

# **RIGHTS!**

## **VOLUME 2**



**UPDATED TRAINING MANUAL ON THE UNDRIP**



# **RIGHTS ! VOLUME 2**

## **UPDATED TRAINING MANUAL ON INDIGENOUS PEOPLES RIGHTS**

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## **UPDATED TRAINING MANUAL ON THE UNDRIP**

Asia Indigenous Peoples Pact (AIPP)  
2015

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# ACRONYMS

ADB	Asian Development Bank
ASEAN	Association of Southeast Asian Nations
CBD	Convention on Biological Diversity
CCMIN	Climate Change Monitoring and Information Network
CEDAW	International Convention on the Elimination of All Forms of Discrimination Against Women
COP	Conference of Parties
CPA	Cordillera Peoples Alliance
CRC	Convention on the Rights of the Child
EIDHR	European Instrument for Democracy and Human Rights
EMPRIP	Expert Mechanism on the Rights of Indigenous Peoples
FAO	Food and Agriculture Organization
FPIC	Free, Prior and Informed Consent
FPP	Forest Peoples Programme
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICCPR	International Covenant on Civil and Political Rights
IFAD	International Fund for Agricultural Development
IIFB	International Indigenous Forum on Biodiversity
ILI	Indigenous Learning Institute
IIPFCC	International Indigenous Peoples' Forum on Climate Change
IFIs	International Financial Institutions
ILO	International Labour Organization
IWGIA	International Work Group for Indigenous Affairs
MEA	Multilateral Environmental Agreements

# ACRONYMS

MDGs	Millennium Development Goals
OHCHR	Office of the High Commissioner for Human Rights
UDHR	Universal Declaration of Human Rights
UNCED	United Nations Conference on Environment and Development
UNDP	United Nations Development Programme
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNEP	United Nations Environment Programme
UNFCCC	United Nations Framework Convention on Climate Change
UNPFII	United Permanent Forum on Indigenous Issues
UN-REDD	United Nations (Programme) on Reducing Emissions from Deforestation and Forest Degradation
UNSRIP	United Nations Special Rapporteur on the Rights of Indigenous Peoples
UPR	Universal Periodic Review
SDGs	Sustainable Development Goals
SPS	Safeguard Policy Statement
WCIP	World Conference on Indigenous Peoples

# INTRODUCTION

This Training Manual is the second volume in the series of educational and training materials on the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) produced by AIPP, which includes the following:

Volume I: Rights! Training Manual on the UNDRIP (2010)

Volume II: Rights! Updated Training Manual on the UNDRIP (2015)

Volume III: Indigenous Peoples Human Rights Defenders Field Handbook on Human Rights Documentation and Advocacy (2015)

Volume IV: Training Manual on Advocacy and Lobby on the Rights of Indigenous Peoples (2015)

Volume V: Radio Programme Guide on the UNDRIP (2015)

The first volume titled Rights! A Training Manual on the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) came out in 2010. The manual was produced in response to the need expressed by indigenous peoples' organizations for skills training on raising the awareness of both indigenous and non-indigenous communities regarding the UNDRIP, and on influencing policy makers to formulate laws, policies, and programs to be consistent with the minimum standards set by the UNDRIP. It aims at enhancing the awareness and capacity of indigenous peoples at the grassroots level to effectively assert their rights.

Rights! Volume I served as a basic educational tool kit for trainers in the conduct of community trainings and seminars to raise awareness and generate advocacy on the UNDRIP. It provided basic information to understanding the rights of indigenous peoples as contained in the UNDRIP. It highlighted key issues in the realities faced by indigenous peoples in relation to the respect and exercise of these rights. It also provided basic training and facilitation tools for conducting the training seminars among indigenous organizations and communities.

Rights! Volume II is an update of Rights! Volume I. It hopes to facilitate the conduct of trainings on indigenous peoples' rights at the grassroots level by giving necessary and updated information on the implementation or non-implementation of the UNDRIP at the international and national levels. It attempts to bring the developments in international and national mechanisms and processes to the level of the community. It shows that the

advances made in the recognition of indigenous peoples' rights in the UN system and other bodies are largely achieved through the active participation of indigenous representatives in these processes as part of the dynamic indigenous peoples' movement around the world. For such active engagement, thorough knowledge of the UNDRIP and its concrete application in specific contexts is necessary.

# GENERAL OBJECTIVES OF THE RIGHTS! UPDATED TRAINING MANUAL ON THE UNDRIP (2015)

**The general objective of this Training Manual is to provide the users with the following:**

- General guidance for preparing and conducting community trainings or seminars on the UNDRIP
- General understanding of relevant global processes and mechanisms for the promotion of the UNDRIP including its implementation by states
- Relevant skills to monitor the implementation of the UNDRIP

# CONTENTS OF THE MANUAL

This Rights! An Updated Training Manual on the UNDRIP contains the latest developments in the implementation of the UNDRIP at the global, regional and national levels. It provides information to enrich the knowledge of indigenous organizations and communities on their rights to enable them to do awareness raising and capacity building on IPs' rights. It puts together articles, manuals and writings of indigenous leaders, relevant article and existing manuals from various sources to help the users understand better the significance of the UNDRIP since its adoption in 2007 and how it has been used to advance IPs' rights, both in law and policy. It gives tips in conducting awareness raising and capacity-building activities in relation to IPs' rights and monitoring the implementation of the UNDRIP. It makes suggestions for training designs and how to make use of available resources and educational materials such as briefing papers, modules, videos, researches and other information materials produced by AIPP and other sources.

## **PART 1 DESIGNING THE TRAINING**

- Guidance for indigenous leaders, facilitators and instructors in conducting awareness raising and capacity building.
- Tips on the preparations needed prior to conducting a training, how to facilitate the training, and post training activities to ensure that the skills and knowledge gained are put into use.

## **PART 2 OVERVIEW OF IP RIGHTS**

- IPs situations and the historical process of recognition of their rights by the United Nations.
- UNDRIP framework for human rights
- Various collective rights of IPs' as recognized in the UNDRIP

### **PART 3 DEVELOPMENTS IN THE RECOGNITION OF INDIGENOUS PEOPLES' RIGHTS IN ASIA**

- UNDRIP (some highlights in its development, thematic provisions)
- IPs in ASIA (who are IPs in Asia, some description)
- Developments in the recognition of IPs' rights in Asia (institutions and mechanisms in the region catering to and tackling IPs' issues, national level recognition, issues being faced by IPs in Asia)

### **PART 4 GLOBAL, REGIONAL PROCESSES, MECHANISMS AND CURRENT DEVELOPMENTS**

- UN Mechanisms specific for IPs (UNPFII, EMRIP, UNSRIP)
- WCIP
- Institutional Policies of UN Agencies and International Financial Institutions (UNDP, IFAD, FAO, UNEP)
- International Financial Institutions (WB, ADB, International Financial Corporation)
- Multilateral Environmental Agreements (UNFCCC, CBD)
- Regional developments (ASEAN)

### **PART 5 MONITORING UNDRIP**

- Monitoring the implementation of the UNDRIP using the Indigenous Navigator as a collaborative initiative of several international indigenous peoples organizations, NGOs and UN agencies

### **ANNEXES**

- Related Documents to thematic discussion
- Templates for baseline information, post training feedback form, profile forms for individual trainees and resource persons
- Ice-breakers

It is hoped that this Volume II of Rights! Updated Training Manual on the UNDRIP will be a useful guide and resource book for indigenous leaders and activists as they go about their day-to-day work. It hopes to contribute towards realizing truly empowered and self-determining indigenous communities by raising awareness and building the capacities of indigenous peoples to assert their rights.

# ACKNOWLEDGEMENT

The Asia Indigenous Peoples Pact would like to thank The Christensen Fund (TCF) for its continued support to the Indigenous Peoples' movement in Asia in raising the awareness of indigenous communities on their individual and collective rights and in holistically strengthening their capacities so they will be more effective in working for their greater empowerment.

The AIPP would also like to acknowledge the contributions of Jacqueline Carino, Luchie Maranan, Suan Pi and the members of the AIPP Secretariat namely Robie Halip and Rosalie Castro for their contributions to the manual in addition to the contributors in the first version.

May this book contribute to the holistic empowerment of many Indigenous Peoples not only in Asia but throughout the world.

JOAN CARLING  
Secretary General, AIPP

**PART I**

**DESIGNING AND  
IMPLEMENTING  
THE TRAINING**



# SPECIFIC OBJECTIVES

After the training, the participants will:

1. Become familiar with suggested training designs for conducting education/ training on indigenous peoples' rights at the basic and advanced levels;
2. Be provided with necessary knowledge and pointers in conducting awareness raising and education/training on indigenous peoples' rights.

## I. UNDERSTANDING TRAINING AND TRAINING DESIGNS

### What is Training?

Training is an organized learning designed to change the performance of people in their jobs. It is an intervention aimed at developing or enhancing knowledge, attitudes and skills in particular areas.

### Why Train?

Generally, trainings are done to:

- Increase awareness and capacities of members.
- To build and strengthen the organization.
- To expand membership and broaden its influence and advocacy to the public.
- To achieve outputs which would lead to long-term societal changes e .g., indigenous peoples and communities taking actions on their situations such as organizing themselves and actual lobbying for their rights recognition and protection, to working for their economic empowerment, to negotiating on issues that directly affect and impact on them.

Trainings are also done because there is a deficiency or a gap in the performance.

### **Having a systematic approach is very important for any training or awareness raising activities to:**

- Ensure the quality of the training materials developed and the training itself
- Ensure that the training meets the needs of the target training participants and knowledge and skills gained will be applied by the trainees

## LESSONS LEARNED IN CONDUCTING TRAININGS

AIPP has been conducting numerous capacity building activities at the regional and country levels and have through the years, built on improving its capacity building methodologies gleaned from the following lessons learned:

- **On Language:** Language is a big challenge that has affected the absorption of knowledge during trainings. Use of simple and understandable language has proven to be more effective in reaching out to the communities. As language can be a barrier, the translation of educational materials to various languages including local languages and the provision of interpretation during trainings contributed to better learning absorption of the trainees.
- **On educational materials:** The learning experience is enhanced with pictures, illustrations and comic books as visual aids. These materials are essential to effective awareness raising and capacity building at the grassroots level.
- **On audio-visual media:** Documentary films and animation videos translated to local languages are effective for multiple target audiences, particularly for communities. Film screening in indigenous communities followed by discussion about their local issues is a very effective method of empowering indigenous communities and raising their awareness about their rights.
- Experiences and skills sharing provide a reciprocal learning environment for practical knowledge and good practices that are relevant to indigenous communities' context.
- An effective monitoring mechanism should be in place to ascertain both the short term and long-term impacts of the training. After their training, it is important to monitor the trainees to know the kind of activities they are engaged in and to determine what additional inputs or types of capacity building activities are needed to build upon what the trainees have already gained to make them more effective and efficient as community leaders and organizers.

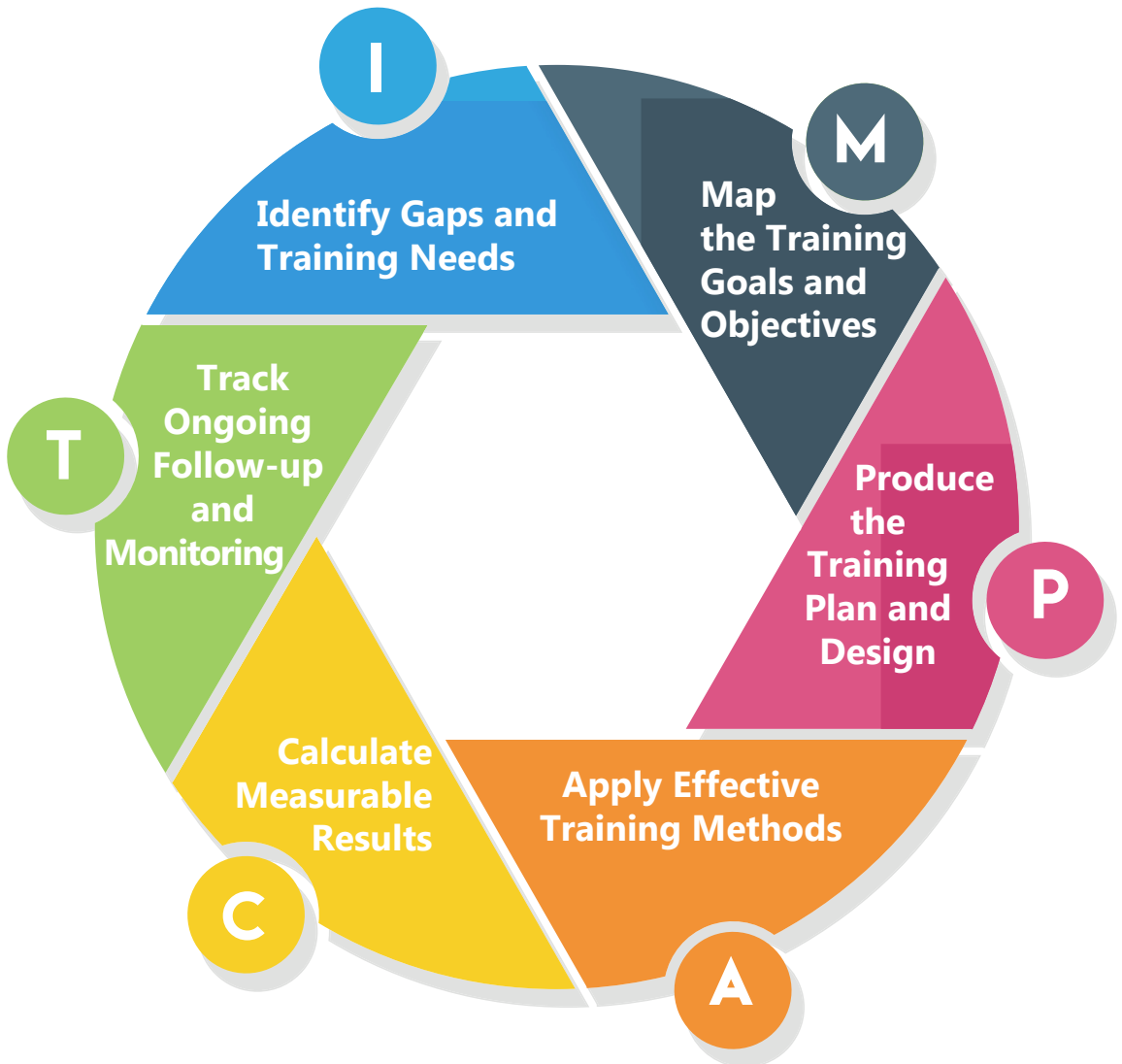
## TIPS IN CONDUCTING EFFECTIVE TRAININGS TARGETING INDIGENOUS PEOPLES

- “Know thy participants.” Identify the participants’ culture and their associated needs to facilitate learning and interaction. Remember that each individual has a rich cultural identity hence, must be respected and recognized.

- Ensure that the content and methodology of the training cater to the identified literacy, capacity, and needs of the target participants.
- Ensure the conduct of training needs assessment and submission of pre- assessment forms before the conduct of trainings for training designs to be more targeted to address the gap in knowledge and skills of participants.
- “Be a communicator.” Avoid miscommunication. Assure that information is conveyed and received as intended. Make necessary arrangements if translators are needed. Be aware of verbal and non-verbal cues that may help in clarifying unclear issues or messages.
- “Make them do things.” Design activities that will make them explore a subject matter and share their own experience. Let them acquire knowledge on their own through a task or problem relevant to their learning experience.
  - Use participatory training methods and audio visuals to ensure better absorption of knowledge and skills as compared to the traditional learning method – lecture method. (See <http://www.fao.org/docrep/006/ad424e/ad424e03.htm> for a list of suggested participatory approaches, methods, and tools.)
  - Encourage silent participants to be more interactive by introducing interactive learning methods that require the participation of everyone.
- “Be respectful.” Be aware of one’s biases but do not be judgmental. Use appropriate language in discussing issues or concepts.
  - To address language barrier, ensure the prior translation of materials for the training and interpretation during trainings. Time for interpretation has to be accounted for when designing trainings.
- “Build trust.” Connect to the participants by building rapport with them. A good communication skill and technique can help establish trust.
  - Develop grassroots-oriented multilevel responsive education and training program and training resources/materials.
- Ensure the documentation of lessons learned to contribute to the enhancement of the methodologies applied and educational materials used in trainings and awareness raising activities.

# THE TRAINING CYCLE

To easily remember the steps in the training cycle, remember the acronym IMPACT which stands for the following:



To understand more of the Training Cycle, the following diagram shows the guidelines for every stage.

## **IDENTIFY TRAINING NEEDS**

(Training Needs Assessment/TNA)

Questions such as these are asked:

- Is training actually needed?
- What role would it play in improving the situation at hand?
- What are the target participant's current KSA (Knowledge, Skills, and Attitude) level?
- What are the gaps?



## **MAP THE TRAINING GOALS AND OBJECTIVES**

- What are the training goals in response to the identified need?
- What training objectives would take you to your goal?
- Are these what the participants would want to accomplish?



## **PRODUCE THE TRAINING PLAN AND DESIGN**

- What contents are necessary to achieve the desired goals and objectives?
- What is the best sequence for the content?
- What adjustments are necessary to tailor-fit them to the level and pace of learning of the target participants?



## **APPLY EFFECTIVE TRAINING METHODS**

- What methods are appropriate to the objectives and contents of the training as well as the type of learners?
- Will the allotted time be enough?
- How will the effective learning tools be used competently?



## **CALCULATE MEASURABLE RESULTS**

- What is the feedback of the participants both “to” and “from” the training
- How can recommendations be effectively gathered?
- How will application on learning be effectively measured?
- How will the impact of the training on the individual, group and community be monitored?



## **TRACK ON-GOING FOLLOW-UP AND MONITORING**

- What follow-through activities are necessary?
- When, where and how should these be done?
- Who should be involved?

# IDENTIFYING TRAINING NEEDS

## 1.A IDENTIFYING TARGET PARTICIPANTS

Identifying target participants helps you to be able to design your content, the type of language you will be using and how you will be discussing your lecture.

It is advisable to get hold of any baseline information regarding the group of participants. If it is a community, it is beneficial to determine the following information.

### PROFILE OF THE COMMUNITY

- Name of the community
- Location
- Total population
- Livelihood

### SITUATION OF THE COMMUNITY

- Political, socio-economic, and cultural situation
- Level of awareness of their rights
- Level of awareness of relevant laws and policies
- Level of awareness of international human rights instruments (i.e. UNDRIP)

### ASPIRATIONS OF THE COMMUNITY

- What does the community want to improve in their current situation or what change do they want to see

The list above may be adjusted based on the local or country context. Knowing the basic profile (age, sex, level of education or literacy, etc), their level of exposure and practical experience, their reasons for participating in the training, and how much they vary in terms of ability and interests is also necessary. This would help in ensuring that the training designs, modules and methodologies and tools to be used are as appropriate as possible for the intended participants.

### **POINTERS FOR IDENTIFYING TARGET PARTICIPANTS**

- Consider who should learn what to help bring about the improvements or the changes that the learning initiative aims to trigger
- Ask whether the target audience/target organizations are adequately linked to broader constituencies and whether they are in a position to extend or transfer their newly acquired learning and experience to members of those constituencies
- Consider whether the audience has the required institutional support to promote change in this area and, if not, whether such support can be strengthened as part of the initiative.

Source: <http://www.fao.org/3/a-i2532e.pdf>

## **1.B THE TRAINING NEEDS ASSESSMENT (TNA)**

### **Purpose:**

To see the gaps between the present and the desired situation vis-à-vis the knowledge, skills and attitude (KSA) of the target group that will be addressed by the UNDRIP training.

### **Methodologies:**

- interviews, discussions, problem analysis, use of questionnaires, observing and analyzing individuals and groups that could be the target of this particular training.

The following are the basic information that can be derived to be able to identify the training needs of the participants.

CLUSTER OF INFORMATION	SPECIFIC INFORMATION
Respondent's profile	<ul style="list-style-type: none"> <li>• Age</li> <li>• Sex</li> <li>• Educational attainment</li> <li>• Ethnicity</li> <li>• Belief system</li> <li>• Major language spoken and languages understood</li> <li>• Food and other restrictions</li> </ul>
Additional data depending on the training objectives	<ul style="list-style-type: none"> <li>• Occupation or source of livelihood</li> <li>• Position and roles and responsibilities in the community or organization</li> <li>• Previous and current exposure to the topics in the manual or themes on the UNDRIP and other human rights instruments related to indigenous peoples</li> </ul>
Level of knowledge and information on the major topics to be discussed in the training	<p>Rate on the scale of 1-5, the level of knowledge and information of the topics in the manual</p> <p>1= poor            2= moderate/satisfactory            3= good            4= very good            5= excellent</p> <p>What topic/s do you recommend the training should focus on ?</p>
Recommendations on what topics the training should focus on	

Recommendations on the methodology to be applied in the training	
Expectations at the individual level	
Expectations of the sending organization/ community	

## 2

# MAP THE TRAINING GOALS AND OBJECTIVES

**Training Objectives:** Refer to what knowledge or skills the participants will gain and demonstrate/apply by the end of the training.

The objectives must be based on the information gathered from the TNA and must be clearly communicated with those receiving the training.

CRITERIA	EXAMPLES
<b>SPECIFIC:</b> Objectives should state specific knowledge, attitudes, or skills a participant or group of learners should learn to be able to demonstrate following completion of training.	Example: “By the end of the training, the participants are aware of national and global developments on the implementation of the UNDRIP and are able to monitor, document and report on the implementation of the UNDRIP in their organizations/ communities.”
<b>MEASURABLE:</b> It should be possible by observation, testing, problem-solving exercises, or some other means of evaluation to determine whether participants have achieved the anticipated learning objectives.	Example: “From the training, the participants are able to analyze the actual implementation at the community/subnational level of their rights as enshrined in the UNDRIP.”
<b>ACHIEVABLE AND REALISTIC:</b> Learning objectives describe expectations of knowledge, attitude, or behavior change that are realistic given the conditions for instruction (e.g. the time allowed and size of the group).	Example: Following the training, the participants will use the information gathered from the community questionnaires to claim/advocate for their rights.

*Adapted from the Guidelines for Creating and Assessing Your Curriculum: Instructional Design Elements & Content Review <http://www.go2itech.org/HTML/TT06/toolkit/design/outcomes.html>*

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## PRODUCE THE TRAINING PLAN AND DESIGN

A well planned designed training is the map or the blue print that guides the implementation of any training.

