is still on, on the resettlement and rehabilitation of the inhabitants of the regions that will be submerged if the work on the Sardar Sarovar Project (India) were to progress in the Narmada river basin, an issue was as to who are tribals and who are the indigenous peoples! The independent review of the Sardar Sarovar Project states that the tribal people who inhabit the Narmada Valley refer to themselves as "Adivasi"—the word used throughout India, meaning literally "original dwellers", and which is a synonym for indigenous peoples. The World Bank Operational Manual Statement issued in 1982 mentions that "tribal people are those ethnic groups typically with

stable low energy sustained-yield economic systems, as exemplified by hunters, herders or fishermen." They exhibit varying degrees of characteristics, some of which are : unacculturated or only partially acculturated into the social norms of the dominant society; non-monetised or only partially monetised; production largely for subsistence, and independent of the national system; ethnically different from the national society; non-literate and without a written language; linguistically distinct from the wider society; identifying closely with one particular territory; having an economic life-style largely dependent on the public natural environment; possessing indigenous leadership but little or normal representation and few, if any political rights as individuals or collectively, partly because they do not participate in the political process and having loose tenure over their traditional lands, which for the most part is not accepted by the dominant society nor accommodated by its courts; and having weak enforcement capabilities against encroachers even when tribal areas have been delineated.

In view of the foregoing, it will be very clear that in the development context it matters little whether "Adivasi"s are called tribal people or indigenous people; their lot is the same. The independent review makes an attention-getting statement that "disregard for the people who come within the bank's definition of tribals is inconsistent with bank policies" and reflects that "concern for such groups is an aspect of the world's increased awareness of how isolated cultures have all too often paid an appalling price for development" and that "the mechanisms by which they become separated from their lands and stripped of their own cultural integrity are all too well-known".

The WBOD provides a guideline for World Bank supported projects that affect indigenous peoples and stipulates that bank staff must ensure "the informed participation of indigenous people in the preparation of

development plans and project design, implementation and evaluation". Region-specific technical papers are under preparation at the bank to support the implementation of the directive. The bank now admits that much of the world's bio-diversity lies within the traditional territories of indigenous peoples and that strategies to maintain this biodiversity can only benefit by drawing on indigenous knowledge and understanding the natural environment.

One of the important concerns of the newly created Social Policy and Resettlement Division within World Bank's Environment Department is to identify and protect the poorest and most vulnerable people (indigenous peoples and women, for example) and to explore ways of reaching the poor through participation, NGO intermediation, and institutional capacity-building. The mission-statement of the Division reveals that there are several areas where the bank-funded projects have adverse social impacts in regard to settlement, indigenous peoples and cultural heritage. It recognises that environmentally sustainable development depends in a large measure on a clear understanding of human and institutional factors in areas such as bio-diversity, conservation and natural resource management. Gloria Davies who has assumed charge of the Social and Resettlement Division of the Environment Department of the bank has announced that the Division is currently providing support on indigenous peoples and cultural heritage and that it will assist on the U.N. Year of Indigenous Peoples (1993) and continue this work primarily in bio-diversity projects which involve remote and isolated people. This late realisation at the World Bank is a welcome portent, particularly when indigenous peoples are ever-increasingly becoming "development refugees"—a phrase coined by the Bread for the World's latest report "Hunger 1993".

[Courtesy: The HINDU]

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#### DEFINITIONS OF "INDIGENOUS PEOPLE":

*"... people living in countries which have a population composed of differing ethnic or racial groups who are descendants of the earliest populations living in the area and who do not as a group control the national government of the countries within which they live".*