The common parts of a training design are:

- **Title** – short statement/phrase indicating the major subject/focus of the training and the trainees
- **Introduction**– provides the organizational and / or project background, the need for the training, and desired condition that the training is expected to produce
- **Target Participants** – description of the target participants in terms of number, background
- **Goals and Objectives** – statements describing in general terms (goals) and in specific terms (objectives) the desired knowledge and skills they would have acquired at the end of the training
- **Training Content** - listing of topics arranged sequentially into themes or modules needed to achieve the training goals and objectives
- **Training Approach and Methods** – a description of the training philosophies that will guide the choices of training methodologies
- **Evaluation Scheme** – details the system and tools for monitoring and evaluating the achievement of the training goals and objectives before, during and at the end of the training
- **Follow Through Scheme** – an after-the-training plan on how the participants will apply learning from the training to job situations and the support that will be provided to achieve the desired condition in the work place.
- **Training Team** – describes the members of the training management and their functions
- **Schedule of Training Activities** – a day –to-day listing of learning sessions to be covered, the time frame for each learning topic with the corresponding trainer, facilitator and resource person

The training design below can be adjusted or modified, according to results of the TNA.

<b>TOPIC</b>	<b>SPECIFIC OBJECTIVES PER TOPIC</b>	<b>CONTENT OF THE TOPIC</b>	<b>DURATION</b>
Introduction	<ol style="list-style-type: none"> <li>1. Get acquainted with the other participants of the training and their expectations</li> <li>2. Become familiar with the objectives of the training</li> <li>3. Agree on the design and schedule of the training</li> </ol>	<ol style="list-style-type: none"> <li>1. Introduction of participants and expectation check</li> <li>2. Discussion of general objectives</li> <li>3. Training Design and schedule</li> <li>4. House Rules</li> </ol>	1 hour 30 minutes
Review of the <ol style="list-style-type: none"> <li>1. Concept and situation of indigenous peoples</li> <li>2. History and contents of the UNDRIP</li> </ol>	<ol style="list-style-type: none"> <li>1. Be reminded of the concept and situation of indigenous peoples</li> <li>2. Be reminded of the historical process of recognition of indigenous peoples' rights by the United Nations System</li> <li>3. Be reminded of the UNDRIP framework for human rights</li> <li>4. Be reminded of the collective rights of indigenous peoples as recognized by the UNDRIP</li> </ol>	<ol style="list-style-type: none"> <li>1. Background</li> <li>2. UNDRIP Framework of Human Rights</li> <li>3. Indigenous Peoples' Rights at a Glance</li> </ol>	2 hours 30 minutes
Developments in the recognition of indigenous peoples' rights in Asia	<ol style="list-style-type: none"> <li>1. Be provided with an overview of the situation of indigenous peoples in Asia.</li> <li>2. Become aware of the status of legal</li> </ol>	<ol style="list-style-type: none"> <li>1. Overview of indigenous peoples in Asia</li> <li>2. Developments in the recognition of indigenous peoples'</li> </ol>	1 day

TOPIC	SPECIFIC OBJECTIVES PER TOPIC	CONTENT OF THE TOPIC	DURATION
	<p>recognition by States of indigenous peoples in the different countries of Asia</p> <ol style="list-style-type: none"> <li>3. Be appraised on the issues and realities on the ground faced by different indigenous peoples' communities in the recognition of their rights.</li> <li>4. Become aware of the various institutions and mechanisms in the region catering and tackling indigenous peoples' issues.</li> <li>5. Be updated on the latest regional and global developments in relation to the promotion of indigenous peoples' rights.</li> </ol>	<p>rights in Asia</p> <ol style="list-style-type: none"> <li>a. Legal recognition of IPs by Asian States</li> <li>b. Recognition of customary land rights</li> </ol> <ol style="list-style-type: none"> <li>3. Realities on the ground</li> <li>4. Institutions and mechanisms at the national and regional levels tackling indigenous peoples' rights</li> <li>5. Developments in international mechanisms and processes relevant to indigenous peoples <ol style="list-style-type: none"> <li>a. UNPFII</li> <li>b. EMRIP</li> <li>c. UNSRIP</li> <li>d. WCIP OD</li> <li>e. UNFCCC</li> <li>f. CBD</li> <li>g. IP policies of UN agencies and other Inter-governmental bodies</li> <li>h. IP policies of international financial institutions</li> </ol> </li> </ol>	

TOPIC	SPECIFIC OBJECTIVES PER TOPIC	CONTENT OF THE TOPIC	DURATION
Indigenous Navigator-UNDRIP Monitoring Tool	<ol style="list-style-type: none"> <li>1. Be introduced to the Indigenous Navigator and its tools for monitoring the implementation of indigenous peoples' rights.</li> <li>2. Become familiar with the major themes of rights of indigenous peoples as provided in the UNDRIP and related articles from other treaties and conventions.</li> <li>3. Become familiar with indicators for community assessment of compliance with UNDRIP, WCIP Outcome Document and Sustainable Development Goals.</li> <li>4. Learn how to use the Indigenous Navigator tools in monitoring the implementation of indigenous peoples' rights at the national and local levels.</li> </ol>	<ol style="list-style-type: none"> <li>1. Background               <ol style="list-style-type: none"> <li>a. What is Indigenous Navigator?</li> <li>b. What are the purposes of monitoring?</li> <li>c. What does it monitor?</li> <li>d. What are the tools and resources of Indigenous Navigator?</li> <li>e. Who can monitor the implementation of indigenous peoples' rights?</li> </ol> </li> <li>2. Themes of UNDRIP monitored by Indigenous Navigator</li> <li>3. Indicators for assessment of national and community level compliance</li> <li>4. How to use the Indigenous Navigator               <ol style="list-style-type: none"> <li>a. National and Community questionnaire</li> <li>b. IP Index</li> </ol> </li> </ol>	1 ½ day

TOPIC	SPECIFIC OBJECTIVES PER TOPIC	CONTENT OF THE TOPIC	DURATION
Capacity Building through Awareness Raising, Education, and Training on Indigenous Peoples Rights	<ol style="list-style-type: none"> <li>1. Be provided with necessary knowledge and pointers in conducting awareness raising and education/training on indigenous peoples' rights ;</li> <li>2. Become familiar with suggested training designs for conducting education/ training on indigenous peoples' rights at the basic and advanced levels.</li> </ol>		1 ½ day
Action planning and assessment of the training	<ol style="list-style-type: none"> <li>1. Identify follow up actions on how the knowledge and skills will be applied and where additional support is needed</li> <li>2. Assess the overall conduct of the training and where it can be improved further</li> </ol>		½ day
<b>TOTAL</b>			<b>5 DAYS</b>

# 4

## APPLY APPROPRIATE TRAINING METHODS

Culturally appropriate and participatory methodologies and tools should be applied to convey the various relevant knowledge, skills and values that the training wants to impart.

The types of training methods that may be used are<sup>1</sup>:

### **a. Lecture**

It is an extended talk without much participation from the audience. It is easier to prepare and deliver although it requires very minimal participation from the audience.

### **b. Group Discussion/Buzz Session**

It is a technique wherein participants are divided into groups to discuss issues or topics. The participants can share their experiences and learn to express themselves. This needs more advanced preparation and will need a longer timeframe. Moreover, additional rooms or a larger space may be required.

### **c. Plenary Discussion**

As differentiated with Group Discussion, this is a discussion wherein all of the attendees participate. The technique used is however the same with the group discussion technique.

### **d. Panel Discussion**

This is a discussion among selected persons who will discuss a certain topic at different perspectives. A moderator will facilitate the discussion to ensure that everybody has a chance to say their piece and so that the pacing will be organized.

### **e. Report Backs**

This is an activity wherein a representative or representatives per group is/ are chosen to report to the plenary about their group output usually after a group discussion or buzz session.

### **f. Role-Play**

This is a structured activity usually in a form of a skit or dramatic performance to recreate real situations to make the audience have the “real feel” of the situation. This is fun, innovative and entertaining while educating the participants. This however may be embarrassing for some and that it requires a longer time to organize.

<sup>1</sup> <http://unesdoc.unesco.org/images/0013/001356/135603e.pdf>

### **g. Case Study**

This is a controlled discussion regarding a real situation or a hypothetical one based on real life situations. This is suitable in discussing about two opposing situations or different issues. This helps participants analyze situations where they can also provide solutions.

### **h. Demonstrations and Presentations**

Participants are given the chance to share to other participants or to demonstrate situations. This is a way of learning by doing. This however requires materials and a skilled facilitator.

### **i. Gallery Walk**

This technique is best used when there are written outputs or prototypes done by participants. This is ideal if there is a large space enough to display the output. Each group designates a representative to serve as the presenter for each output. The participants will go around per group to check the output and listen to the explanation from the presenter. The observers may ask questions as well.

## ICEBREAKERS AND ENERGIZER TECHNIQUES

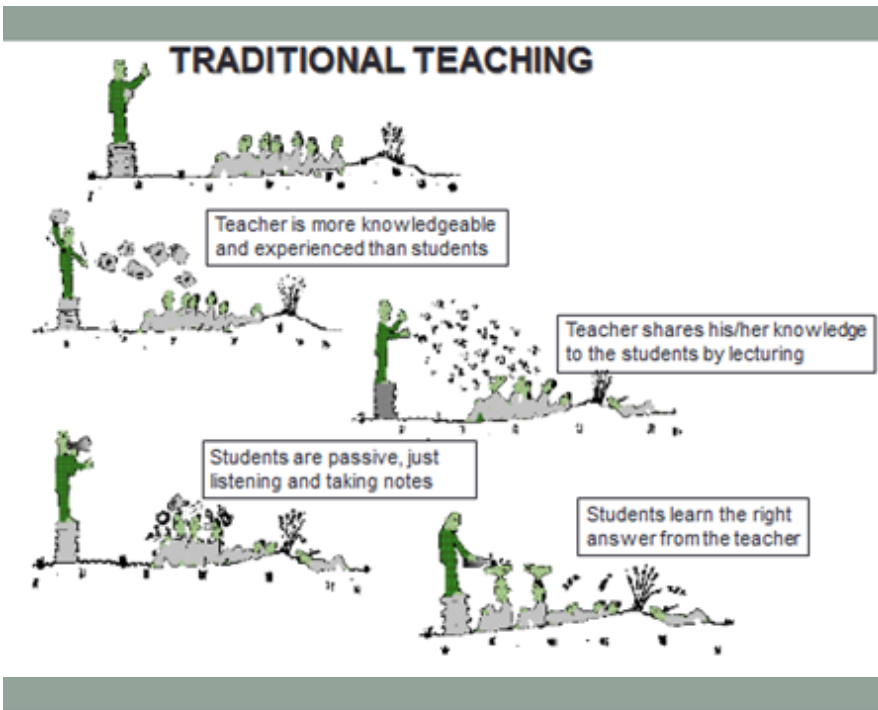
These techniques are used to promote interaction, relieve boredom, reduce tension and stimulate creative thinking. Energizer techniques similarly also promote physical and mental stimulation.

These may be used at the beginning and in between the session whenever appropriate. Icebreakers and energizers at the beginning may be used to reduce tension among participants and for them to get to know each other more especially if most of them do not know each other and if it's their first time to attend such training.

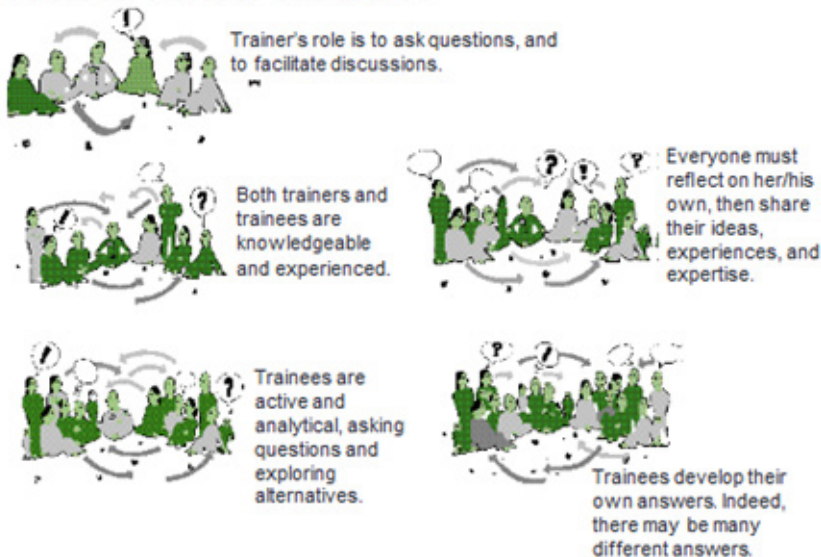
If used in the middle, its purpose is to make the participants feel relaxed and if they need to move a little to break boredom and sleepiness.

Check Annex B for samples of icebreakers and energizers.

In the overall conduct of the training, participatory methodologies are highly encouraged as these ensure two way learning process as opposed to traditional teaching.



### PARTICIPATORY TRAINING



## CREATION OF AN ACTION PLAN

The target participants of this training on the UNDRIP are the leaders and members of indigenous communities and organizations who already have the knowledge and experience on issues concerning IP rights. Thus, to ensure that application of the learning is done, action planning must be conducted on the last day of the training.

In this, participants will identify what activities they will undertake to apply the skills/knowledge gained, what existing resources they have to implement the planned actions, where additional support is needed, and the target date of implementation. Below is a sample of an Action Plan template:

<b>ACTION PLAN TEMPLATE</b>			
<b>STEPS/ ACTIVITIES</b>	<b>RESOURCES/ PARTNERS</b>	<b>SUPPORT NEEDED</b>	<b>TARGET DATE OF IMPLEMENTATION</b>
e.g. Conduct community seminar on FPIC	e.g. Community counterpart (food and accommodation during the community seminar), translated video on FPIC, etc	e.g. Resource materials and examples on how FPIC is implemented in other countries (what were the lessons learned and challenges)	e.g. March – discussion with key community representatives on the proposed activity to conduct a community seminar  April – May – conduct needs analysis, preparation of materials, identification of participants, gather baseline info, etc.  July – conduct the community seminar

## 5

# CALCULATE MEASURABLE RESULTS

After the presentation, a brief assessment at the end of each day's session is highly recommended to check if there are topics that were not clear for the participants and need further elaboration or there are methodologies that need to be improved for better learning absorption.

It is likewise a must to do an over-all evaluation of the training to see if it has successfully met the training objectives as planned.

## 6

# TRACK ONGOING PLANNING AND MONITORING

To ensure relevance and effectiveness of the training, it is important for the trainers and the training team to regularly monitor its progress.

Things to be monitored include among others, the content, methodologies and tools, if participants have comments on the speakers and facilitators, how the participants acted and reacted on issues, and whether there are topics which need further explanation and if they have suggestions for future similar trainings.

Ideally, feedback should be solicited from all the stakeholders - organizers, trainers and the training participants especially to see the programme's effectiveness. Collecting and analyzing feedback would allow the training implementers to see what areas work and which still need improvement.

While it is common to ask participants to fill-out an evaluation form, a collective evaluation where each participant shares his/her evaluation in a plenary is also recommended. That way, the training team gets to know how effective the training was from the participants' perspectives and also the training concludes with everyone learning from each other.

## *Post training monitoring and evaluation*

Post training monitoring and evaluation of the agreed action plan among the training participants and the application of the skills and knowledge gained should be conducted on a periodic basis (quarterly, etc). This is to ensure that the training is contributing to the overall empowerment of the organization/community and if additional support is needed (i.e. production of relevant materials, advanced trainings, etc).

<b>MONITORING TEMPLATE</b>			
NAME			
PLANNED STEPS/ ACTIVITIES	TARGET IMPLEMENTATION DATE	PROGRESS OF IMPLEMENTATION (IF ALREADY IMPLEMENTED, OUTPUT OF THE ACTIVITY)	FURTHER SUPPORT NEEDED IF ANY
<i>Information will come from the action plan</i>	<i>Information will come from the action plan</i>		
OVERALL REMARKS ON THE PROGRESS OF TRAINEES IN APPLYING THE KNOWLEDGE/SKILLS GAINED			
RECOMMENDATIONS FOR FURTHER ACTION (ie training for skills upgrade, etc.)			
MONITORING DATE			

A scheduled (bi-monthly, quarterly, etc) monitoring should be conducted to track the progress of the trainees and also for further planning for future trainings for skills upgrade or new knowledge or skills.

Below is a suggested checklist to assist trainers in planning for workshops or trainings.

### TRAINER'S CHECKLIST

2 MONTHS BEFORE	<ul style="list-style-type: none"> <li>- Conduct TNA</li> <li>- Identify the purpose of the workshop and the types of trainees</li> <li>- Establish a budget for the training</li> <li>- Set training dates</li> </ul>
1 MONTH BEFORE	<ul style="list-style-type: none"> <li>- Select trainees and compile the baseline information from target participants</li> <li>- Confirm the training venue and field visit sites (if applicable)</li> <li>- Complete training design and process</li> <li>- Identify and contact possible facilitators/resource persons</li> <li>- Have all materials translated (if needed)</li> <li>- Send invitation, agenda, logistics information, and relevant reading materials to all trainees</li> </ul>
2 WEEKS BEFORE	<ul style="list-style-type: none"> <li>- Purchase training materials (flip charts, permanent markers, notebooks, pens, etc)</li> <li>- Reproduce hard copies of relevant documents for the training</li> <li>- Send other relevant materials to trainees for advance reading</li> <li>- Conduct preparatory meeting with all facilitators/resource persons of the training</li> </ul>
1 DAY BEFORE	<ul style="list-style-type: none"> <li>- Test all equipment (projector, laptop, translation equipment) to ensure that they are working properly</li> <li>- Distribute the training kit to participants</li> </ul>

Adapted from the *FAO training workshop design*

## II. CAPACITY BUILDING, AWARENESS-RAISING AND EDUCATION

### 1

## AWARENESS RAISING

*Extracted from: Cordillera Peoples Alliance (CPA). Mass Work Manual Volume 1. Unpublished. AIPP. Rights! A Training Manual on UNDRIP. 2010*

Awareness raising is the systematic communication and sharing of ideas to the widest number of people in order to influence their thoughts, feelings and actions. It is important to raise awareness among indigenous communities as well as the wider public on the situation and rights of indigenous peoples for the following objectives:

- To let more people know about indigenous peoples' rights and the issues they face
- To deepen their understanding of the situation and aspirations of indigenous peoples
- To strengthen their commitment to support indigenous peoples
- To motivate them to act in the interest of indigenous peoples.

Awareness raising is a struggle of ideas. Institutions and machineries for information dissemination are often controlled by the State or the elite classes in society, making it more difficult for indigenous peoples' voices to be heard. Whoever is able to reach and convince the most number of people to support them will prevail. If wrong ideas such as discriminatory attitudes, political vilification and other misimpressions about indigenous peoples are spread, it will be difficult to win the recognition and respect for indigenous peoples' rights, cultures and identity.

Thus it is necessary to do widespread awareness raising in order to win over the widest number of people to work for and support the recognition, respect and assertion of indigenous peoples' rights.

Awareness raising usually consists of

- exposing the real situation or realities on the ground
- opposing the threats and violations against indigenous peoples' rights
- proposing alternatives to the present realities in line with indigenous peoples' aspirations.

The targets of awareness raising include the broad public, indigenous communities, advocates, as well as government officials and agencies whom we want to influence to support indigenous peoples. Awareness raising can be done on any or all occasions possible. It may simply be done by speaking with people, whether individually or in groups, in small meetings, forums or seminars, or in big public rallies. On the other hand, it may also entail the production of information materials such as the following:

- fact sheets
- news reports or press releases
- statements of position, position papers, manifestos, petitions, resolutions
- essays, feature stories, exposés
- magazines, pamphlets, primers, comics
- info-posters, posters, photographs, photo essays, art exhibits
- theatrical, musical or dance performances
- slide shows or power point presentations
- video documentaries, short films
- audio productions such as recordings of songs, dramas or commentaries
- radio or television talks
- press conferences
- internet-based social media

One can be as creative as possible, using verbal and written means, traditional as well as modern forms of awareness raising. The important thing is to consider what forms will be most effective in reaching your audience, given their character, needs and interests.

### **Some tips in conducting awareness raising:**

1. Be clear in communicating your message. First, make sure that what you want to say is clear in your own mind. If it is, then you can say it clearly to others.
2. Good timing and good pacing are important. News is best released when it is still fresh. But biting commentary and in-depth analysis of an issue might be better presented to the public when some awareness of this issue has already been generated. On the other hand, when an issue is no longer “hot” or has gone stale, it will be difficult for you to draw or revive public interest in this issue.
3. It is possible to achieve high impact at low cost. For example, you may want to produce a video documentary that can be distributed in digital form. But this might prove to be very expensive. It might be cheaper for you to invite a television news and features team to cover your issue. Their documentary, made at minimal or even no cost to you, would likely reach a wider audience than a video documentary of your own.
4. Efforts and resources do not necessarily have to come from your organization only. Maximize the interest, goodwill, skills and talents, and resources of allies or simply concerned people among mass media outfits, artists, the academe, religious organizations, other types of non-governmental organizations (NGOs) and politicians.
5. If, however, the mainstream mass media are inaccessible to you, try to find resources for setting up your own alternative media, such as a community newspaper or a community radio.

## ACTIVITY:

Hold a practicum session wherein the participants try out some awareness raising and capacity building exercises. Assign participants by teams to do different forms of awareness raising, e.g. radio interview, press conference, news report, cultural presentation, etc. Assign others to act as facilitators of a training session on a particular topic.

Give the participants 15 minutes to prepare. Then the assigned people are given 5 minutes each to make their presentations before the whole group. Afterwards, the other participants give their comments on the presentations and suggestions on how to improve the way they conducted the awareness raising and facilitation activities.

## 2

# EDUCATION AND TRAINING

*Extracted from Cordillera Peoples Alliance (CPA). Mass Work Manual Volume 1. Unpublished and III, CPA, AIPP. Leadership Training for Indigenous Peoples. October 2011*

Education and training are formal, systematic and concentrated forms of study and learning. It is different from broad awareness raising in the sense that it allows deeper discussion and analysis of the situation, and provides the venue and opportunity for developing the knowledge, attitudes and skills of the participants. It is an effective way of building the capacity of indigenous peoples on various topics, depending on the particular objectives of the education or training course.

The guiding principles in conducting education/training include the following:

- Link theory and practice by giving many examples from real life and from the experiences of the participants.
- Ensure democratic but disciplined discussion by allowing free and open discussions within the framework and objectives of the particular education/training. It will help to present the objectives and content of the training at the very start to guide the participants.
- Collectivestudymeans that the participants learn from the facilitator/instructor, the facilitator/instructor learns from the participants, and the participants learn from each other. Nobody has a monopoly of knowledge or correct ideas.

- Know the nature of your participants beforehand. To help in the preparations, find out who your participants are, their ethnicity, communities of origin, gender, language, past education/trainings taken, and their particular interests and expectations of the training.

The facilitator and/or instructor plays a central and important role in conducting education and training. The tasks of the facilitator/instructor are to:

- Prepare for the education/training by studying the topics, preparing lesson plans, inputs, hand outs, visual aids and other materials appropriate for needs of the participants
- Conduct the actual education/training using various methods and activities to catch the interest of the participants
- Lead the collective study session by directing the flow of the discussion
- Give inputs and answer questions to clarify concepts, theories and principles of the different topics being discussed
- Encourage democratic discussions by the participants, guided by the main themes of the session
- Ensure that the objectives of the education and/or training are achieved.

On the other hand, it is the duty of the participants to listen, take notes, share ideas and experiences, give examples and actively participate in the whole training. It is also necessary for the participants to prepare for the education/training by reading the materials provided beforehand and identifying questions that they want answered during the training.

Some of the teaching methods that may be used in education/training include:

- Lecture – discussion
- Question and answer
- Reading and discussion
- Key words
- Sharing of experiences or case studies
- Short film documentary, photos
- Guided open discussion
- Small group discussions, buzz sessions and workshops
- Role playing, group dynamics, games, skits or cultural forms
- Panel discussion, case studies, talk show, open forum
- Poster making, mapping
- Gallery walk, community walk
- Ice breakers

## BASIC EDUCATION/TRAINING ON INDIGENOUS PEOPLES' RIGHTS<sup>2</sup>

When it is the first time for a group of participants or a community to hear or learn about indigenous peoples' rights, it is best to conduct a basic level education/training. This is aimed at familiarizing them with the concept of indigenous peoples, indigenous peoples' inherent collective and individual rights, international human rights instruments that recognize these rights, the role of the State as duty bearers to respect, protect and fulfill these rights, and the role of indigenous peoples as rights holders.

A training design for conducting Basic Education/Training on Indigenous Peoples' Rights using this manual follows below:

TOPIC	OBJECTIVES	CONTENT	ACTIVITIES	REFERENCE
Overview of UNDRIP	Provide a background to indigenous peoples' engagement in the process of drafting and adopting the UNDRIP	<ol style="list-style-type: none"> <li>1. Background</li> <li>2. UNDRIP articles and thematic areas</li> <li>3. UN Treaty Reference Guide</li> </ol>	<p>Lecture-discussion</p> <p>Writing key words or answers in metacards and posting on the board</p>	Rights! A Training Manual on the UN Declaration on the Rights of Indigenous Peoples
Module 1: The Right to Self-Determination	Discuss key issues related to self-determination, autonomy and self-government.	<ol style="list-style-type: none"> <li>1. Introduction</li> <li>2. UNDRIP provisions</li> <li>3. Realities on the ground</li> <li>4. Experiences and lessons learned</li> </ol>	<p>Synthesis</p> <p>Group reading and discussion</p> <p>Sharing of examples, experiences, good practices, lessons learned</p>	

TOPIC	OBJECTIVES	CONTENT	ACTIVITIES	REFERENCE
Module 3: Customary Law	Discuss the right of indigenous peoples to practice and strengthen their distinct systems of customary law	5. Challenges	<p>Group interaction</p> <p>Case studies</p> <p>Short film documentary</p> <p>Photos</p> <p>Live performances by cultural activists</p> <p>Role-playing</p> <p>Workshop on Gap Analysis, actual situation</p>	
Module 4: Rights to Land, Territory and Resources	Discuss indigenous peoples' rights to land, territory and resources, and to the autonomous management, conservation and development of these.			
Module 5: Cultural Rights	Discuss cultural rights, UNDRIP provisions on these and the reality of cultural rights violations in different countries.		<p>Guided open discussion</p> <p>Participatory envisioning and identification of particular context</p> <p>Poster making and presentation</p> <p>Mapping</p> <p>Present a matrix of laws and policies</p>	
Module 6: Development Issues	Discuss critical concerns related to indigenous peoples' self-determined development.			

TOPIC	OBJECTIVES	CONTENT	ACTIVITIES	REFERENCE
Module 7: Migration and Trans-Border Issues	Understand the causes and implications of migration and trans- border issues for indigenous peoples.			
Module 8: Human Rights and Militarization	Discuss relevant provisions of international human rights instruments and understand the particular implications of militarization and human rights violations on indigenous peoples.			
Module 9: Special Sectoral Concerns	Discuss the particular issues and concerns of indigenous women, children, youth, elders and disabled people.			
Module 10: A General Guide to Practical Advocacy Skills	Discuss the concept of advocacy and provide inputs on advocacy strategies and tactics.	<ol style="list-style-type: none"> <li>1. Considerations in planning a campaign</li> <li>2. Basic components of a campaign</li> <li>3. Outlining a campaign plan</li> </ol>		

# 4

## ADVANCED EDUCATION/TRAINING ON INDIGENOUS PEOPLES' RIGHTS

After indigenous communities have undergone basic training and education/training on indigenous peoples' rights and have had some experience in awareness raising, advocacy and campaigns, it is then necessary to further build and develop their capacity and advance their knowledge, attitude and skills on specific concerns that are important for their particular context. A program for systematic capacity building needs to be planned according to the needs of the target group or community. This program may consist of different strategies and activities including advanced education/training sessions, exchanges, internship, exposure and other methods of capacity building.

For advanced education and training, AIPP has prepared and published several training manuals to address and assist in capacity building among indigenous leaders, organizers, campaigners and activists. Indigenous communities, organizations or individuals may select the particular advanced education/training sessions that they want to conduct, depending on their particular needs.

On the next page is a menu of training manuals and community guides prepared by AIPP that you could choose from for conducting advanced education/training. Also indicated below are the respective objectives and content of the training manuals and guides. You can give the whole training as contained in the manuals, or you can just select some specific topics from each of the trainings, depending on your need.

TOPIC	OBJECTIVES	CONTENT
<b>Leadership Training for Indigenous Peoples</b>	<ol style="list-style-type: none"> <li>1. To develop the knowledge, capacity and attitudes of participants for effective leadership.</li> <li>2. To provide a better understanding of organizational mechanisms and equip participants with certain skills on organizational management.</li> <li>3. To provide the participants with a forum for interactive exchange of experiences, insights and lessons on leadership and organizational management.</li> <li>4. To equip participants with knowledge on doing advocacy work on indigenous peoples' rights.</li> <li>5. To provide basic information needed for the management of projects and activities.</li> <li>6. To acquire and learn more methods for effective facilitation.</li> </ol>	<ol style="list-style-type: none"> <li>1. Introduction</li> <li>2. Background and Context of the Training</li> <li>3. Leadership</li> <li>4. Organizational Management</li> <li>5. Advocacy of Indigenous Peoples' Rights</li> <li>6. Community Development</li> <li>7. Management of Activities and Projects</li> <li>8. Facilitation Skills and Methods</li> </ol>
<b>Community Organising Training Manual</b>	<ol style="list-style-type: none"> <li>1. To create a new awareness of the marginalised and oppressed community and to build a structure that is based on the people, for example the People's Organisation (PO).</li> </ol>	<p>Part I: Introduction to Community Organising</p> <p>Module 1: Orientation and Basics in Community Organising</p>

TOPIC	OBJECTIVES	CONTENT
	<p>2. To train and equip community organisers and leaders to help the community organisation process and strengthen the oppressed community.</p>	<p>Part II: Indigenous Peoples' Issues and Initiatives</p> <p>Module 2: Leadership and Traditional Governance</p> <p>Module 3: Gender, Culture and Education</p> <p>Module 4: Socio-Economy</p> <p>Module 5: Resource Management</p> <p>Part III: Community Organisers' Roles</p> <p>Module 6: People's Organisation</p>
<p><b>Manual on Basic Financial Management for Indigenous Organizations in Asia</b></p>	<ol style="list-style-type: none"> <li>1. To provide practical skills on the various aspects of financial management</li> <li>2. To assist people's organizations in setting up their financial policies and internal management system</li> <li>3. To contribute to strengthening the practice of accountability and transparency in fund management.</li> </ol>	<ol style="list-style-type: none"> <li>1. Getting to Know Financial Management</li> <li>2. Budgeting the Funds</li> <li>3. Receiving and Disbursing the Funds</li> <li>4. Recording the Fund Transactions</li> <li>5. Reporting, Analyzing and Auditing Financial Transactions</li> </ol>

TOPIC	OBJECTIVES	CONTENT
<p><b>Education Manual on Indigenous Elders and Engagement with Government</b></p>	<p>To raise the participants' awareness and capacity to strengthen indigenous elders and governance in their respective communities and to deal with the challenges faced in their engagement with government.</p>	<p>Part I Indigenous Elders and Governance</p> <p>Part II Indigenous Elders in a Changing Society</p> <p>Part III Indigenous Peoples' Engagement with Local and National Government</p>
<p><b>Training Manual For Indigenous Peoples On Free, Prior And Informed Consent (FPIC)</b></p>	<p>To equip indigenous peoples' organizations, leaders, trainers and community members with the information and knowledge necessary to ensure that the right to FPIC is respected.</p>	<p>Module 1: Concept, Framework and Principles of FPIC</p> <p>Module 2: Recognition of the Principle of FPIC In International Human Rights Instruments</p> <p>Module3: Process to Reach FPIC</p> <p>Module 4: National Policy and Experiences in FPIC Implementation</p> <p>Module 5: Policies of International Financial Institutions (IFIs) on Indigenous Peoples and FPIC</p>

TOPIC	OBJECTIVES	CONTENT
		<p>Module 6: Experience of Asian Indigenous Peoples with Policies of IFIs</p> <p>Module 7: Recommendations for Effective Implementation of FPIC</p> <p>Module 8: Capability-Building for Effective Participation in FPIC</p>
<p><b>What is REDD+? A Guide for Indigenous Communities</b></p>	<p>To help indigenous communities and their organisations to provide their people with basic information on REDD+.</p> <p>To guide indigenous communities in understanding climate change and REDD+ and how these relate to the recognition and exercise of the collective rights of indigenous peoples.</p>	<p>Introduction Part I: Climate Change Part II: What Is REDD+? Part III: The UNDRIP and what communities can do</p> <p>Check-List for communities’ References and further reading</p>
<p><b>What to do with REDD+? A Manual for Indigenous Trainers</b></p>	<p>To equip indigenous trainers who intend to facilitate a training on REDD+ for indigenous leaders.</p>	<p>Module 1: Climate Change</p> <p>Module 2: REDD+</p> <p>Module 3: The UNDRIP and REDD+</p>

TOPIC	OBJECTIVES	CONTENT
		<p>Module 4: What communities can do</p> <p>Module 5: Advocacy, lobbying and negotiation skills</p>
<p><b>Understanding Community-based REDD+</b></p> <p><b>A Manual for Indigenous Communities and A Manual for Indigenous Community Trainers</b></p>	<p>To help indigenous communities acquire the knowledge and skills needed to take a decision on whether to join a REDD+ project or not, and if they do, to be able to fully and effectively participate in it.</p>	<p>Introduction Part I Before we start: Some basic concepts and facts</p> <p>Part II Community-based REDD+ in practice: Some basic knowledge</p> <p>Part III Community-based REDD+ in practice: Some useful skills Part IV. Do we want REDD+? Steps in assessing readiness for REDD+</p>
<p><b>Training Manual on Free, Prior and Informed Consent (FPIC) in REDD+ for Indigenous Peoples</b></p>	<p>To build the capacities of the indigenous peoples, networks and organizations to advocate and work for the effective implementation of FPIC for indigenous peoples in the activities and projects relating to REDD+.</p> <p>In particular, to equip indigenous peoples with the knowledge and understanding of FPIC and</p>	<p>Introduction</p> <p>Module I: The REDD+ Agreement</p> <p>Module II: Free, Prior and Informed Consent</p>

TOPIC	OBJECTIVES	CONTENT
	<p>REDD+; and to provide a general guide to communities on the application of FPIC in REDD+ activities in upholding their rights, interests and welfare.</p>	<p>Module III: Community Guide on Full &amp; Effective Participation of Indigenous Peoples &amp; Application of FPIC in REDD+</p>
<p><b>Training Manual on Advocacy, Lobbying and Negotiation Skills for Indigenous Peoples in Climate Change and REDD+</b></p>	<p>To improve the existing skills of indigenous peoples on advocacy, lobbying and negotiations.</p> <p>To build a new generation of indigenous leaders who can advocate for indigenous peoples in climate change negotiations, including REDD+ processes.</p>	<p>Module 1: Definition and Scope of Advocacy and Lobbying</p> <p>Module 2: Planning an Advocacy and Lobbying Campaign</p> <p>Module 3: Strategies and Skills</p>
<p><b>We Have Rights: A Community Guide for Indigenous Peoples on the 2009 ADB Safeguard Policy Statement and Accountability Mechanism</b></p>	<p>To help indigenous communities and leaders understand ADB's Safeguard Policy Statement (SPS) with focus on the Safeguard Requirements for Indigenous Peoples.</p> <p>To provide practical guidance to indigenous communities and leaders on how they can engage at all stages of the ADB-funded projects and in the redress of grievances and adverse impacts.</p>	<p>Background of the Community Guide</p> <p>Section 1: The Asian Development Bank and Its Safeguard Policy Statement (SPS)</p> <p>Section 2: The Indigenous Peoples Safeguard</p> <p>Section 3: The Environmental Safeguard Requirements and Indigenous Peoples</p>

TOPIC	OBJECTIVES	CONTENT
	<p>To instill among indigenous communities the true essence of their right to Free, Prior and Informed Consent.</p>	<p>Section 4: The Involuntary Resettlement Safeguard Requirements and Indigenous Peoples</p> <p>Section 5: How to Hold the ADB and Government Accountable</p> <p>Section 6: The Right to Free, Prior and Informed Consent (FPIC) of Indigenous Peoples</p>
<p><b>Practical Guide for Media Practitioners on Indigenous Peoples' Issues in Asia</b></p>	<p>To provide basic knowledge, guidelines and tips that are useful for effective and respectful coverage of indigenous peoples' issues in Asia.</p> <p>To improve media reporting on indigenous concerns so that indigenous peoples may be portrayed in a manner that truly and sensitively reflects their situation and cultural diversity.</p>	<p>Introduction</p> <p>Who are the Indigenous Peoples In Asia?</p> <p>What are the Rights of Indigenous Peoples?</p> <p>What are the Common Issues that Indigenous Peoples in Asia Face?</p> <p>Practical Guidelines for Media Practitioners</p> <p>Recommendations for Further Development of Media Coverage on Indigenous Peoples' Issues</p> <p>Contacts of Major Indigenous Peoples Organizations in Asia</p>

## MAIN REFERENCE FOR PART 1:

1. *Guidelines for Creating and Assessing Your Curriculum: Instructional Design Elements & Content Review* <http://www.go2itech.org/HTML/TT06/toolkit/design/outcomes.html>
2. *FAO Learning Module on Capacity Development* <http://www.fao.org/3/a-i2532e.pdf>

# PART II

## OVERVIEW OF INDIGENOUS PEOPLES' RIGHTS



# OBJECTIVES

After the training, the participants will

1. Be reminded of the concept and situation of indigenous peoples;
2. Be reminded of the historical process of recognition of indigenous peoples' rights by the United Nations System;
3. Be reminded of the UNDRIP framework for human rights ; and
4. Be reminded of the collective rights of indigenous peoples as recognized by the UNDRIP.

# CONTENT

- Overview of the concept and situation of indigenous peoples
- The UNDRIP and its bundle of rights
- Summary of the session

# ACTIVITIES/METHODS

## REPORT BACKS

Divide the participants into groups and provide flipcharts to them. Ask them to draw their understanding on the concept of indigenous peoples based on their own country context. Give each group 30 minutes to discuss and 5 minutes for each group to report. Summarize the points raised, discuss and relate it with the background and concept of indigenous peoples provided below.

## GALLERY WALK

AIPP's information posters on the UNDRIP and the different bundles of rights of indigenous peoples are posted around the room. The participants take a gallery walk together around the room to read each information poster. A participant is assigned to present and discuss each of the information poster. Questions and reflections on each poster will be noted down and briefly shared in the plenary. An open forum for questions and comments from the participants may be held after the gallery walk.

## DISCUSSION

Tie up the discussion on the concept and situation of indigenous peoples and the UNDRIP. Present other existing materials (i.e. audiovisual) that the trainees can use for further trainings or seminars in their countries.

# I. OVERVIEW OF THE CONCEPT AND SITUATION OF INDIGENOUS PEOPLES

This session will tackle the participants' concept of the situation of indigenous peoples.

The following situation was derived from “United Nations and Indigenous Peoples in Developing Countries: An Evolving Partnership”:

- Indigenous peoples across the world are self-governing, distinct and diverse peoples.
- Indigenous peoples have been disempowered, oppressed, discriminated, forcedly assimilated and subjected to genocide.
- Indigenous peoples struggled to defend themselves and started their movements for the protection of their collective rights, including engagement with the UN system.
- After 22 years of negotiations between indigenous peoples and states, the UN General Assembly finally adopted the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) in September 2007.
- Despite the adoption of the UNDRIP, many states continue to deny the legal recognition of indigenous peoples at the national and local levels.
- The real challenge is ensuring the full recognition, respect, protection and exercise of indigenous peoples' rights at all levels—and especially at the grassroots level.

## UNDERSTANDING THE TERM “INDIGENOUS”

Considering the diversity of indigenous peoples, an official definition of “indigenous” has not been adopted by any UN system body. Instead the system has developed a modern understanding of this term based on the following:

- Self-identification as indigenous peoples at the individual level and accepted by the community as their member.
  - Historical continuity with pre-colonial and/or pre-settler societies
  - Strong link to territories and surrounding natural resources
  - Distinct social, economic or political systems
  - Distinct language, culture and beliefs
  - From non-dominant groups of society
  - Resolve to maintain and reproduce their ancestral environments and systems as distinctive peoples and communities.
- (UNPFii Indigenous Peoples, Indigenous Voices Factsheet)

## II. THE UNDRIP AND ITS BUNDLE OF RIGHTS

### INDIGENOUS PEOPLES' RIGHTS AT A GLANCE

Indigenous peoples' rights are inherent rights that have long been exercised by indigenous peoples. The UNDRIP is not a new set of rights granted by States. Rather, it is an affirmation and recognition of these inherent and collective rights of indigenous peoples that they have long exercised. The UNDRIP is an international human rights instrument that sets the minimum standards for guaranteeing the collective rights of indigenous peoples and defines the obligations of States to respect those rights.<sup>3</sup>

International Labour Organisation (ILO) Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries is an international treaty adopted by the International Labour Conference in 1989. It is legally binding for States that have ratified it. The Convention 169 refers to:

- (a) tribal peoples in independent countries [as those] whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations; and*
- (b) peoples in independent countries who are regarded as indigenous on account of their descent from the 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.*

ILO Convention 169 makes it clear that self-identification as indigenous or tribal shall be regarded as a fundamental criterion for determining the groups to which the provisions of the Convention apply. Convention No. 169 is based on the respect for the cultures and ways of life of indigenous and tribal peoples and recognises their right to define their own priorities for development.<sup>4</sup>

The provisions of Convention No. 169 and the UNDRIP are compatible and mutually reinforcing. The UNDRIP's provisions deal with all the areas covered by the Convention. In addition, the Declaration addresses a number of subjects that are not covered by the Convention.<sup>5</sup>

3 AIPP. 2010. Rights! A Training Manual on the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

4 [http://pro169.org/?page\\_id=11](http://pro169.org/?page_id=11)

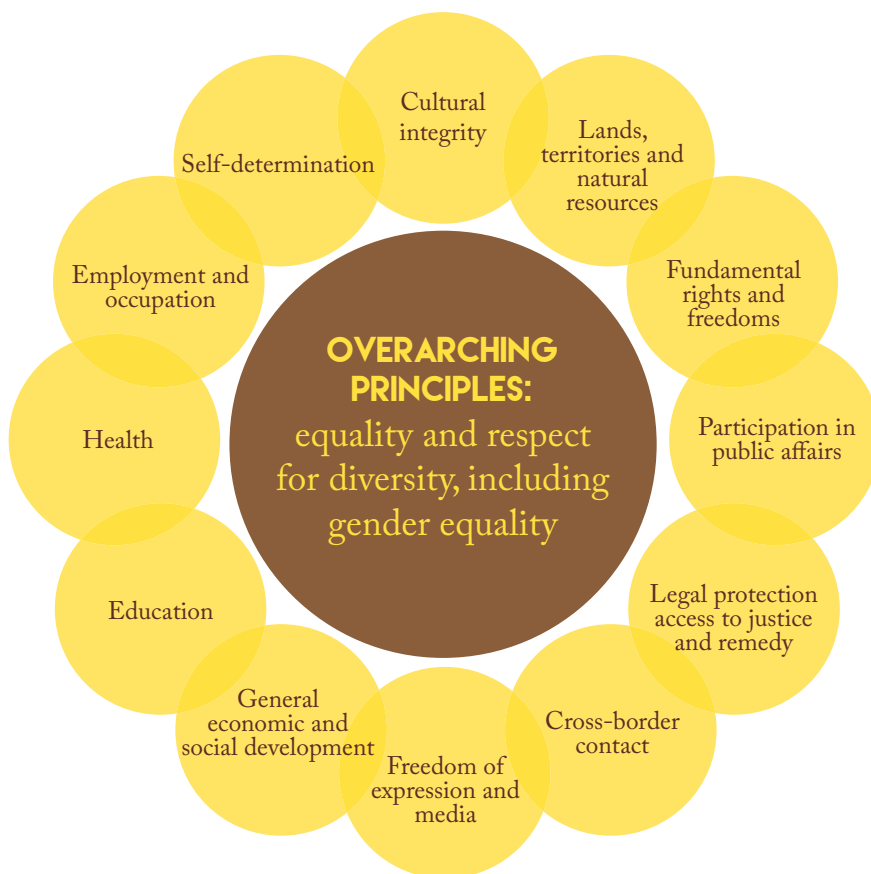
5 ILO standards and the UN Declaration on the Rights of Indigenous Peoples Information note for ILO staff and partners

## THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES (UNDRIP)

The UNDRIP is the human rights instrument that encapsulates and affirms all rights provided in existing human rights instruments, covering both individual and collective rights. It addresses the particular circumstances and specificities of indigenous peoples to achieve social justice, non-discrimination and equality for them. These are, thereby, not special rights or privileges for indigenous peoples, but a means to ensure the dignity of indigenous peoples like everyone else. The UNDRIP was adopted by the UN General Assembly on September 13, 2007, and establishes a universal framework of minimum standards for the survival, dignity, well-being and rights of the world's indigenous peoples.

The UNDRIP sets out the duties and responsibilities of States for the respect and protection of the human rights of indigenous peoples.

### UNDRIP FRAMEWORK OF HUMAN RIGHTS



## WHAT ARE THE COLLECTIVE RIGHTS OF INDIGENOUS PEOPLES RECOGNIZED BY THE UNDRIP?

*Excerpt from ASEAN's Indigenous Peoples. AIPP, IWGLA, Forum Asia. 2010*

Indigenous Peoples have collective rights recognized by the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), which was adopted by the UN General Assembly in 2007. The UNDRIP sets the minimum standard for the protection of the collective rights of indigenous peoples, and provides the necessary measures to address our particular situation in rectifying the historical injustices and discrimination committed against us.

The collective rights enshrined in the UNDRIP are not new rights but are our inherent rights which are already also contained in various other international instruments such as, among others, the Universal Declaration on Human Rights, the International Covenant on Civil and Political Rights, and the International Convention on the Elimination of all forms of Racial Discrimination.

### RIGHT TO SELF-DETERMINATION

Article 3: “Indigenous Peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.”

Article 4: “in exercising their right to self-determination, they have the right to autonomy or self-government in matters relating to their internal and local affairs.”

Article 46: nothing in the Declaration may be interpreted as implying for anybody the right to engage in activities which threaten the territorial integrity or political unity of States. By far most indigenous peoples are therefore in agreement that their self-determination is to be realized within the context of existing Nation States.

### RIGHT TO LAND, TERRITORIES AND RESOURCES

Articles 25 and 26: “Indigenous peoples have the right to lands, territories and resources. States shall give legal recognition and protection to these lands, territories and resources with due respect to customs and traditions of Indigenous Peoples to land tenure systems.”

## RIGHT TO FREE, PRIOR AND INFORMED CONSENT (FPIC)

FPIC means that indigenous peoples have the right to accept or reject a project or any other form of intervention in their communities and territories, or that they define the conditions for the project implementation based on their collective decision making processes.

Article 10: “Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent and after agreement on just and fair compensation and, where possible, with the option of return.”

## RIGHT TO DEVELOPMENT

Articles 3, 20, 21, 23, 29 and 32: These articles provide that indigenous peoples have the right to maintain and develop their political, economic and social systems and institutions and to secure their own means of subsistence and development, including the freedom to engage in traditional and other economic activities. Those deprived of such means are entitled to just and fair redress. They have the right to determine and develop priorities and strategies for their own development and to be actively involved in health, housing and other economic and social programs which, to the extent possible, they will administer through their own institutions.

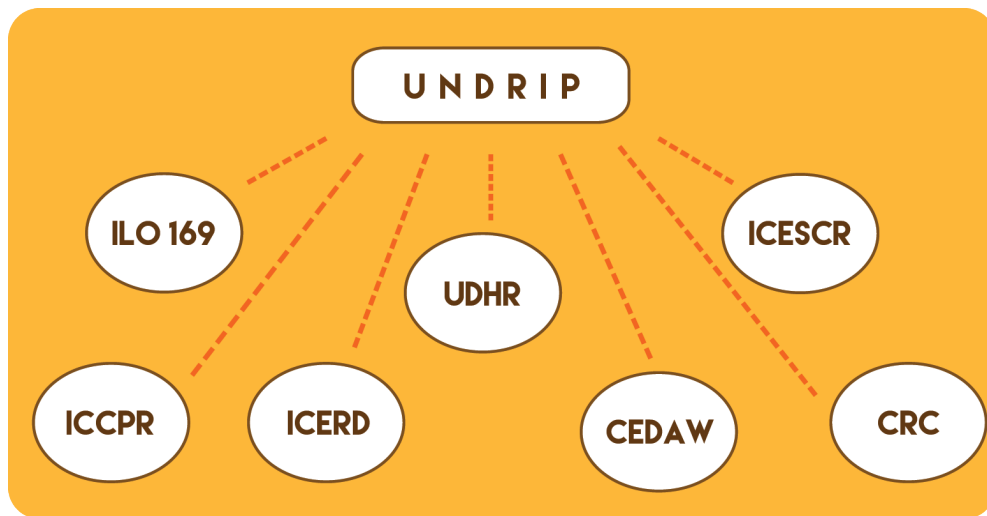
## CULTURAL RIGHTS

Article 8: “Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture, and States shall provide effective mechanisms to prevent and provide redress to forced assimilation.”

*A more detailed overview of the contents and articles of UNDRIP is also provided in Rights! A Training Manual on the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) published by AIPP in 2010.*

## HOW ARE THESE RIGHTS CONTAINED IN OTHER INTERNATIONAL LAWS?

Below are the existing human rights treaties and agreements that underpin the UNDRIP



UNDRIP does not create new or special rights or privileges for indigenous peoples, but is a reflection of universal human rights as they pertain to indigenous peoples. Hence, UNDRIP is complementary to, and underpinned by the full range of human rights instruments, including ILO Conventions.

This “mirror effect” between UNDRIP and other instruments implies that monitoring the implementation of UNDRIP also means monitoring the implementation of a large number of other human rights instruments.

Implementation by States of their commitments to these human rights instruments can be monitored through various existing monitoring mechanisms including the following:

- Universal Periodic Review
- ILO Convention No. 169 = ILO supervisory bodies
- ICESCR = The Committee on Economic, Social and Cultural Rights
- ICCPR = The Human Rights Committee
- ICERD = Committee on the Elimination of All Forms of Racial Discrimination

- CRC = Committee on the Rights of the Child
- CEDAW = Committee on the Elimination of All Forms of Discrimination Against Women

*To know what human rights instruments the respective countries of Asia have committed to, check <http://indicators.ohchr.org/>.*

In order to show exactly how these instruments relate to UNDRIP, a comprehensive matrix has been prepared which relates all articles and provisions of UNDRIP with the matching articles and provisions of ICCPR, ICESCR, ICERD, CEDAW and CRC, as well as ILO Convention No. 169. You can find the draft matrix here: <http://www.indigenousnavigator.org/>

## SUMMARY OF THE SESSION

Provide 30 minutes to tie up the discussion on the concept and situation of indigenous peoples and the UNDRIP. Present other existing materials (ie audiovisual) that the trainees can use for further trainings or seminars in their countries.

### REFERENCES:

#### Main References:

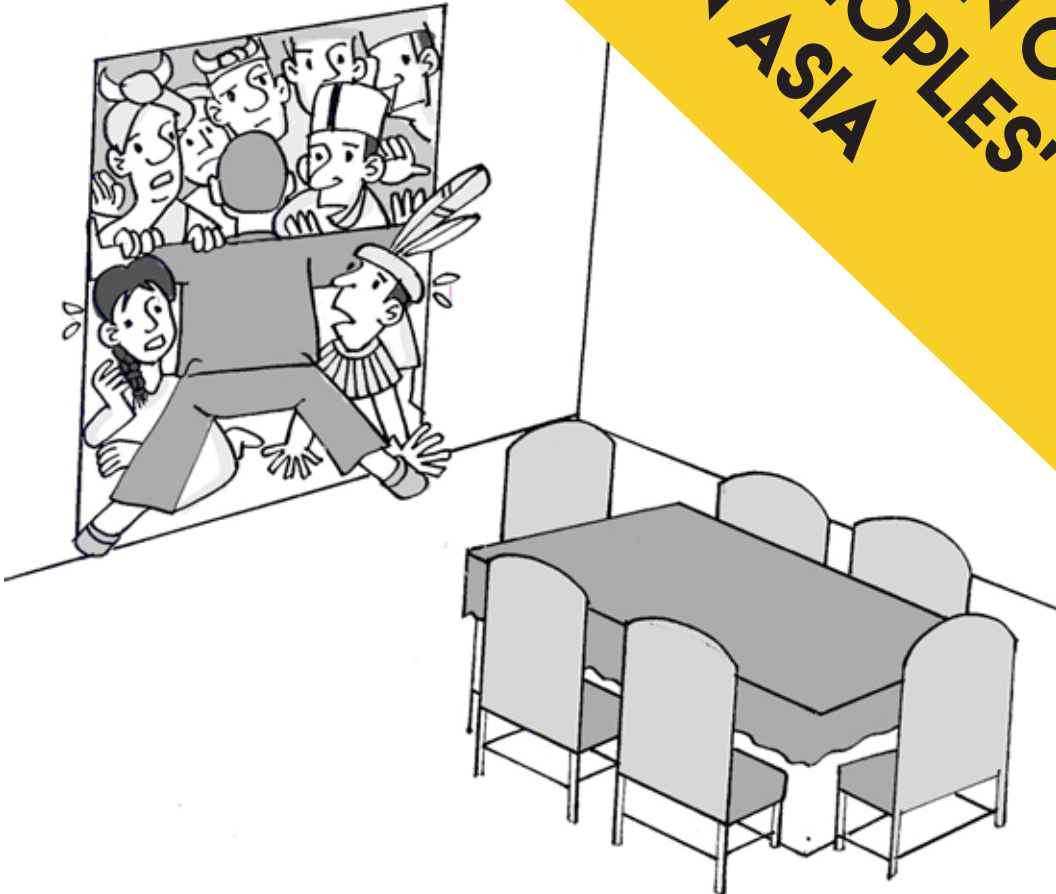
1. AIPP, 2010. Rights! A Training Manual on the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)
2. The Concept of Indigenous Peoples in Asia. IWGIA & AIPP - 2008 November

## SUPPLEMENTARY MATERIALS

1. AIPP, 2014 (video) Indigenous Peoples' Right to Self-determination <http://www.aippnet.org/index.php/videos/1465-indigenous-peoples-rights-to-self-determination-and-development-new-animation>
2. AIPP, 2013. (video) Our Ancestral Lands <http://www.aippnet.org/index.php/videos/1359-our-ancestral-lands>
3. AIPP, 2014. Training Manual for Indigenous Peoples on Free, Prior and Informed Consent (FPIC)
4. AIPP, 2013. Rights in Action : Free, Prior and Informed Consent (FPIC) for Indigenous Peoples
5. AIPP, 2014. The Right to Self-determination and development of Indigenous Peoples
6. AIPP, 2014. Learn and Exercise Your Rights : A simplified version of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)
7. AIPP, 2014. (Poster) UN Declaration on the Rights Declaration on the Rights of Indigenous Peoples: Articles on Human Rights and Militarization <http://iphndefenders.net/resources/publications/6-human-rights/6-un-declaration-on-the-rights-of-indigenous-peoples-articles-on-human-rights-and-militarization>
8. AIPP, 2014. (Poster) UN Declaration on the Rights of Indigenous Peoples (UNDRIP) on Rights to Development <http://iphndefenders.net/resources/publications/6-human-rights/5-un-declaration-on-the-rights-of-indigenous-peoples-undrip-on-rights-to-development>
9. AIPP, 2012. (Poster) UN Declaration of the rights of Indigenous peoples on Customary Laws <http://iphndefenders.net/resources/publications/6-human-rights/79-un-declaration-on-the-rights-of-indigenous-peoples-on-customary-laws>
10. AIPP, 2012. (Poster) UN Declaration on the Rights of Indigenous Peoples on Self-Determination <http://iphndefenders.net/resources/publications/6-human-rights/78-un-declaration-on-the-rights-of-indigenous-peoples-on-self-determination>
11. AIPP, 2012. (Poster) UN Declaration on the Rights of Indigenous Peoples on Cultural Rights <http://iphndefenders.net/resources/publications/6-human-rights/80-un-declaration-on-the-rights-of-indigenous-peoples-on-cultural-rights>
12. AIPP, 2012. (Poster) UN Declaration on the Rights of Indigenous Peoples (UNDRIP) on the Rights to Land, Territories and Resources <http://iphndefenders.net/resources/publications/6-human-rights/81-un-declaration-on-the-rights-of-indigenous-peoples-undrip-on-rights-to-land-territories-and-resources>
13. AIPP, 2012. (Poster) UNDRIP and FPIC <http://iphndefenders.net/resources/publications/6-human-rights/83-undrip-and-fpic>
14. AIPP, 2012. (Poster) The United Nation's Declaration on the Rights of Indigenous Peoples <http://iphndefenders.net/resources/publications/6-human-rights/85-the-united-nation-s-declaration-on-the-rights-of-indigenous-peoples>

# PART III

## DEVELOPMENTS IN THE RECOGNITION OF INDIGENOUS PEOPLES' RIGHTS IN ASIA



# OBJECTIVES

After the training, the participants will:

1. Become aware of the status of legal recognition by States of indigenous peoples in the different countries of Asia;
2. Be appraised of the issues and realities on the ground faced by different indigenous peoples' communities in the recognition of their rights;
3. Become aware of the various institutions and mechanisms in the region catering to and tackling indigenous peoples' issues.

# CONTENTS

## A. National level

- a. Legal recognition of IPs by Asian States
- b. Recognition of customary land rights
- c. Issues faced by indigenous peoples in the recognition of their rights

## B. Regional and Global Developments

# ACTIVITIES

## BUZZ SESSION

Divide the participants into smaller groups, possibly by region, community or ethnic origin. Each group discusses the following questions:

- Does your government have laws or policies recognizing indigenous peoples?
- If yes, what are these laws/policies? What rights of indigenous peoples as provided in the UNDRIP are recognized by your government?
- In your experience, how are the rights of indigenous peoples recognized, not recognized or violated in your community?

## REPORT BACK

After one hour of small group discussion, the groups gather to report back on the results of their group discussion. The results of the workshop can be used as examples in discussing the next topic on regional and national development and realities on the ground.

The examples shared by the participants in the previous workshop can be used as concrete examples when discussing the topic on realities on the ground. Other examples and case studies from different AIPP publications and researches may also be used to expound on the different issues faced by indigenous peoples as mentioned above.

## GROUP ACTIVITY

After the input, a poster-making activity by the participants can be used to visualize the realities that indigenous peoples face. Participants are divided into smaller groups, according to ethnicity, region or communities where they come from. Each group is given 30 minutes to make a simple poster depicting the most urgent issues they face in their respective areas. Drawings, slogans, pictures, charts or symbols may be used to make the posters. These are then posted around the room and a gallery walk is held to view the posters prepared by the participants.

# I. OVERVIEW OF INDIGENOUS PEOPLES IN ASIA

- Asia is home to two-thirds of the world's indigenous peoples population, estimated at around 260 million.
- Indigenous peoples in Asia have unique cultures, identities, and traditional knowledge and practices that are distinct from that of the majority population in their respective countries. They are identified by different names, some of which, however, are derogatory.
- Whether or not States recognize them, indigenous peoples have developed and continue to practice their own customary laws and systems on land tenure and natural resource management. Most of these systems are community-based and collectively managed, to allow equal opportunities to all community members to benefit from the resources.

Excerpts from « Overview of the state of indigenous peoples in Asia » AIPP. May 2014 and « Recognition of Indigenous Peoples' Customary Land Rights in Asia » AIPP. March 2015

Two-thirds of the approximate 370 million self-identified indigenous peoples are in Asia, estimated at around 260 million, enriching the region's enormous cultural and linguistic diversity. They have strong cultural attachment to and livelihood dependence on land, forests and waters, and the natural resources therein. They have unique collective historical connections with, and ownership of their territories that have continuously been developed and maintained through complex and diverse customary land and resource use management systems that are repositories of tangible and intangible wealth.

The use of the term “indigenous peoples” is contentious in Asia. Many governments in Asia claim, “We are all Indigenous,” while some States say that they don't have indigenous peoples in their countries. However, it is a fact that there are distinct groups within these countries with their own languages, cultures and territories that distinguish themselves from the broader populations in their respective countries and assert themselves as indigenous peoples.

There are different names that governments and others use to refer to indigenous peoples collectively – like “ethnic minorities,” “hill tribes,” “tribal people,” “highland people,” “aboriginal people,” and “native people.” Some of these terms are not appreciated by many indigenous peoples since they often imply notions of cultural inferiority, “primitiveness” or “backwardness.”

## A. HOW ARE INDIGENOUS PEOPLES CALLED IN ASIA?



There are different political terms that they use to refer to indigenous peoples in Asia. The following are some examples .

### INDIA

The government of India refers to indigenous peoples as *Scheduled Tribes*. In mainland India, *adivasi* has become the popular term. It means “original people.”

The indigenous peoples of India's North East do not call themselves, nor are they referred to as *adivasi* in spite of the fact that the meaning of the term very much applies to them as well. They prefer to use the English terms “tribals” or indigenous peoples.

## NEPAL

Nepal is one of the countries in Asia where indigenous peoples are constitutionally and legally recognized. They are officially called “*Adivasi Janajati*” (indigenous nationalities).

## PHILIPPINES

While the term *tribo* (tribe) is still quite commonly used, the term “indigenous peoples” and its translation into local languages is now well established in popular usage. The Philippines is one of the Asian countries that has officially recognized indigenous peoples. In the constitution, laws and other official documents, they are referred to as “Indigenous Cultural Communities/Indigenous Peoples.”

## TAIWAN/CHINA

The Han Chinese settlers used the term “*fan*”, which denoted the indigenous peoples as barbarian, primitive or backward. Later the indigenous peoples living in upland areas were referred to as “*shanbao*” (mountain compatriots or mountain people). In the mid-1980s indigenous activists initiated a campaign for the recognition of *yuan-zhu-min* (literally meaning “people who have originally lived here”) as a more respectful name. It gained legal status through amendment of the Constitution in 1994.

## THAILAND

The fishing communities of the South are called *chaole* (meaning “sea people”) in Thai. The term *chao khao* (“hill tribes”) and *chon phao* (“tribal people”) are commonly used to refer to the indigenous peoples of the North and West of the country. Indigenous rights advocacy groups have begun to promote the term *chon phao phuen mueang* as translation of “indigenous peoples.”

## VIETNAM

Indigenous peoples in Vietnam are subsumed under the category “ethnic minorities” (*dan toc thieu so, dan toc it nguoi*). This refers to all people who do not belong to

the dominant ethnic group, the Kinh. It therefore also includes ethnic groups like Chinese or Khmer, who are minorities but generally not considered to be indigenous peoples.

## **B. CUSTOMARY PRACTICES ON LAND, NATURAL RESOURCE MANAGEMENT AND GOVERNANCE**

The UN Declaration on the Rights of Indigenous Peoples (UNDRIP) Article 26 states: “Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.”

Indigenous peoples in Asia continue to practice their own customary laws and systems defining and regulating ownership and access rights to land, territories and resources.

Indigenous peoples developed their customary land use systems through time, based on the livelihood needs and practices of the community. Varying and complex land use and ownership systems are found in different indigenous communities, which may include individual, clan and community-owned land. Most of these systems are community-based and collectively managed, meaning that the right to use and manage the land and resources is regulated collectively within the community to allow equal opportunities to community members.

Ownership rights over a particular resource or stretch of land depend on the nature of the land or resource and the relationship that had evolved between the community members and the particular resource or tract of land. Collective rights over land are common among indigenous societies. Watershed forests are usually communally owned and managed by the whole community. At the same time, many indigenous communities recognize individual ownership, particularly over paddy terrace fields or settlement areas. Common resources like water sources cannot be claimed as individual or private resources, as they are meant to serve the whole community.

## C. NATIONAL DEVELOPMENTS IN THE RECOGNITION OF INDIGENOUS PEOPLES' RIGHTS IN ASIA

### a. Legal recognition of indigenous peoples by States in Asia

*Excerpt from Recognition of Indigenous Peoples' Customary Land Rights in Asia. AIPP. March 2015*

While almost all States in Asia voted for the adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) on September 13, 2007, many still refuse to respect and implement the collective rights of indigenous peoples to their lands, territories and resources and to self-determination. Most Asian States, underpinned by legal systems inherited from colonial times, have arrogated upon themselves the right to allocate, regulate and determine land and resource ownership, use, control and development.

Thus, the application of the concept of indigenous peoples as recognized under international human rights instruments remains a major and critical concern for millions of indigenous peoples in the region. The continuous denial by States of their indigenous peoples as distinct peoples, who have been systematically discriminated and marginalized, goes against the very principle of achieving social justice as affirmed by the UN Declaration on the Rights of Indigenous Peoples.

Below is a table that summarizes the status of legal recognition of indigenous peoples in the different countries in Asia.

COUNTRY	LEGAL RECOGNITION OF INDIGENOUS PEOPLES AND RELATED ISSUES
<b>Indonesia</b>	The Constitution (Article 18 B-2) recognizes and respects traditional communities and their customary rights where these exist and as long as these are in accordance with the societal development and principles of the State. Some laws on agrarian reform (Decree 9/2001), agrarian regulations (Act 5/1960) and human rights (Act 39/1999) give implicit, though conditional, recognition of some rights of “masyarakat adat” or custom law-based communities. In 2014, The Minister of Home Affairs issued Regulation Number 52 of 2014 on the Guidelines for recognition and Protection of Indigenous Peoples stating that the identification of indigenous peoples is based on history, indigenous territory, customary law, and indigenous objects.
<b>Malaysia</b>	The Federal Constitution uses the term ‘native’ to refer to the heterogeneous indigenous people of Sarawak and Sabah (Article 161A) and provides special protection for the natives of Sarawak and Sabah. The recognition in the Constitution however, does not go hand-in-hand with the measures to ensure they are given the necessary support and respect related to other recognized rights, including lands and territories, traditional ways of life or papers as proof of citizenship. The Sarawak Land Code of 1958 severely limits the recognition of native customary rights to land. Many indigenous peoples, especially from remote areas, have great difficulty getting their citizenship papers due to late registration of birth or to poor access to the registration department. At the national level, there is an emerging body of law recognizing and reaffirming protection for native customary title rights, based on interpretations of the Federal Constitution, common law and international customary law.
<b>Philippines</b>	The rights of “indigenous cultural communities/indigenous peoples” are constitutionally guaranteed (Article 2, section 22) and enabled through Republic Act 8371 or the Indigenous Peoples’ Rights Act [IPRA]. The IPRA protects and promotes indigenous peoples’ cultural

COUNTRY	LEGAL RECOGNITION OF INDIGENOUS PEOPLES AND RELATED ISSUES
	<p>integrity, the right to own and develop their ancestral lands/ domains, and the right to free and prior informed consent (FPIC). However, the implementation of FPIC has been manipulated and the recognition of ancestral land and ancestral domains has been very problematic, resulting in conflicts and gross violations of land rights.</p>
<b>Taiwan/ China</b>	<p>A number of specific laws, e.g. Indigenous Peoples' Basic Act 2005, Education Act for Indigenous Peoples 2004, Status Act for Indigenous Peoples 2001, protect indigenous rights, including the Constitutional Amendments (2005) on indigenous representation in the Legislative Assembly, protection of language and culture and political participation. Unfortunately, serious discrepancies and overlapping in legislation, coupled with only partial implementation, have stymied progress towards self-governance and sustainable development of indigenous peoples. In addition, only 14 indigenous peoples are officially recognized, and at least nine Ping Pu ("plains or lowland") indigenous peoples are still claiming for recognition as indigenous peoples.</p>
<b>India</b>	<p>Only 461 ethnic groups of the estimated 635 groups are acknowledged as Scheduled Tribes or adivasi, the terms by which indigenous peoples are known. There is a constitutional provision which recognizes the customary laws in North East India such as Article 371A for Nagaland and Article 371G for Mizoram. Another provision includes the Sixth Scheduled and Fifth Scheduled area, which allows autonomy or local self-governance in tribal/adivasi areas</p>
<b>Japan</b>	<p>Since 2008 and after over 100 years of forced assimilation and discriminatory policies, its legislative body, the Diet, finally voted to recognize the Ainu as "an indigenous people with a distinct language, religion and culture." However, issues remain in terms of their education, socio-economic status and quality of life or their right to their territory.</p>

COUNTRY	LEGAL RECOGNITION OF INDIGENOUS PEOPLES AND RELATED ISSUES
<b>Cambodia</b>	The 2009 National Policy on Development of Indigenous Peoples uses the term “chuncheat daoem pheak tech” which literally means “minority original ethnicity” in its documents to refer to peoples who are not Khmers, Chams, Chinese, Laos, Thais, or Kinh (Vietnamese). This term is also used in the 2001 Land Law and in the 2002 Forestry Law.
<b>Vietnam</b>	In Vietnam’s Constitution (Article 5), indigenous peoples are referred to as “ethnic minorities” who “have the right to use their own language and writing, to preserve their ethnic identity and to nurture their fine customs, traditions and cultures.”
<b>Nepal</b>	At least 39% of the total population is recognized as indigenous peoples, and the government has ratified ILO Convention 169 on Indigenous and Tribal Peoples. However, indigenous peoples have the least meaningful political representation in the country, with their freely chosen representatives largely excluded from the constitution-making process. The new Constitution’s promulgation has caused divisiveness and sparked continuing dissent in the country, while indigenous peoples say their right to self-government and development is still denied under the provisions of the newly-crafted laws of federalism.
<b>Laos PDR</b>	The government does not use the term “ indigenous peoples, ” making self-identification and self-determination a major problem. Under its Constitution, Laos is defined as a multi-ethnic society where all "ethnic groups" have the right to protect, preserve and promote the fine customs and cultures of their own tribes and of the nation (Article 8).
<b>Thailand</b>	Many of the over half a million stateless population are indigenous peoples (UNHCR report 2014), as almost half of them are not citizens. Its 2007 Constitution is silent on citizenship rights, and the country is not part of any international convention regarding statelessness. Due to the lack of citizenship rights, the indigenous peoples are considered “illegal aliens” and have been subjected to arbitrary arrest, discrimination, denial of basic rights and social services, such as education and healthcare, freedom of movement, and land ownership.

COUNTRY	LEGAL RECOGNITION OF INDIGENOUS PEOPLES AND RELATED ISSUES
<b>Bangladesh</b>	The government has not conferred formal legal recognition to indigenous peoples in the manner of their choice. The Constitution of Bangladesh refers to them as “tribes, minor races, ethnics sects and communities” (Art 23A), an amendment in 2011, which was condemned by indigenous peoples throughout the country.
<b>Myanmar</b>	The government issued a draft National Land Use Policy in 2014 which includes a section on the Land Use Rights of the Ethnic Nationalities and the conduct of FPIC.

The examples shared by the participants in the previous workshop can be used as concrete examples when discussing the topic on realities on the ground. Other examples and case studies from different AIPP publications and researches may also be used to expound on the different issues faced by indigenous peoples as mentioned above.

## D. STATE POLICIES RECOGNIZING CUSTOMARY RIGHTS TO LAND AND RESOURCES

*Excerpt from Recognition of Indigenous Peoples’ Customary Land Rights in Asia. AIPP. March 2015*

Governments in Asia have passed laws and policies promoting the recognition of indigenous peoples’ customary rights to their land and resources. These laws have largely been won through the collective and sustained struggles of indigenous peoples for State recognition of their rights. Below is a table summarizing these state policies recognizing customary rights to their land and resources in some countries in Asia.

<b>Philippines</b>	The Indigenous Peoples Rights Act (IPRA) of 1997 recognizes both collective and individual rights over the ancestral domains and lands of indigenous peoples through issuance of Certificate of Ancestral Domain Title (CADT) and Certificate of Ancestral Land Title (CALT). However, the process of obtaining a CADT or CALT takes several years and is expensive because of the bureaucratic red tape and the large amount of proofs required of the claimants. Communities applying for ancestral land and ancestral domain titles face considerable problems and conflicts with adverse claimants, other interested groups and government agencies. <sup>9</sup>
<b>Cambodia</b>	The 2001 Land Law recognizes the collective rights of indigenous communities to their traditional lands. Indigenous communities are entitled to register their communal land and receive a collective land title for the protection and management of their traditional lands to meet their needs. However, the process involved to get communal title is time consuming and difficult to comply with. <sup>10</sup>
<b>Indonesia</b>	The Constitutional Court has ruled that customary forests are not state forests, thereby recognizing the rights of indigenous peoples over their customary forests. However, the government has yet to draft the operational guideline for the implementation of that decision. A few months after the Constitutional ruling, the Minister of Forestry issued a letter stating that for the Ministry to determine customary forests, the local governments need to set up regulations to identify customary forests. Indigenous peoples in Indonesia are concerned that this will be a long and difficult process that will ultimately provide a leeway for the State to give large tracts of forest areas to companies. <sup>11</sup>
<b>Malaysia</b>	The Court of Appeals in Sarawak has upheld the ruling of the Sibu High Court that the pemakai menoa (territorial domain) and pulau galau (communal forest reserve) are part of Native Customary Rights (NCR) land. This ruling sets a precedent for the more than 200 NCR land cases in Sarawak, Malaysia which are pending in the high court.
<b>India</b>	The Forest Rights Act (FRA) of 2006 provides for the forest rights of adivasi/tribal peoples as a means to support their livelihoods. The FRA stipulates that gram sabhas or village councils are responsible for granting or withholding consent to all the projects. However, the government of India is now mulling a proposal to amend the FRA and exempt certain projects such as roads, railways, electricity and irrigation from the need for a village council vote. <sup>12</sup>

9 Christian Erni. Pp 90-91. AIPP 2010

10 AIPP. Paper on Safeguards 2014

11 AMAN Online Petition to the President of Indonesia Susilo Bambang Yudhoyono; Regents/Mayors in Indonesia and Governors in Indonesia (<https://www.change.org/p/indonesia-government-implement-the-constitutional-court-s-decision-no-35-puu-x-2012-and-immediately-adopt-the-bill-on-indigenous-peoples#petition-letter>)

12 [http://www.business-standard.com/article/economy-policy/govt-against-consent-of-tribals-for-displacement-115033100028\\_1.html](http://www.business-standard.com/article/economy-policy/govt-against-consent-of-tribals-for-displacement-115033100028_1.html)

## KEY POINTS IN THE DISCUSSION:

- All States in Asia voted for the adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).
- However, the status of legal recognition of indigenous peoples varies from country to country as seen in the State policies in the different countries in Asia .
- Some governments in Asia have passed laws and policies recognizing indigenous peoples' customary rights to their land and resources.
- These laws have largely been won through the collective and sustained struggles of indigenous peoples for State recognition of their rights.

## II. NATIONAL HUMAN RIGHTS INSTITUTIONS AND INDIGENOUS PEOPLES

National Human Rights Institutions (NHRIs) are established by governments under the constitution, or by law or decree, the functions of which are specifically defined in terms of the promotion and protection of human rights. To qualify as such the institutions should comply with the Paris Principles<sup>13</sup>. They are responsible for monitoring the States' duties to a) protect and promote indigenous peoples' rights, b) ensure that it meets its international and domestic human rights commitments, c) receive, investigate, and resolve complaints relating to human rights violations and d) raise awareness and provide human rights education.

In accordance with the Paris Principles and the ICC Statute, the following classifications for accreditation are used by the ICC:

A - Compliance with the Paris Principles

B - Not fully in compliance with the Paris Principles

C - Non-compliance with the Paris Principles

NATIONAL INSTITUTIONS	STATUS (AS OF JANUARY 26, 2016)
Bangladesh : National Human Rights Commission of Bangladesh	B
India : National Human Rights Commission	A
Indonesia : National Commission on Human Rights (Komnas HAM)	A

13 The Paris Principles set out the following minimum standards for national human rights institutions to be considered credible and to operate effectively: (a) a clearly defined and broad-based mandate based on universal human rights standards, (b) autonomy from government, (c) independence guaranteed by the legislation or constitutions, (d) pluralism, including membership that broadly reflects their society, (e) adequate resources and (f) adequate powers of investigation.

NATIONAL INSTITUTIONS	STATUS (AS OF JANUARY 26, 2016)
Malaysia : Human Rights Commission (SUHAKAM)	A
Myanmar: Myanmar National Human Rights Commission	B
Nepal : National Human Rights Commission	A
The Philippines : Commission on Human Rights	A
Thailand : National Human Rights Commission	B
Timor Leste : Provedoria for Human Rights and Justice	A

Source: <http://nhri.obchr.org/EN/Documents/Status%20Accreditation%20Chart.pdf>

## NHRIS AND INDIGENOUS PEOPLES

*Excerpts from the Indigenous Peoples and National Human Rights Institutions in Asia. AIPP. 2014*

The enabling laws for NHRIs in many countries have several limitations and deficiencies that prevent them from being efficient in protecting and defending human rights in general and indigenous peoples' rights in particular. Among these is the lack of or denial of States to recognize indigenous peoples as distinct peoples with collective rights and the limitation of their mandate to only violations committed by State actors and does not include violations committed by private actors.

NHRIs particularly in Malaysia and Indonesia have been playing a key role in relation to land rights violations against indigenous peoples. For SUHAKAM, after receiving many complaints on land grabs and eroding native customary land rights, the Commission conducted a nationwide Native Customary Land Rights Inquiry which started in 2011 until 2012. In December 2013 following the recommendations of SUHAKAM from the results of the inquiry, the Malaysian government stated during the Universal Periodic Review of Malaysia that “a task force comprising senior officials had been established to review and formulate necessary strategy regarding the issue of indigenous peoples' land rights, pursuant to the national inquiry into the land rights of indigenous peoples in Malaysia undertaken by SUHAKAM”.

In May 2014, Komnas HAM in Indonesia also launched its first national inquiry into alleged human rights violations linked to land conflicts involving indigenous peoples. The Commission based its inquiry on the 140 formal complaints submitted from seven regions

namely Sumatra, Java, Bali-Nusa, Sulawesi, Kalimantan, Maluku, and Papua. Particularly in Papua, the hearings conducted noted several findings where indigenous peoples' rights have been ignored, including the State unilaterally classifying and establishing forest status without taking into account the existence of indigenous peoples, resulting in a weakening of the link between indigenous peoples and their forests. Another finding was that local government has played a weak role in exerting control over development and has allowed disputes over land and natural resource management to break out.

The initiative of SUHAKAM and Komnas HAM has highlighted the land rights situation of indigenous peoples in the said countries. Other NHRIs have also been initiating measures to strengthen their mandate. A case in point is that of the NHRIs of Bangladesh and Thailand where they introduced monetary fines concerning the non-respect of their recommendations to relevant government agencies.

In spite of the NHRIs limitations, their increasing attention to indigenous peoples' right is a positive step in the right direction. It is thereby important for indigenous peoples to engage with NHRIs and collaborate with other social movements and actors in demanding States to implement the recommendations of NHRIs and provide the necessary resource, political and legal environment for NHRIs to function independently and efficiently.

### **III. REALITIES ON THE GROUND: ISSUES FACED BY INDIGENOUS PEOPLES IN THE RECOGNITION OF THEIR RIGHTS**

*Excerpts from Overview of the state of indigenous peoples in Asia. AIPP. May 2014 and Recognition of Indigenous Peoples' Customary Land Rights in Asia. AIPP. March 2015*

In spite of these laws and policies recognizing customary land rights, indigenous peoples in Asia continue to face land dispossession and destruction of their traditional territories from large-scale development projects and resource extraction by State and private business interests. This is seen in the accelerated encroachment of extractive industries, infrastructure, national parks and other development projects into indigenous peoples' land, a trend that has been called "development aggression" by indigenous peoples.

The fact remains that the individual and collective rights of indigenous peoples are being

violated on a daily basis. All too often, their territories are sacrificed and expropriated for State-sponsored development and corporate projects that lead to gross and wide-scale violations of their collective rights, especially regarding their lands, territories, and resources. The unilateral declaration of national parks and conservation areas, the granting of concessions for mining, logging, plantations, and other extractive industries—as well as infrastructure development for national development—have dispossessed and marginalized many indigenous peoples in Asia. The militarization of indigenous territories in response to protest actions has also resulted in serious violations of their civil and political rights including killings, arbitrary arrests and torture. These impositions and outright non-recognition of their rights are causing widespread and escalating conflicts, forced displacements, massive environmental degradation, food insecurity, ethnocide, and the weakening of the distinct socio-cultural systems and cohesion of indigenous peoples. These are making them even more vulnerable to human rights violations, especially where it concerns indigenous women.



## WHAT ARE THE COMMON ISSUES FACED BY INDIGENOUS PEOPLES IN ASIA?

### DEVELOPMENT AGGRESSION

Indigenous peoples often live in areas rich in natural resources, which have become targets of resource extraction and development programs by governments and multinational companies. In the name of modernization and development of the nation, their communities are faced with the impact of mining and logging, large-scale plantations and infrastructure programs. These projects are implemented without consultation and consent from the affected communities and causes massive displacement of indigenous communities and consequently, to the loss of their livelihood, culture and identity.

### NON-RECOGNITION OF TRADITIONAL LIVELIHOOD PRACTICES

Traditional economic practices like shifting cultivation, which is one of the most common forms of land use among indigenous peoples in the entire Southeast Asian region, have come under increasing pressure by restrictive government policies. It has been estimated that the total number of shifting cultivators in Southeast Asia lies somewhere between 14 and 34 million, most of whom are indigenous peoples. In the name of forest conservation and development, governments have devised policies and laws seeking to eradicate shifting cultivation. Many of the arguments brought forward against shifting cultivation – that it is an economically inefficient and ecologically harmful practice – have been proven inaccurate or outright wrong. Notwithstanding all evidence, however, attitudes by decision makers and, consequently, State policies have hardly changed.

### MIGRATION AND FORCED RESETTLEMENT

Various factors lead to increasing migration of indigenous peoples from one country to another. State repression and violent conflicts have forced large numbers of indigenous peoples to abandon their villages and seek peace and security in neighboring countries.

Extreme poverty is also another reason for migration among indigenous peoples within a country or abroad. The increasing scarcity of land and resources compels many of them to migrate to urban centers where, due to the lack of education, language and other skills, most end up doing low-paid menial work. Some have opted for employment overseas to augment income to support their families.

Migration, however, has considerable socio-cultural costs for indigenous peoples. Many have difficulties in adjusting to new and often hostile environment and they suffer from the loss of familial and communal ties. The communities back home in turn suffer from the drain of manpower, causing hardship especially for the elderly and lack of guidance on the children.

Some governments in Asia have launched large- scale internal resettlement programs for various purposes, all with severe consequences for indigenous peoples. Forced resettlement of indigenous communities is occurring in many Asian countries, often in connection with large infrastructure programs. Resettlement programs have led to increased poverty, malnutrition, higher mortality rate and general deterioration in the health of affected villagers.

## **VIOLATIONS OF THE RIGHTS OF INDIGENOUS WOMEN**

Indigenous women and children belong to the most vulnerable sectors of society and thus should be given special protection. However, this does not happen and they continue to suffer from violations to their rights by both the State and their own communities. Despite their important contribution to agricultural production and subsistence activities of the family, women in most traditionally male-dominated indigenous communities are only marginally involved or are fully excluded from decision-making processes at local and national levels.

## **THREATS AND VIOLENCE AGAINST INDIGENOUS HUMAN RIGHTS DEFENDERS**

The indigenous peoples' struggle against development aggression and assertion of their collective rights has led to many violations of their civil and political rights. These include threats, intimidation, harassment, arbitrary arrest and extrajudicial killing of human rights defenders and leaders.

*Excerpt from ASEAN's Indigenous Peoples. AIPP, IWGLA, Forum Asia. 2010*

## KEY POINTS OF THE DISCUSSION ON REALITIES ON THE GROUND:

- In spite of the laws and policies recognizing their rights, the individual and collective rights of indigenous peoples in Asia continue to be violated on a daily basis.
- Indigenous peoples in Asia continue to face land dispossession and destruction of their traditional territories from large-scale development projects and resource extraction by State and private business interests. This trend has been called “development aggression” by indigenous peoples.
- The common issues faced by indigenous peoples in Asia are: development aggression, non-recognition of their identity; traditional livelihoods and natural resource management practices; migration and forced resettlement; violation of the rights of indigenous women; and threats and violence against indigenous human rights defenders

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# PART IV

## REGIONAL AND GLOBAL DEVELOPMENTS IN THE IMPLEMENTATION OF THE INDIGENOUS PEOPLES' RIGHTS



# OBJECTIVES

After the training, the participants will be able to:

- Understand more about the recent regional and global developments in various UN Mechanisms and processes in relation to indigenous peoples
- Describe and share community experiences about their engagement with various mechanisms and processes

# CONTENTS

- Developments in regional and international mechanisms and processes relevant to indigenous peoples
- UN Mechanisms specific for indigenous peoples (UNPFII, EMRIP, UNSRIP)
- Institutional Policies of UN Agencies and International Financial Institutions
- Multi-lateral Environmental Agreements and Indigenous Peoples (UNFCCC and CBD)

# ACTIVITIES/METHODOLOGIES

## PLENARY DISCUSSION

This is a way to start the discussion and bring out general issues related to the topic to be discussed or at the end of the session. Allot 15-30 minutes (depending on the number of participants) to briefly answer the question: What UN agencies do you know that address indigenous peoples' issues? Participants will be asked to write their answers in metacards. They can identify at most two agencies. After writing down their answers in metacards, participants will be asked to briefly share what they have in the metacards and paste it on a chart or board. The facilitator will be organizing the metacards to distinguish various agencies (e.g. identify which agencies are specific to indigenous peoples).

## PANEL DISCUSSION

In a typical panel format, speakers with particular expertise or engagements in the UN mechanisms or agencies will discuss on specific topic assigned to them or based on questions addressed to them by the facilitator. The facilitator must have prepared questions for the panelists who will describe their participation and what they had achieved for

their respective communities through their engagement. An open forum follows the panel presentations.

## **BUZZ SESSION**

As the facilitator gives input on the topic, participants will be grouped into 3-5 to spend a short time (5-7 minutes) to discuss a topic or an issue. Each sub-group then reports back on its deliberations to the whole group, or sometimes combines with another sub-group in order to share their findings and discuss the implications. This approach may be done when the facilitator discusses the topic on the WCIP Outcome Document and participants will have to give their impressions on the topic.

## **REPORT BACKS**

Participants will be divided into groups (3-4) and will be given time (20 minutes) to work in a group and report-back to everyone on their group's output/activity. The group must choose one to report about their output in a plenary. This activity can be done to generate specific gains/lessons from participants' experiences in engaging with UN agencies, IFIs or MEAs.

# **INPUT SESSION ON REGIONAL PROCESSES**

## **I. THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS (ASEAN)<sup>14</sup>**

ASEAN was founded on 8 August 1967 by Indonesia, Malaysia, the Philippines, Singapore and Thailand, and, except for the latter, the founding countries were newly established sovereign nation-states after World War II. Brunei Darussalam joined in 1984, Vietnam in 1995, Lao PDR and Myanmar in 1997, and Cambodia in 1999. The ASEAN was formed to ensure stability and economic development among member nations. It was also established to address any threat that may undermine internal affairs of Member States and to promote its principles on self-governance.

The ASEAN Member States, together with other members of the United Nations General Assembly, adopted the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) on 13 September 2007. They further reiterated their commitment to achieve the ends of

<sup>14</sup> Excerpt from *the Indigenous Peoples and ASEAN Integration*. Asia Indigenous Peoples Pact (AIPP), Indigenous Peoples and the ASEAN Integration, [http://iva.aippnet.org/wp-content/uploads/2015/12/Ips-and-ASEAN-Integration\\_Final-Small.pdf](http://iva.aippnet.org/wp-content/uploads/2015/12/Ips-and-ASEAN-Integration_Final-Small.pdf)

the UNDRIP when they adopted the Outcome Document (OD) of the high level plenary meeting of the UN General Assembly known as the World Conference on Indigenous Peoples (WCIP) on September 22, 2014. However, at the country level there is still the general lack of or denial of ASEAN member states of indigenous peoples as distinct peoples with collective rights.

### *The ASEAN Human Rights Declaration*

The ASEAN Human Rights Declaration (AHRD) was adopted on November 2012 at the 21st ASEAN Summit in Phnom Penh, Cambodia. This was considered as a landmark, a step forward in the development of regional human rights standards in the region.

Despite the adoption of AHRD, indigenous peoples still express their disappointment due to noted flaws. The AHRD makes no specific reference to indigenous peoples. Such action is a setback on the obligation of the ASEAN to abide by international human rights standards and norms including those that recognize indigenous peoples' rights.

### *The ASEAN Inter-governmental Commission on Human Rights (AICHR)*

The ASEAN Intergovernmental Commission on Human Rights (AICHR) is a Charter body stipulated in Article 14 of the ASEAN Charter. It is mandated as the umbrella for the other two human rights bodies: the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) and the ASEAN Committee on the Promotion and Protection of the Rights of Migrant Workers (ACMW) (Art 6.9). Located under the ASEAN Political Security Pillar, it reports to the ASEAN Foreign Ministers Meeting (AMM). According to its Terms of Reference (ToR), the main objectives of the AICHR are “to promote and protect human rights and fundamental freedoms of the peoples of ASEAN.” The AICHR is an overarching body with a cross cutting mandate that handles matters related to human rights cooperation with other ASEAN bodies, external partners and stakeholders (Cha-am Declaration para 8).

The protection mandate of the AICHR is limiting due to some principles that they have to uphold such as:

- “non -interference in the internal affairs of ASEAN Member states” and “respect for the right of every Member State to lead its national existence free from external interference, subversion and coercion”
- “pursuance of a constructive and non-confrontational approach and cooperation to enhance promotion and protection of human rights.”

Out of 24 items on its mandate and functions, 12 are promotional while only two are on protection (Art. 4.10 and Art. 4.12). Apart from a weak protection mandate, the AICHR does not have the power to sanction human rights violators.

Attempts by civil society, including indigenous peoples, to engage the AICHR through these mandates had not been successful. Since its establishment, cases on human rights violations were submitted to the AICHR but were not acted on due to absence of Rules of Procedure (RoP) to guide the body to handle cases. It was only in Feb 15, 2015 that the AICHR came out with its “Guidelines on the AICHR’s Relations with Civil Society Organisations.”

### *The ASEAN Economic Community (AEC)*

The ASEAN Economic Community is part of the ASEAN’s economic goal. This is one of the 15 purposes listed in the ASEAN charter. The purpose is “To create a single market and production base which is stable, prosperous, highly competitive and economically integrated with effective facilitation for trade and investment in which there is free flow of goods, services and investment; facilitated movement of business persons, professionals, talents and labour; and freer flow of capital.”

Given such purpose, AEC has its main goal to transform the region into “a single market and production base, a highly competitive region, a region of equitable economic development, and a region fully integrated into the global economy.” The promotion of a “single market” is not without threats and impacts to indigenous peoples especially on their right to Free Prior and Informed Consent (FPIC). The demand to have freer movement of goods and services (with less tariff imposition, mass production and transfer of skilled labour) will likely put pressure on indigenous peoples’ lands, territories and resources, which are often the source of raw materials and minerals.

At present, ASEAN member states are implementing infrastructure, extractive, and large agro-industrial projects without the Free Prior and Informed Consent (FPIC) of indigenous peoples leading to displacements and human rights violations among others against the affected indigenous communities. There is also a common view of further risks (like losing their lands, livelihoods and identity) that indigenous peoples may experience as development plans will be implemented without their participation.

# ASEAN

## Economic Community

— at a Glance —

### ASEAN Economy

A Highly Competitive Economic Region

With a combined GDP of **US\$2.6 trillion** in 2014, ASEAN economy was the **7th largest in the world** and the **3rd largest in Asia**

### ASEAN Population

A Region Fully Integrated Community

In 2014, ASEAN was the **3rd largest market in the world** with **622 million people** behind only China and India

### ASEAN Trade

A More Integrated Market

Total trade increased by nearly **US\$1 trillion** between 2007 and 2014, with **intra-ASEAN** trade comprising the **largest share** of ASEAN's total trade by partner.

### ASEAN FDI

A World Class Investment Destination

ASEAN attracted **US\$136 billion** in FDI in 2014, accounting for **11%** of global FDI inflows, up from only **5%** in 2007

### ASEAN Connectivity

A More Connected Community

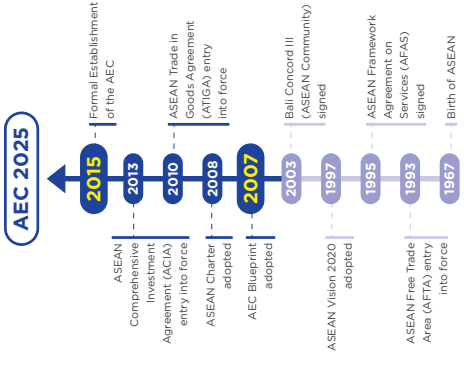
Annual tourist arrivals were up from **62 million** in 2007 to **105 million** in 2014, **almost half** of which were **intra-ASEAN**  
The rate of internet subscription **more than doubled** from **11.8 per 100 inhabitants** in 2007 to **28.6** in 2014



one vision  
one identity  
one community



## AEC Timeline



# ASEAN

## Economic Community

### at a Glance



The Association of Southeast Asian Nations (ASEAN) was established on 8 August 1967. The Member States of the Association are Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand and Viet Nam. The ASEAN Secretariat is based in Jakarta, Indonesia.

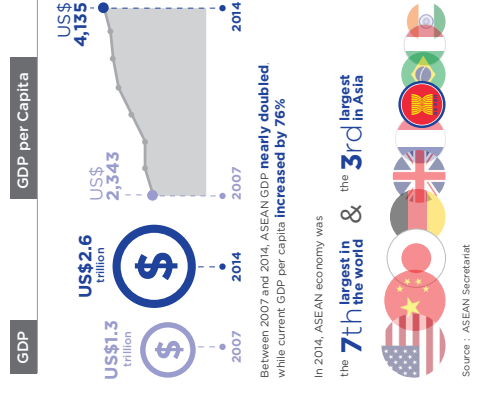
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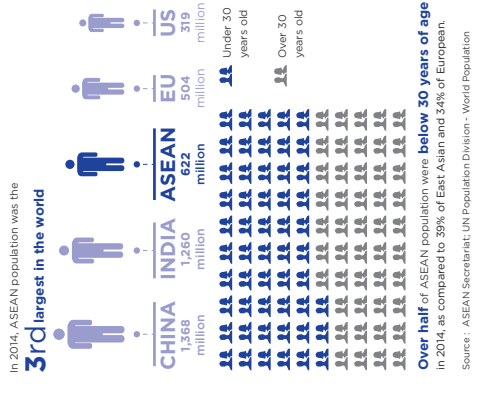
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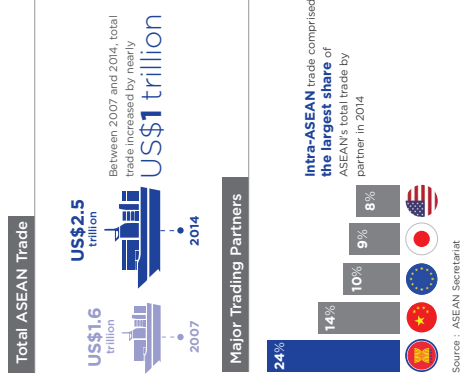
## ASEAN Economy



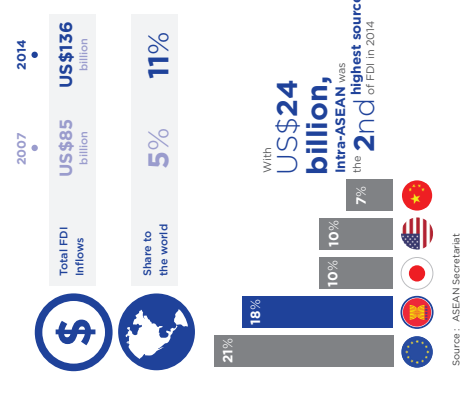
## ASEAN Population



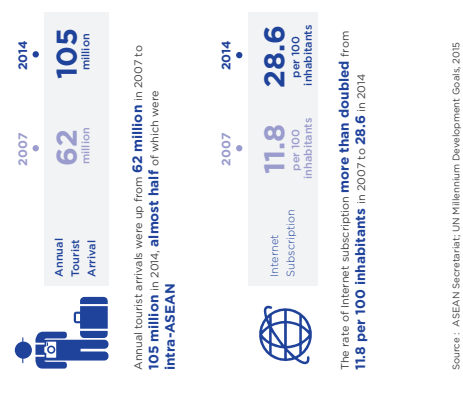
## ASEAN Trade



## ASEAN FDI



## ASEAN Connectivity



Source: <http://www.asean.org/storage/2015/12/AEC-at-a-Glance-2015.pdf>

## INDIGENOUS PEOPLES' ENGAGEMENT WITH THE ASEAN

In recent years, indigenous peoples in Southeast Asia have engaged the ASEAN for the recognition and protection of their individual and collective rights. Pivotal to their engagement was the creation in 2009 of the Indigenous Peoples Task Force (IPTF) by AIPP which is composed of indigenous leaders from ASEAN countries. IPTF has the following objectives:

- to coordinate the participation and engagement of indigenous peoples in the work of the ASEAN and its relevant bodies,
- and to serve as a platform for solidarity and unity for indigenous peoples to lobby the ASEAN and individual governments in the region.

IPTF has engaged with the AICHR particularly with the representatives from friendly States to gain their support to recognize the legal recognition of indigenous peoples as having collective rights. The IPTF also engages other civil society organizations to support indigenous issues and build a common platform for ASEAN advocacy as it expands its advocacy to the other ASEAN bodies, like the ASFN. Indigenous peoples' organisations have also started to engage officials at the national level.

## II. THE UN MECHANISMS SPECIFIC TO INDIGENOUS PEOPLES

### INPUT SESSION ON GLOBAL DEVELOPMENTS

For decades, indigenous peoples have mobilized themselves to influence the UN systems to assert and establish the recognition and inclusion of their rights in global processes and mechanisms<sup>15</sup>. These include the establishment of the UN Permanent Forum on Indigenous Issues (UNPFII), the Special Rapporteur on the rights of indigenous peoples and the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP). The adoption of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2007 is a landmark success.

### WHAT ARE THE UN MECHANISMS SPECIFIC TO INDIGENOUS PEOPLES?

There are three major United Nations mechanisms that work exclusively to advance the rights of indigenous peoples:

- The United Nations Permanent Forum on Indigenous Issues, a subsidiary body of the Economic and Social Council
- The Expert Mechanism on the Rights of Indigenous Peoples, a five-member expert advisory body of the Human Rights Council
- The Special Rapporteur on the rights of indigenous peoples, one of the special procedures of the Human Rights Council.

<sup>15</sup> See *An Evolving Partnership Foreword by Victoria Tauli-Corpuz UN Special Rapporteur on the Rights of Indigenous Peoples, November 2014.*

## A. UNITED NATIONS PERMANENT FORUM ON INDIGENOUS ISSUES (UNPFII)

The Permanent Forum was established as a subsidiary organ of the Economic and Social Council in 2000 by its resolution 2000/22, with a mandate to discuss issues relating to economic and social development, culture, the environment, education, health and human rights. It has a role to:

- Provide expert advice and recommendations on indigenous issues to the Economic and Social Council, as well as to UN programmes, funds and agencies through the Economic and Social Council
- Raise awareness and promote the integration and coordination of activities related to indigenous issues within the UN system
- Prepare and disseminate information on indigenous issues.<sup>16</sup>

The Permanent Forum has adopted the Declaration as its legal framework and is integrating the Declaration into recommendations on its six substantive mandated areas of work, as well as into special thematic focuses.<sup>17</sup>

The Permanent Forum holds annual two-week sessions at the UN Headquarters in New York. It held its first meeting in May 2002.

The Permanent Forum is comprised of 16 members, who are independent experts serving in their personal capacity. Each member sits for three years and may be re-elected or reappointed for one additional term. Eight members are elected by indigenous peoples' organizations, while the remaining eight members are nominated by States and elected by the Economic and Social Council.<sup>18</sup>

The Permanent Forum is supported by a secretariat, based at UN Headquarters within the Division for Social Policy and Development of the United Nations Department of Economic and Social Affairs, which:

- Prepares for annual sessions of the Permanent Forum and provides support for members;
- Advocates, facilitates and promotes the coordination of implementation within the UN system of the recommendations that emerge from each annual session and promote awareness of indigenous peoples' issues within the UN system and among Governments and the public;

<sup>16</sup> Economic and Social Council resolution 2000/22, para. 2.

<sup>17</sup> E/C.19/2009/14, annex, para. 23.

<sup>18</sup> A list of current members is available at [www.un.org/esa/socdev/unpfii/en/members.html](http://www.un.org/esa/socdev/unpfii/en/members.html).

- Serves as a source of information and coordination for advocacy efforts that relate to the Permanent Forum’s mandate and the ongoing issues concerning indigenous peoples.<sup>19</sup>

## B. EXPERT MECHANISM ON THE RIGHTS OF INDIGENOUS PEOPLES (EMRIP)

Established in 2007 by the Human Rights Council, the Expert Mechanism provides the Council with thematic advice in the form of studies and research on the rights of Indigenous Peoples. It may also suggest proposals to the Human Rights Council for its consideration and approval.

EMRIP is comprised of five independent experts who are appointed by the Human Rights Council, which gives due regard to experts of indigenous origin as well as to gender balance and geographic representation. It meets annually in Geneva. Its first meeting was held from 1-3 October 2008.

The Expert Mechanism completed its first study on indigenous peoples’ right to education in 2009, including recommendations on how to realize indigenous peoples’ right to education. Its second study on indigenous peoples and the right to participate in decision-making was completed in September 2011. In September 2012, the Expert Mechanism submitted the following studies and reports to the Human Rights Council:

- Study on the role of languages and culture in the promotion and protection of the rights and identity of indigenous peoples;
- A report on indigenous peoples and the right to participate in decision-making with a focus on extractive industries;
- A report on its questionnaire for States on best practices regarding possible appropriate measures and implementation strategies in order to attain the goals of the Declaration.<sup>20</sup>

<sup>19</sup> Further information is available at [www.un.org/esa/socdev/unpfi/en/secretariat.html](http://www.un.org/esa/socdev/unpfi/en/secretariat.html).

<sup>20</sup> Further information is available at [www.ohchr.org/EN/Issues/IPeoples/EMRIP/Pages/ExpertMechanismDocumentation.aspx](http://www.ohchr.org/EN/Issues/IPeoples/EMRIP/Pages/ExpertMechanismDocumentation.aspx)

## C. THE SPECIAL RAPPORTEUR ON THE RIGHTS OF INDIGENOUS PEOPLES (UNSRIP)

In 2001, the Commission on Human Rights authorized the establishment of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people. This mandate, now known as the Special Rapporteur on the rights of indigenous peoples reports to the Human Rights Council and to the General Assembly.<sup>21</sup> It also works cooperatively with the Expert Mechanism and the Permanent Forum. Importantly, the Special Rapporteur is charged with promoting the Declaration and other relevant international instruments.

To fulfil its mandate, the Special Rapporteur:

- Promotes good practices, including new laws, government programs and constructive agreements between indigenous peoples and States, to implement international standards concerning the rights of indigenous peoples
- Reports on the overall human rights situations of indigenous peoples in selected countries (noting that the Special Rapporteur can only visit a country following an official invitation from the State)
- Addresses specific cases of alleged violations of the rights of indigenous peoples through communications with States and others
- Conducts or contributes to thematic studies on topics of special importance regarding the promotion and protection of the rights of indigenous peoples.

<sup>21</sup> On 30 September 2010, the Human Rights Council adopted resolution 15/14 to, inter alia, change the title of the mandate to “Special Rapporteur on the rights of indigenous peoples”.

## THE MANDATE OF THE SPECIAL RAPPOREUR ON THE RIGHTS OF INDIGENOUS PEOPLES<sup>22</sup>

### **The Human Rights Council requests the Special Rapporteur:**

- (a) To examine ways and means of overcoming existing obstacles to the full and effective protection of the rights of indigenous peoples, in conformity with his/her mandate, and to identify, exchange and promote best practices.
- (b) To gather, request, receive and exchange information and communications from all relevant sources, including Governments, indigenous peoples and their communities and organizations, on alleged violations of the rights of indigenous peoples.
- (c) To formulate recommendations and proposals on appropriate measures and activities to prevent and remedy violations of the rights of indigenous peoples.
- (d) To work in close cooperation and coordination with other special procedures and subsidiary organs of the Council, in particular with the Expert Mechanism on the Rights of Indigenous Peoples, relevant United Nations bodies, the treaty bodies and regional human rights organizations.
- (e) To work in close cooperation with the Permanent Forum on Indigenous Issues and to participate in its annual session.
- (f) To develop a regular cooperative dialogue with all relevant actors, including Governments, relevant United Nations bodies, specialized agencies and programmes, as well as indigenous peoples, national human rights institutions, non-governmental organizations and other regional or subregional international institutions, including on possibilities for technical cooperation at the request of Governments.
- (g) To promote the United Nations Declaration on the Rights of Indigenous Peoples and international instruments relevant to the advancement of the rights of indigenous peoples, where appropriate.
- (h) To pay special attention to the human rights and fundamental freedoms of indigenous children and women, and to take into account a gender perspective in the performance of his/her mandate.
- (i) To consider relevant recommendations of the world conferences, summits and other United Nations meetings, as well as the recommendations, observations and conclusions of the treaty bodies on matters regarding his/her mandate.
- (j) To submit a report on the implementation of his/her mandate to the Council in accordance with its annual programme of work.

<sup>22</sup> Human Rights Council resolution 15/14.

## WHAT HAVE INDIGENOUS PEOPLES ACHIEVED IN THE ABOVE PROCESSES?

In the review conducted by Tebtebba in 2014, it described several gains of indigenous peoples in their decades old engagement with the UN. The review covered the assessment of the work done by various UN agencies and bodies with specific mandate on indigenous peoples' issues like the UNPFII, the Special Rapporteur, and the EMRIP.

Despite the challenge of monitoring responses of UN bodies to uphold the rights of indigenous peoples the review found the following:

- Positive contribution of the UNPFII in mainstreaming indigenous peoples' rights within the UN system
- Communications and reports by SR have provided in-depth analysis of the situation of indigenous peoples and have been very useful guides for the work of UN Country Teams and agencies

## IV. INDIGENOUS PEOPLES AND THE WORLD CONFERENCE ON INDIGENOUS PEOPLES(WCIP)

The WCIP was a High Level Plenary Meeting of the UN General Assembly attended by Heads of State and Government, ministers and representatives of Member States, UN agencies and civil society representatives as well as hundreds of indigenous representatives from the different global regions and major groups on September 22-23, 2014.

The objectives of the WCIP were to share perspectives and best practices on the realization of the rights of indigenous peoples, and to pursue the objectives and improve the implementation of the UNDRIP. The conference hoped to result in a concise action-oriented Outcome Document.

A draft text based on consultations with Member States as well as indigenous peoples was prepared for adoption during the WCIP. Meanwhile, indigenous peoples held their own regional meetings. There were 7 regional caucuses (including that among women and youth) coordinated through respective representatives organized as the Global Coordinating Committee (GCG). A Global Indigenous Preparatory Conference was also held in June 2013 in Alta, Norway. The Alta meeting came out with the Alta Outcome Document that reiterated indigenous perspectives, aspirations and recommendations towards the implementation of the UNDRIP.

## WHAT IS IN THE ALTA DOCUMENT?

- The Alta Outcome Document, in its Preamble, affirms the perspective of indigenous peoples: “As the original and distinct Peoples and Nations of our territories we abide by natural laws and have our own laws, spirituality and world views. We have our own governance structures, knowledge systems, values and the love, respect and lifeways, which form the basis of our identity as Indigenous Peoples and our relationship with the natural world.”
- The document reiterates: “For centuries, we Indigenous Peoples have faced and continue to face colonization of our lands, territories, resources, air, ice, oceans and waters, mountains and forests. This has resulted in patterns of domination, exploitation and subjugation of our Peoples.”
- It upholds the provisions of the UNDRIP “that affirm the inherent rights of Indigenous Peoples to participate fully in decision-making”...
- It affirms that “nothing in this [WCIP] process or its outcomes may be interpreted as diminishing or eliminating any of the rights of Indigenous Peoples contained in the Declaration, or any of the other international standards which protect, defend and uphold the inherent economic, social, cultural, civil, political, educational and spiritual rights of Indigenous Peoples.”

- The Document goes on to identify four overarching themes encapsulating those issues that are of greatest importance to Indigenous Peoples. Each overarching theme was accompanied by specific and concrete recommendations for inclusion in the final Outcome Document of the WCIP. The themes of the Alta Outcome Document were:

**Theme 1:** Indigenous Peoples' lands, territories, resources, oceans and waters

**Theme 2:** UN system action for the implementation of the rights of Indigenous Peoples

**Theme 3:** Implementation of the Rights of Indigenous Peoples

**Theme 4:** Indigenous Peoples' priorities for Development with free, prior and informed consent

The inputs from the indigenous peoples' preparatory processes were welcomed by the WCIP, including the Alta Outcome Document of the Global Indigenous Preparatory Conference and other contributions made by indigenous peoples. In the end, the WCIP adopted an Outcome Document that pursues the realization of the rights enshrined in the UNDRIP, which establishes minimum standards for Indigenous Peoples' survival, dignity, well-being and rights. The Outcome Document further expressed and reiterated the important and continuing role of the United Nations in promoting and protecting the rights of indigenous peoples.

# SUMMARY OF THE WCIP OUTCOME DOCUMENT

The WCIP Outcome Document was unanimously adopted during the WCIP opening plenary session. Provisions include commitments to:

- “consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their Free, Prior and Informed Consent before adopting and implementing legislative or administrative measures that may affect them, in accordance with the applicable principles of the Declaration,” [paragraph 3] as well as “prior to the approval of any project affecting their lands or territories and other resources.” [paragraph 20]
- “cooperating with Indigenous Peoples, through their own representative institutions, to develop and implement national action plans, strategies or other measures, where relevant, to achieve the ends of the Declaration.” [paragraph 8]
- “intensifying our efforts to prevent and eliminate all forms of violence and discrimination against discrimination against Indigenous Peoples and individuals, in particular, women, children, youth, older persons and persons with disabilities, by strengthening legal, policy and institutional frameworks.” [paragraph 18]
- “giving due consideration to all the rights of Indigenous Peoples in the elaboration of the post-2015 development agenda.”

The Outcome Document further:

- “invite[s] Member States and actively encourage[s] the private sector and other institutions to contribute to the United Nations Voluntary Fund for Indigenous Peoples, the Trust Fund on Indigenous Issues, the Indigenous Peoples Assistance Facility and the United Nations Indigenous Peoples’ Partnership as a means of respecting and promoting the rights of indigenous peoples worldwide. [paragraph 38]

- “requests the Secretary-General, in consultation with the Inter-Agency Support Group on Indigenous Peoples’ Issues and Member States, taking into account the views expressed by Indigenous Peoples, to report to the General Assembly at its seventieth session on the implementation of the present outcome document, and to submit at the same session, through the Economic and Social Council, recommendations regarding how to use, modify and improve existing United Nations mechanisms to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples, ways to enhance a coherent, system-wide approach to achieving the ends of the Declaration and specific proposals to enable the participation of Indigenous Peoples’ representatives and institutions, building on his report on ways and means of promoting participation at the United Nations of Indigenous Peoples’ representatives on the issues affecting them.”

In addition, the WCIP “invites the Human Rights Council, taking into account the views of indigenous peoples, to review the mandates of its existing mechanisms, in particular the Expert Mechanism on the Rights of Indigenous Peoples, during the sixty-ninth session of the General Assembly, with a view to modifying and improving the Expert Mechanism so that it can more effectively promote respect for the Declaration, including by better assisting Member States to monitor, evaluate and improve the achievement of the ends of the Declaration.”

## V. OTHER UN AGENCIES

Besides the mechanisms that are specifically devoted to work on indigenous peoples' issues, the full range of human rights monitoring mechanisms, including the Universal Periodic Review, the treaty monitoring bodies and special procedures as well as the ILO supervisory bodies and UN agencies are increasingly addressing indigenous peoples' rights under their mandates.

To address specific issues of indigenous peoples, diverse agencies were also tasked to play their role and contribute in the process.

### A. INSTITUTIONAL POLICIES ON INDIGENOUS PEOPLES OF UN AGENCIES:

Institutional policies on indigenous peoples are important for ensuring commitment, focus, coherence, capacity and accountability. So far, the following UN agencies, programs and funds have adopted institutional policies on indigenous peoples:

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

The UNDP adopted its Policy of Engagement in 2001. The rationale for UNDP engagement with indigenous peoples and their organizations is grounded in UNDP's mandated areas of work, processes and agreements of development cooperation, and the aspirations of indigenous peoples. The two overall objectives of UNDP engagement with indigenous peoples and their organizations are:

1. To foster an enabling environment that promotes indigenous peoples' participation in all decision-making levels; ensures the co-existence of their economic, cultural, and socio-political systems with others; and develops the capacity of Governments to build more inclusive policies and programmes; and
2. To integrate indigenous peoples' perspectives and concepts of development into UNDP work.

In the UNDP consultation process leading up to the formulation of its policy, representatives from indigenous peoples organizations identified the following areas for UNDP support: (a). Participation, (b). Self-determination, (c). Conflict prevention and peace-building, (d). Environment and sustainable development, and (e). Globalization. In addressing globalization, indigenous peoples urged that UNDP examine its effects on the livelihoods of indigenous peoples, especially with regard to food security, security of tenure, gender equity, intellectual and cultural property rights, and indigenous knowledge.

### • **International Fund for Agricultural Development (IFAD)** <sup>23</sup>

IFAD developed its policy on indigenous peoples in 2009 following the adoption of UNDRIP and recommendations by the UNPFII. IFAD's Policy on Engagement with Indigenous Peoples aims to enhance its development effectiveness in its engagement with indigenous peoples' communities in rural areas and especially to empower them to overcome poverty by building upon their identity and culture.

In its policy of engagement with indigenous peoples, IFAD is guided by nine fundamental principles: (a) cultural heritage and identity as assets; (b) free, prior and informed consent; (c) community-driven development; (d) land, territories and resources; (e) indigenous peoples' knowledge; (f) environmental issues and climate change; (g) access to markets; (h) empowerment; and (i) gender equality. IFAD aims to implement these principles in the formulation of country strategies, in policy dialogue and throughout the project cycle.

In addition, IFAD has strengthened the Indigenous Peoples Assistance Facility (IPAF), a targeted fund for indigenous peoples, which finances microprojects designed and implemented by indigenous peoples' communities and organizations. IPAF is a financial instrument whereby IFAD can build direct partnerships with indigenous peoples' communities and grassroots organizations, who design and implement small development projects based on their own values and priorities. Furthermore, IFAD has developed dialogue with indigenous peoples through the creation of an indigenous peoples' forum.

### • **Food and Agriculture Organization (FAO)** <sup>24</sup>

The FAO formulated its "FAO Policy on Indigenous and Tribal Peoples" in 2010 to ensure that FAO would take efforts to respect, include and promote indigenous issues in their work. It was seen that FAO, as an organization specializing in rural poverty reduction and food security, needed to consider indigenous peoples as fundamental stakeholders and partners in development, especially so since indigenous peoples possess specialized knowledge and ingenuity that characterize indigenous livelihood practices.

The central purpose of the policy is to provide a framework to guide FAO's work where indigenous peoples are concerned. The core principles of the FAO policy include: Self-determination, Development with identity, Free, prior and informed consent, Participation and inclusion, Rights over land and other natural resources, Cultural rights, Collective rights and Gender equality.

The following priority areas of work were identified as the bases for greater collaboration between FAO and indigenous peoples: Natural resources, environment and genetic

<sup>23</sup> IFAD. Engagement with Indigenous Peoples Policy. 2009

<sup>24</sup> FAO Policy on Indigenous and Tribal Peoples. 2010

resources, Climate change and bioenergy, Land and territories, Food security, nutrition and the right to food, Communication and knowledge systems, Cultural and biological diversity and Economic opportunity for sustainable livelihoods.

### • **United Nations Environment Programme (UNEP)**

United Nations Environment Programme (UNEP) developed a Policy Guidance on partnering with indigenous peoples in 2012. The objectives of the policy are to strengthen the capacity of UNEP staff in understanding indigenous peoples' perspectives, needs and concerns; and to establish and employ a more systematic mechanism in UNEP to take into account indigenous peoples' views, needs and rights. The purpose of the Guidance is to assist UNEP, its partners and indigenous peoples in facilitating partnerships between UNEP and indigenous peoples, develop a better understanding among UNEP staff and partners of emerging and important issues for indigenous peoples, and establish a strengthened institutional interaction between UNEP and indigenous peoples.<sup>25</sup>

## **B. GENERAL OBSERVATIONS ON THE INSTITUTIONAL POLICIES ON INDIGENOUS PEOPLES OF UN AGENCIES:**

Despite institutional particularities, the policies share a number of common features:

- They are not stand-alone commitments but relate the rights of indigenous peoples to the broader mandate of the agencies and specify principles and priorities for collaboration;
- They recognize the importance and relevance of indigenous peoples for overall agency objectives in terms of poverty reduction, elimination of hunger and malnutrition, sustainable development, management and conservation of ecosystems and biodiversity, mitigation and adaptation to climate change, improvement of agricultural productivity, among others;
- They set the framework for mutually beneficial partnerships between indigenous peoples and concerned agencies, based on common substantial objectives;
- They have explicit reference to UNDRIP and adhere to the principle of FPIC;
- They provide for institutional implementation mechanisms, including for designation of staff resources, establishment of mechanisms for dialogue with indigenous peoples, intra-agency coordination and monitoring of progress;
- They provide for full and effective participation of indigenous peoples throughout the project cycle, to ensure adherence to their rights and aspirations for development.

<sup>25</sup> UNEP and Indigenous Peoples: A Partnership in Caring for the Environment Policy Guidance. 2013. Accessed on April 20, 2015 from [http://www.unep.org/civil-society/Portals/24105/documents/meetings/UNFP/II/UNP/II-12/UNEP\\_IP\\_Guidance\\_PPT.pdf](http://www.unep.org/civil-society/Portals/24105/documents/meetings/UNFP/II/UNP/II-12/UNEP_IP_Guidance_PPT.pdf)

The review further confirmed that the policies have enhanced visibility and action on indigenous peoples within the agencies, and have increased collaboration with indigenous peoples in strategies, programs and projects.

## 5. Multilateral Environmental Agreements (MEA)

Multilateral Environmental Agreements are legally binding agreements between several States related to the environment. Various terms are used to designate these agreements: (agreement, convention, covenant, protocol, treaty). The United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro, Brazil, in 1992 was attended by thousands of participants, including 176 States, of which 103 were represented by the Head of Government. The numerous results of the Rio Conference included two major MEA relevant to indigenous peoples. These were the adoption of the United Nations Framework Convention on Climate Change (known as UNFCCC) and the adoption of the Convention on Biological Diversity (known as CBD).<sup>26</sup>

Recent developments in relation to these two framework environmental agreements and indigenous peoples are presented below:

### a. United Nations Framework Convention on Climate Change (UNFCCC)<sup>27</sup>

The United Nations Framework Convention on Climate Change, UNFCCC, is an international treaty created at the Earth Summit in Rio in 1992 to tackle the growing problem of global warming and related harmful changes in the climate, such as more frequent droughts, hurricanes and rising sea levels. Indigenous peoples engage in the UNFCCC process to advocate for the agreements under the convention to recognize their special concerns and human rights.

Indigenous rights issues cut across almost all areas of negotiation but have been highlighted most significantly within the negotiations on forest conservation, known as REDD+, Reduced Emissions from Deforestation and Forest Degradation, one of the mitigation measures.

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26 Multilateral Environmental Agreement Negotiator's Handbook Second Edition: 2007 University of Joensuu Department of Law, FINLAND

27 Excerpt from *International Work Group on Indigenous Affairs (IWGLA)* accessed on April 20, 2015 from <http://www.iwgia.org/human-rights/un-mechanisms-and-processes/un-framework-convention-on-climate-change-unfccc>

Indigenous peoples have been engaged in the UNFCCC process since the year 2000. Indigenous peoples' NGOs can apply for observer status under the convention, and those that are accepted can nominate participants to the sessions of the different bodies under the convention.

The International Indigenous Peoples' Forum on Climate Change, IIPFCC, is the joint indigenous caucus in the UNFCCC process, a body that is open to indigenous activists who wish to engage in the negotiations at any given time.

The 21st Conference of Parties to the UNFCCC took place in Paris France on November 30 to December 12, 2015. COP 21, also known as the 2015 Paris Climate Conference, was, for the first time in over 20 years of UN negotiations, able to achieve a legally binding and universal agreement on climate, with the aim of keeping global warming below 2°C.

This COP presented a vital opportunity among indigenous peoples to incorporate their perspective in the New Climate Agreement. Hundreds of indigenous peoples travelled from diverse landscapes, representing seven regions of Africa, the Arctic, Asia, Latin America and the Caribbean, North America, the Pacific, and Russia and Eastern Europe to meaningfully participate in the COP.

In preparation for the COP and to advance and strengthen collective work, indigenous peoples had conducted national and regional consultations among indigenous peoples, formal meetings between indigenous leaders and high-level government officials around the world. During the COP, indigenous peoples organized themselves to advance demands in the negotiating text itself and an Indigenous Peoples' Pavilion, a dedicated on-site convening space, in close proximity to the global climate negotiations, was established. The IP Pavilion served as a platform for indigenous peoples to strategize, build alliances, share cultural practices, hold policy dialogues, and engage both official COP21 delegates and public participants in learning, discussion and debate.

Achieving a new international climate agreement in Paris was quite challenging especially on the issue of embracing the rights-based approach as framework by the new climate agreement. Despite noted flaws of the decisions and dissatisfaction in the final outcome of the text vis-a vis the demands of indigenous peoples in COP 21, the IIPFCC still recognized some gains and positive results of engagement in COP 21.

## FRAMEWORK

*Acknowledging* that climate change is a common concern of humankind, Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity,

*Noting* the importance of ensuring the integrity of all ecosystems, including oceans, and the protection of biodiversity, recognized by some cultures as Mother Earth, and noting the importance for some of the concept of “climate justice”, when taking action to address climate change,

*Recognizing* the urgent need to enhance the provision of finance, technology and capacity-building support by developed country Parties, in a predictable manner, to enable enhanced pre-2020 action by developing country parties,

*Agreeing* to uphold and promote regional and international cooperation in order to mobilize stronger and more ambitious climate action by all Parties and non-Party stakeholders, including civil society, the private sector, financial institutions, cities and other sub-national authorities, local communities and indigenous peoples,

## KEEPING TEMPERATURE RISES BELOW 2°C

Holding the increase in the global average temperature to well below 2 °C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5 °C above pre-industrial levels, recognizing that this would significantly reduce the risks and impacts of climate change;

## ON ADAPTATION

Parties acknowledge that adaptation action should follow a country-driven, gender- responsive, participatory and fully transparent approach, taking into consideration vulnerable groups, communities and ecosystems, and should be based on and guided by the best available science and, as appropriate, traditional knowledge, knowledge of indigenous peoples and local knowledge systems,

with a view to integrating adaptation into relevant socioeconomic and environmental policies and actions, where appropriate.

### **ON FINANCE**

Recognizes the importance of adequate and predictable financial resources, including for results-based payments, as appropriate, for the implementation of policy approaches and positive incentives for reducing emissions from deforestation and forest degradation, and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks; as well as alternative policy approaches, such as joint mitigation and adaptation approaches for the integral and sustainable management of forests; while reaffirming the importance of non-carbon benefits associated with such approaches; encouraging the coordination of support from, inter alia, public and private, bilateral and multilateral sources, such as the Green Climate Fund, and alternative sources in accordance with relevant decisions by the Conference of the Parties;

### **ON PARTICIPATION**

Recognizes the need to strengthen knowledge, technologies, practices and efforts of local communities and indigenous peoples related to addressing and responding to climate change, and establishes a platform for the exchange of experiences and sharing of best practices on mitigation and adaptation in a holistic and integrated manner;

### **ON INDCs' INTENDED NATIONALLY DETERMINED CONTRIBUTIONS**

Notes with concern that the estimated aggregate greenhouse gas emission levels in 2025 and 2030 resulting from the intended nationally determined contributions do not fall within least-cost 2°C scenarios but rather lead to a projected level of 55 gigatonnes in 2030, and also notes that much greater emission reduction efforts will be required than those associated with the intended nationally determined contributions in order to hold the increase in the global average temperature to below 2°C above pre-industrial levels by reducing emissions to 40 gigatonnes or to 1.5°C above pre-industrial levels by reducing to a level to be identified in the special report.

## • UN-REDD Programme Operational Guidance: Engagement of Indigenous Peoples and Other Forest Dependent Communities<sup>28</sup>

The UN-REDD Operational Guidance on the Engagement of Indigenous Peoples and Other Forest Dependent Communities is intended to inform on the design, implementation, and monitoring and evaluation of UN-REDD Programme activities at the global and national levels. The Guidance provides background and context on the inclusion of indigenous peoples in UN programmes and activities identify the guiding principles in order to respect and support the rights of indigenous peoples and other forest dependent communities. The Guidance also provides best practice advice on how to consult with indigenous peoples and other forest dependent communities and links to resources for further information. The Guidance is intended to be used by UN-REDD Programme staff, UN Country Team staff, and national government and civil society counterparts who are involved in any UN-REDD Programme activities that may impact upon the rights and livelihoods of indigenous peoples or other forest dependent communities.

It was developed to ensure that consideration for and participation of local and indigenous peoples are integrated into the work of the UN Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (UN-REDD).

The Guiding Principles for the UN-REDD Programme on the Rights of Indigenous Peoples and Other Forest Dependent Communities are:

1. All UN-REDD Programme activities, particularly those that may potentially impact on indigenous peoples, must follow a human rights-based approach and must also adhere to the UNDRIP, the UNDG Guidelines on Indigenous Peoples' Issues, and the International Labour Organization Convention No. 169 (Indigenous & Tribal Peoples' Convention)
2. Free, Prior, and Informed Consent must be adhered to, and is essential to ensuring the full and effective participation of indigenous peoples and other forest dependent communities in policy-making and decision-taking processes within UN-REDD Programme activities.

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<sup>28</sup> UN-REDD Programme Engagement of Indigenous Peoples & other forest dependent communities. 2009 Accessed on April 20, 2015 from <http://www.un-redd.org/Portals/15/documents/events/20090309Panama/Documents/UN%20REDD%20IP%20Guidelines%2023Mar09.pdf>

3. The UN-REDD Programme must ensure that there is broad representation of indigenous peoples, including women and youth, at all stages of its activities (policy development, conception of activities, programme and project design, implementation, oversight and monitoring mechanisms, outreach and communication, closure, and evaluation). Representation of indigenous peoples must follow the guidance provided by the UNDG Guidelines on Indigenous Peoples' Issues.

## **b. Convention on Biological Diversity (CBD)**

### **The Nagoya Protocol on Access and Benefit-sharing and Traditional Knowledge**

A major accomplishment at COP 10 of the Convention on Biological Diversity (CBD) was the adoption of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from the Utilization of Genetic Resources (Nagoya Protocol) following six years of intense negotiations. Indigenous and local communities participated, including those on government delegations, throughout the negotiations.

The Nagoya Protocol is the first international instrument of particular relevance to indigenous and local communities negotiated since the adoption of the UNDRIP. As such it is a significant step in mainstreaming indigenous rights as a cross-cutting issue in international negotiations.

The purpose of the Protocol is to effectively implement one of the three core objectives of the Convention: the fair and equitable sharing of benefits arising from the utilization of genetic resources. It builds on the access and benefit-sharing provisions of the Convention.

The Protocol contains significant provisions relating to traditional knowledge associated with genetic resources held by indigenous and local communities, as well as to genetic resources held by indigenous and local communities where the rights of these communities over these resources have been recognized. The Protocol sets out clear obligations of States to seek the free prior informed consent of indigenous and local communities in these situations. It also provides for the sharing of benefits arising from the use of traditional knowledge associated with genetic resources, as well as benefits arising from the use of genetic resources in accordance with domestic legislation. Benefit sharing must be based on mutually agreed terms.

In addition, Parties to the Protocol must ensure that their nationals comply with the domestic legislation and regulatory requirements of provider countries related to access and benefit-sharing of traditional knowledge associated with genetic resources.

### “Indigenous Peoples and Local Communities”<sup>29</sup>

During the 12th meeting of the Conference of the Parties (COP) to the Convention of Biological Diversity (CBD) held from 6th to 17th October 2014 in Pyeongchang, Korea, the CBD agreed on using the term “Indigenous Peoples and Local Communities” in its texts. After years of advocacy, indigenous peoples succeeded in changing the terminology of future decisions under the CBD from “indigenous and local communities” to “indigenous peoples and local communities.”

Since its establishment in 1996, the International Indigenous Forum on Biodiversity (IIFB) has been coordinating the effective participation of indigenous peoples in CBD processes. The IIFB has been consistent in advocating for the recognition of indigenous peoples’ rights and indigenous peoples as distinct from local communities. Under international human rights law as embodied in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), indigenous peoples as “peoples” are entitled to collective rights as a matter of social justice. The term “indigenous and local communities” is perceived by indigenous peoples as inappropriate and misleading.

After a series of interventions facilitated and organized by Asia Indigenous Peoples Pact (AIPP) and the IIFB, a draft text was formulated proposing the use of the term “Indigenous Peoples and Local Communities” in future decisions and secondary documents under the Convention. These efforts resulted in the adoption of “Indigenous Peoples and Local Communities” without formally changing the original Convention.

The IIFB acknowledged and appreciated this recognition and respect of Indigenous Peoples’ fundamental identity and distinction as “peoples” as it embodies their entitlement to collective rights under international human rights instruments.

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<sup>29</sup> Excerpt from *Climate Change Monitoring and Information Network (CCMIN)* [www.ccm.in.aippnet.org](http://www.ccm.in.aippnet.org)

## KEY POINTS OF THE DISCUSSION ON MULTILATERAL ENVIRONMENTAL AGREEMENTS:

- Indigenous peoples have been engaging for many years in both the UNFCCC and CBD processes to advocate for agreements under the conventions that recognize their special concerns and human rights.
- The International Indigenous Peoples' Forum on Climate Change, IIPFCC, is the joint indigenous caucus in the UNFCCC process, composed of indigenous activists engaging in the negotiations at any given time.
- Indigenous rights have been highlighted most significantly within the UNFCCC negotiations on forest conservation, known as REDD+, Reduced Emissions from Deforestation and Forest Degradation.
- Another positive development is the UN-REDD Operational Guidance on the Engagement of Indigenous Peoples and Other Forest Dependent Communities.
- The International Indigenous Forum on Biodiversity (IIFB) has been coordinating the effective participation of indigenous peoples in CBD processes since 1996.
- A major accomplishment during COP 10 of the CBD was the adoption of the Nagoya Protocol, which contains significant provisions relating to traditional knowledge associated with genetic resources held by indigenous and local communities.
- Another accomplishment during COP12 of the CBD was changing the terminology of future decisions under the CBD from “indigenous and local communities” to “indigenous peoples and local communities.”

## 6. Policy developments of international financial institutions (IFI) in relation to indigenous peoples' rights



### Asian Development Bank (ADB)<sup>30</sup>

In many developing countries, international financial institutions (IFIs) including the World Bank (WB) and the Asian Development Bank (ADB) have been actively funding development projects that have had adverse impacts on many indigenous communities. Many of the projects are large scale dams and infrastructure projects that led to forced relocation, displacement and severe human rights violations of indigenous peoples.

With these experiences, indigenous peoples have criticized IFIs for their lack of policies and mechanisms for the recognition and protection of indigenous peoples' rights and welfare. A particular target of criticism was the ADB, the third largest donor to developing countries in Asia and Pacific. The strong lobby and advocacy work of indigenous peoples with the ADB led to the formulation of ADB's Policy on Indigenous Peoples in 1998. ADB likewise formulated two safeguard policies relevant to indigenous peoples - Involuntary Resettlement Policy in 1995 and Environment Policy in 2002. From 2007 to 2009, the ADB conducted a safeguard policy update resulting to the formulation and approval of the Safeguard Policy Statement (SPS) in 2009, which superseded these three existing safeguard policies. ADB also revised its Accountability Mechanism in 2012.

ADB's SPS and Accountability Mechanism are no guarantee for the safety of indigenous communities from the potential risks and impacts of ADB projects. However, these mechanisms can be used to demand deeper and more comprehensive review of the ADB's development interventions within the framework of sustainable development underpinned by the respect, recognition and protection of human rights.

For more information on the ADB Safeguard Policy Statement, refer to AIPP's publication *We Have Rights. A Community Guide for Indigenous Peoples on the ADB Safeguard Policy Statement and Accountability Mechanism* published in 2013 <http://www.aippnet.org/index.php/publication-sp-2697/human-rights/1306-we-have-the-rights-a-community-guide-for-indigenous-peoples-on-the-2009-adb-safeguard-policy-statement-and-accountability-mechanism>

<sup>30</sup> Excerpts from *We Have Rights. A Community Guide for Indigenous Peoples on the ADB Safeguard Policy Statement and Accountability Mechanism* published by AIPP in 2013



### World Bank (WB)

The World Bank is currently reviewing its safeguard policies including its Operational Policy on Indigenous Peoples (OP 4.10). In 2011, the Bank conducted a Learning Review (FY 2006–2008) on the Implementation of the World Bank’s Indigenous Peoples Policy.<sup>31</sup> The review led by the Bank’s Indigenous Peoples Advisor found, inter alia, (i) systemic failure to prepare indigenous peoples-appropriate planning documents; (ii) widespread failure to appropriately disclose planning documents to impacted indigenous peoples; (iii) lack of documentation related to the required broad community support (and therefore inability to confirm its existence); (iv) consistent inability to appropriately address land and resource rights in projects where such rights are relevant; (v) widespread failure to establish local or national level complaints mechanisms; and (vi) failure to establish the required benefit-sharing agreements for projects where lands or cultural resources are commercially developed.

Central to the failure of this policy to effectively address indigenous peoples’ concerns with Bank-financed projects are two key factors. First, the current Operational Policy on Indigenous Peoples itself is not based on a human rights-based approach; for example, it is inconsistent with the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and the International Labour Organization (ILO) Convention 169. The second key factor is the persistent lack of political will within the Bank’s Senior Management to effectively enforce the requirements under the existing operational policy framework, let alone to attempt to go beyond them to meet the existing international standards on indigenous peoples.

The current draft safeguard policy on Indigenous Peoples (ESS7)<sup>32</sup> of the World Bank contains the language on Free Prior and Informed Consent (FPIC) for Indigenous Peoples but there is still a need to strengthen this to be aligned with international human rights standards as well as with existing international environment and social safeguards.

31 [http://siteresources.worldbank.org/INTSAFEPOL/Resources/Indigenous\\_peoples\\_review\\_august\\_2011.pdf](http://siteresources.worldbank.org/INTSAFEPOL/Resources/Indigenous_peoples_review_august_2011.pdf)

32 [https://consultations.worldbank.org/Data/hub/files/consultation-template/review-and-update-world-bank-safeguard-policies/en/materials/proposed\\_environmental\\_and\\_social\\_standards\\_-\\_ess7.pdf](https://consultations.worldbank.org/Data/hub/files/consultation-template/review-and-update-world-bank-safeguard-policies/en/materials/proposed_environmental_and_social_standards_-_ess7.pdf)



## International Finance Corporation (IFC)

The 2012 edition of IFC's Sustainability Framework, which includes IFC's Environmental and Social Performance Standards, defines IFC clients' responsibilities for managing their environmental and social risks. Part of the Performance Standard is that of Indigenous Peoples (Performance Standard 7<sup>33</sup>) which aims:

- *To ensure that the development process fosters full respect for the human rights, dignity, aspirations, culture, and natural resource-based livelihoods of Indigenous Peoples.*
- *To anticipate and avoid adverse impacts of projects on communities of Indigenous Peoples, or when avoidance is not possible, to minimize and/or compensate for such impacts.*
- *To promote sustainable development benefits and opportunities for Indigenous Peoples in a culturally appropriate manner.*
- *To establish and maintain an ongoing relationship based on Informed Consultation and Participation (ICP) with the Indigenous Peoples affected by a project throughout the project's life-cycle.*
- *To ensure the Free, Prior, and Informed Consent (FPIC) of the Affected Communities of Indigenous Peoples when the circumstances described in this Performance Standard are present.*
- *To respect and preserve the culture, knowledge, and practices of Indigenous Peoples.*

A Community Guide to the International Finance Corporation's Performance Standard 7 on Indigenous Peoples (PS7), <http://www.forestpeoples.org/sites/fpp/files/publication/2010/09/ifcps7guideoct08eng.pdf>

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33 [http://www.ifc.org/wps/wcm/connect/1ee7038049a79139b845faa8c6a8312a/PS7\\_English\\_2012.pdf?MOD=AJPERES](http://www.ifc.org/wps/wcm/connect/1ee7038049a79139b845faa8c6a8312a/PS7_English_2012.pdf?MOD=AJPERES)

# PART V

## INDIGENOUS NAVIGATOR - UND RIP MONITORING TOOL

## OBJECTIVES:

After the training, the participants will be able to:

- Learn about monitoring the implementation of indigenous peoples' rights such as the Indigenous Navigator
- Describe indicators relevant to community in monitoring UNDRIP implementation
- Demonstrate how the Indigenous Navigator can be used by the community

## CONTENT

- Indigenous Navigator as a Monitoring Tool
- Themes of UNDRIP monitored by the Indigenous Navigator
- Indicators Relevant to Indigenous Peoples

## ACTIVITIES/METHODOLOGIES

### TRUE OR FALSE

In starting the session on the topic on Indigenous Navigator, ask the participants to make two statements about “monitoring indigenous peoples rights and indigenous navigator”, one of which is false. Ask participants to write their answers in a metacard. After the participants have written and read their answers in the metacard, the facilitator can ask the group which of those statements are facts or true. The facilitator can now continue with the rest of his/her presentation and can always refer back to the answers of the participants as a review and to validate statements earlier mentioned.

### ROLE PLAY

To further help participants understand the different themes in the UNDRIP allow participants to explain each of them by using the role play technique. The facilitator divides the participants into 13 smaller groups or teams of 2 to 3 people. Each group is assigned to do one theme including the overarching principles of the UNDRIP. Each group is given

10 minutes to plan and 5 minutes to present their role-play. They may use the Comparative Matrix of the UNDRIP and other Human Rights Instruments provided in <http://www.indigenousnavigator.org/> as reference for the UNDRIP articles pertaining to each theme.

## **SMALL GROUP DISCUSSION/WORKSHOP**

In discussing the session on Indicators divide the group into smaller group (6-7 members) and give them time (20mins) to discuss on the Matrix of Indicators as presented in the Indigenous Navigator. Ask them to answer the following questions related to the theme that they are assigned: In your experience, have the key attributes of these rights been achieved in your community? Has the government complied with its duty to respect, protect and fulfill these rights? Have the structural, process and outcome indicators been complied with or realized? Why or why not?

Allot 15 minutes for each of the group to report on their output. Print the Matrix of Indicators and give copies to participants for their reference.

# **INPUT SESSION ON THE INDIGENOUS NAVIGATOR AND INDIGENOUS PEOPLES**

## **I. BACKGROUND**

The adoption of UNDRIP made the States commit to respect, protect and fulfill the rights of indigenous peoples. The declaration underpinning other human rights instruments therefore entails that a violation of any provisions of UNDRIP means a violation of other human rights instruments ratified by the State.

Apart from the UNDRIP, States have recently reaffirmed their commitments to indigenous peoples' rights in the Outcome Document of the World Conference of Indigenous Peoples (WCIP), which establishes a series of concrete initiatives to be undertaken at the national level. There is now a need to monitor whether States are actually acting on these commitments.

Finally, the Millennium Development Goals (MDGs) were supposed to ensure certain minimum development standards for all people in the world by 2015. The monitoring

mechanisms established to keep track of the MDG attainments did not specifically monitor the situation of indigenous peoples. However, where data are available they uniformly confirm that indigenous peoples have not been equally benefited and still lag behind the non-indigenous population in crucial areas such as economic development, education, health etc. Indigenous peoples are concerned that this pattern of exclusion and discrimination may be repeated in the Sustainable Development Goals (SDGs), including in the failure to monitor the achievement of the SDGs for indigenous peoples.

In general, in many countries, information about indigenous peoples' rights and development is partial, sporadic, dispersed or simply not available. Further, no uniform approach to monitoring has been developed, which makes it almost impossible to compare information and identify trends over time and across countries and regions. It is but necessary that a reliable and sensitive tool must be available to surface relevant information that will reflect the situation of indigenous peoples.

## WHAT IS THE INDIGENOUS NAVIGATOR?<sup>34</sup>

The Indigenous Navigator is a project to develop monitoring tools for holding States accountable for their human rights duties and development commitments vis-à-vis indigenous peoples. The project provides a framework and a set of tools for indigenous peoples to systematically monitor the level of recognition and implementation of their rights.

The Indigenous Navigator is an initiative of the International Labour Organization (ILO) in collaboration with the Asia Indigenous Peoples Pact (AIPP), Forest Peoples Programme (FPP), and International Work Group for Indigenous Affairs (IWGIA), and Tebtebba Foundation, along with their national and local partners in Africa, Asia and Latin America. The project is funded by the European Commission, through the European Instrument for Democracy and Human Rights (EIDHR).

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<sup>34</sup> Excerpts from *Information Brochure of Indigenous Navigator - data by Indigenous Peoples, 2015*

# WHAT IS THE PURPOSE OF THE INDIGENOUS NAVIGATOR?

The Indigenous Navigator is designed to pursue multiple purposes:

- Provide indigenous peoples with a practical tool that they can use to systematically gather data and periodically monitor the level of State compliance with and implementation of UNDRIP and other human rights instruments
- Raise the awareness of indigenous peoples about their rights and thereby contributing to their empowerment and ability to claim their rights
- Provide essential information to guide and orient indigenous peoples' policy and advocacy strategies vis-a-vis States, development partners and international organizations
- Provide human rights monitoring bodies (including Special Rapporteurs), national human rights institutions, observatories, NGOs and other interested parties with a solid data set to assess State compliance with and implementation of UNDRIP and other human rights instruments, in individual countries and across countries and regions
- Hold States accountable by evidencing their compliance with - or failure to meet - human rights obligations and other commitments regarding indigenous peoples' rights and development
- Provide essential information to guide and orient States' and donors' policies and programs

# WHAT DOES THE INDIGENOUS NAVIGATOR MONITOR?

The Indigenous Navigator monitors:

- The implementation of the UN Declaration on the Rights of Indigenous Peoples
- The outcomes of the World Conference on Indigenous Peoples
- Essential aspects of the Sustainable Development Goals.

See <http://www.indigenousnavigator.org/> for more information on the Indigenous Navigator

Concretely, the Indigenous Navigator questionnaire and its underlying indicators are designed to monitor the following duties and commitments of States:

### 1. The duties of States under UNDRIP and other human rights instruments, including:

- ILO Convention No. 169
- The Universal Declaration of Human Rights (UDHR)
- The International Covenant on Economic, Social and Cultural Rights (ICESCR),
- The International Covenant on Civil and Political Rights, (ICCPR)
- The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)
- The Convention on the Rights of the Child (CRC)
- The International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

### 2. States' commitments enshrined in the Outcome Document of the WCIP

At the WCIP, the States committed to a series of actions and initiatives, which needs to be monitored.

STATE COMMITMENTS ENSHRINED IN THE WCIP OUTCOME DOCUMENT	PROPOSED INDICATORS
<b>GENERAL COMMITMENTS TO INDIGENOUS PEOPLES' RIGHTS AND THEIR IMPLEMENTATION</b>	
Respect, promote and advance and in no way diminish the rights of indigenous peoples and uphold the principles of the UNDRIP (para. 4).	Ratification of ICCPR; ICESCR, ICERD, CRC, CEDAW; ILO Convention No. 169.
Take, in consultation and cooperation with indigenous peoples, appropriate measures at the national level, including legislative, policy and administrative measures, to achieve the ends of UNDRIP (para 7).	Legislative, policy and administrative measures undertaken by States, in consultation and cooperation with indigenous peoples, to achieve the ends of the UNDRIP.

STATE COMMITMENTS ENshrINED IN THE WCIP OUTCOME DOCUMENT	PROPOSED INDICATORS
Cooperate with indigenous peoples, through their own representative institutions, to develop and implement national action plans, strategies or other measures, to achieve the ends of the Declaration (para. 8).	National action plans developed by States, in consultation and cooperation with indigenous peoples, to achieve the ends of the UNDRIP.
Promote awareness of UNDRIP among all sectors of society, including members of legislatures, the judiciary and the civil service (para. 7).	Initiatives to promote awareness of UNDRIP among members of legislatures, the judiciary and the civil service undertaken by States
Encourage States to ratify ILO Convention No. 169 (para. 6).	Ratification of ILO Convention No. 169
Give due consideration to recommendations and advice issued by UNPFII, EMRIP and the SRIP in cooperation with indigenous peoples (para. 5.)	<ul style="list-style-type: none"> <li>• Compliance with recommendations from the Universal Periodic Review and UN Treaties<sup>35</sup></li> <li>• Compliance with recommendations from the UN Special Rapporteur on the Rights of Indigenous Peoples and the ILO supervisory bodies concerning the situation of indigenous peoples</li> </ul>
<b>CONSULTATION AND CONSENT</b>	
Consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them (para. 3).	<ul style="list-style-type: none"> <li>• Recognition of the state duty to consult with indigenous peoples before adopting or implementing legislative or administrative measures that may affect them in the constitution or other forms of superior law or domestic law(s)</li> <li>• Procedures or mechanisms for State consultation of indigenous peoples</li> <li>• Impact assessments are undertaken prior to approval of projects that may affect indigenous peoples' lands, territories or resources, with</li> </ul>

STATE COMMITMENTS ENshrINED IN THE WCIP OUTCOME DOCUMENT	PROPOSED INDICATORS
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	<p>the participation of indigenous peoples' representative institutions.</p> <ul style="list-style-type: none"> <li>• Incidents of conflicting land or resource claims due to a) extractive, agro or energy-related industries b) settlers, c) protected areas, d) others<sup>36</sup></li> <li>• Consultations with indigenous peoples' autonomous institutions before approval of measures that may affect them</li> </ul>
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DATA AND INDICATORS	
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<p>Work with indigenous peoples to disaggregate data, as appropriate, or conduct surveys and to utilize holistic indicators of indigenous peoples' well-being to address the situation and needs of indigenous peoples and individuals, in particular older persons, women, youth, children and persons with disabilities (para. 10).</p>	<ul style="list-style-type: none"> <li>• Availability of disaggregated data to monitor the achievement of the SDGs by indigenous peoples and individuals, in particular older persons, women, youth, children and persons with disabilities<sup>37</sup>.</li> </ul>
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SOCIAL AND ECONOMIC DEVELOPMENT	
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<p>Ensure equal access to high-quality education that recognizes the diversity of the culture of indigenous peoples (para 11).</p>	<ul style="list-style-type: none"> <li>• The right to mother-tongue and culturally appropriate education is recognized in the Constitution or other superior or domestic law</li> <li>• Targeted programs for indigenous youth, in the area of education<sup>38</sup></li> <li>• Targeted programs for training of bilingual teachers</li> <li>• Positive reflection of indigenous peoples' cultures, traditions and histories in national primary school curricula<sup>39</sup></li> </ul>
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36 Also indicator for control over lands and resources, and cultural integrity  
37 Combined WCIP commitment and SDG recommendation (see SDSN, 2014: 8, available at: <http://unsdsn.org/wp-content/uploads/2014/07/140724-Indicator-working-draft.pdf>)  
38 WCIP commitment  
39 Prejudice indicator

STATE COMMITMENTS ENshrINED IN THE WCIP OUTCOME DOCUMENT	PROPOSED INDICATORS
	<ul style="list-style-type: none"> <li>• Primary completion rates for girls and boys<sup>40</sup></li> <li>• Secondary completion rate for girls and boys<sup>41</sup></li> <li>• Proportion of young adults (18-24 years) who are literate [in the national language]<sup>42</sup></li> <li>• Tertiary enrollment rates for women and men<sup>43</sup></li> <li>• Proportion of young adults (18-24 years) who are literate in their indigenous language</li> <li>• Proportion of children [8-17 years] who are literate in their indigenous languages</li> <li>• Proportion of students in primary and secondary school who are taught by bilingual teachers</li> </ul>
<p>Empower indigenous peoples to deliver economic and social programmes as far as possible (para 11)</p>	<ul style="list-style-type: none"> <li>• Planning of local development is handled by indigenous peoples' autonomous institutions (CA-Index)</li> <li>• Issues concerning land and resource use are handled by indigenous peoples' autonomous institutions</li> <li>• Education programs are handled by indigenous peoples' autonomous institutions<sup>44</sup></li> <li>• Health programs are handled by indigenous peoples' autonomous institutions</li> </ul>

40 Proposed SDG indicator

41 Proposed SDG indicator

42 Proposed Tier 2 SDG indicator

43 Proposed SDG indicator

44 Also indicator for land and resource rights

STATE COMMITMENTS ENSHRINED IN THE WCIP OUTCOME DOCUMENT	PROPOSED INDICATORS
<p>Ensure that indigenous individuals have equal access to the highest attainable standard of physical and mental health (para. 13).</p>	<ul style="list-style-type: none"> <li>• Percentage of children receiving full immunization as recommended by WHO<sup>45</sup></li> <li>• [Percentage of population without effective financial protection for health care]<sup>46</sup></li> <li>• Percentage of population with access to affordable essential drugs on a sustainable basis<sup>47</sup></li> <li>• Neonatal, infant, and under-five mortality rates<sup>48</sup></li> <li>• Presence of traditional healers</li> <li>• Proportion of population who regularly use key medicinal plants and traditional healing practices</li> </ul>
<p>We also commit ourselves to intensifying efforts to reduce rates of HIV and AIDS, malaria, tuberculosis and non-communicable diseases by focusing on prevention, including through appropriate programmes, policies and resources for indigenous individuals (para. 13).</p>	<ul style="list-style-type: none"> <li>• Targeted health programs for indigenous peoples</li> </ul>
<p>Ensure indigenous peoples' access to sexual and reproductive health and reproductive rights in accordance with the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the outcome documents of their review conferences (para. 13).</p>	<ul style="list-style-type: none"> <li>• No indicators defined yet</li> </ul>

45 Proposed SDG indicator

46 Place holder for proposed SDG indicator to be developed by WHO

47 MDG indicator; proposed Tier 2 SDG indicator

48 Modified MDG indicator; proposed SDG indicator

STATE COMMITMENTS ENshrined IN THE WCIP OUTCOME DOCUMENT	PROPOSED INDICATORS
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<p>Ensure equal access to (...) housing, water, sanitation and other economic and social programmes to improve well-being, including through initiatives, policies and the provision of resources (para. 11)</p>	<ul style="list-style-type: none"> <li>• Targeted support to economic development of indigenous peoples within national poverty reduction programs</li> <li>• Percentage of population covered by social protection programs<sup>49</sup></li> <li>• Targeted social protection programs for indigenous peoples</li> <li>• Targeted housing, water and sanitation schemes for indigenous peoples</li> </ul>
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**INDIGENOUS PEOPLES WITH DISABILITIES**

<p>Promote and protect the rights of indigenous persons with disabilities and continue to improve their social and economic conditions, including by developing targeted measures for the aforementioned action plans, strategies or measures, in collaboration with indigenous persons with disabilities (para. 9).</p>	<ul style="list-style-type: none"> <li>• Targeted measures within national action plans to promote and protect the rights of indigenous persons with disabilities and continue to improve their social and economic conditions</li> <li>• Disparities in the data concerning the achievement of the SDGs by indigenous peoples and individuals, in particular older persons, women, youth, children and persons with disabilities, as compared to other sectors of society.</li> </ul>
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<p>Ensure that national legislative, policy and institutional structures relating to indigenous peoples are inclusive of indigenous persons with disabilities and contribute to the advancement of their rights (para. 9).</p>	
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<sup>49</sup> Proposed SDG indicator

STATE COMMITMENTS ENshrINED IN THE WCIP OUTCOME DOCUMENT	PROPOSED INDICATORS
<b>CHILDREN AND YOUTH</b>	
<p>Promote the right of every indigenous child, in community with members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion or to use his or her own language (para. 14).</p>	<ul style="list-style-type: none"> <li>• Incidents of removal of children, without free, prior and informed consent of the parents or legal custodians [within the last xxx years]<sup>50</sup></li> <li>• Recognition of indigenous languages among the official languages of the country</li> </ul>
<p>Develop, in consultation with indigenous peoples, policies, programmes and resources, where relevant, that target the well-being of indigenous youth, in particular in the areas of health, education, employment and the transmission of traditional knowledge, languages and practices, and take measures to promote awareness and understanding of their rights (para. 15).</p>	<ul style="list-style-type: none"> <li>• Targeted programs for indigenous youth in the area of transmission of traditional knowledge, languages and practices.</li> <li>• Targeted programs for indigenous youth, in the area of education</li> <li>• Targeted programs for indigenous youth in the area of employment<sup>51</sup></li> </ul>
<b>WOMEN</b>	
<p>Support the empowerment of indigenous women and formulate and implement, in collaboration with indigenous peoples, in particular indigenous women and their organizations, policies and programmes designed to promote capacity-building and strengthen their leadership (para. 17).</p>	<p>Support of States to policies and programs to promote capacity-building and strengthen leadership of indigenous women.</p>
<p>Support measures that will ensure the full and effective participation of indigenous women in decision-making processes at all levels and in all areas and eliminate barriers to their participation in political, economic, social and cultural life (para. 17).</p>	<p>Disparities in the data concerning the achievement of the SDGs by indigenous women as compared to indigenous men or non-indigenous women.</p>

<sup>50</sup> Also indicator of forced transfer of children (genocide)  
<sup>51</sup> WCIP commitment

STATE COMMITMENTS ENshrINED IN THE WCIP OUTCOME DOCUMENT	PROPOSED INDICATORS
<b>CUSTOMARY LAW</b>	
<p>Coordinate and conduct dialogue with indigenous peoples' justice institutions, where they exist (para. 16).</p>	<ul style="list-style-type: none"> <li>• Recognition of the jurisdiction of customary law institutions in the constitution or other forms of superior law or domestic law(s)</li> <li>• Establishment of procedures to delineate competencies and resolve conflicts between customary and statutory law</li> </ul>
<b>VIOLENCE AND DISCRIMINATION</b>	
<p>Intensify efforts, in cooperation with indigenous peoples, to prevent and eliminate all forms of violence and discrimination against indigenous peoples and individuals, in particular, women, children, youth, older persons and persons with disabilities, by strengthening legal, policy and institutional frameworks (para. 18).</p>	<ul style="list-style-type: none"> <li>• Availability of preventive programs to reduce violence against indigenous women and families</li> <li>• Availability of programs to assist victims of domestic violence in indigenous communities</li> </ul>
<b>MAJOR DEVELOPMENT PROJECTS, BUSINESS ENTERPRISES AND EXTRACTIVE INDUSTRIES</b>	
<p>Work with indigenous peoples to address the impact or potential impact of major development projects on them, including those involving the activities of extractive industries, including the aim of managing risks appropriately (para. 19).</p>	<ul style="list-style-type: none"> <li>• Incidents of conflicting land or resource claims due to a) extractive, agro or energy-related industries b) settlers, c) protected areas, d) others</li> <li>• Incidents of settlements, land grabbing, land use or resource extraction without indigenous peoples' free, prior and informed consent</li> </ul>

STATE COMMITMENTS ENshrINED IN THE WCIP OUTCOME DOCUMENT	PROPOSED INDICATORS
<p>Take further steps, as appropriate, to prevent abuses of the rights of indigenous peoples by transnational corporations and other business enterprises (para. 24).</p>	<ul style="list-style-type: none"> <li>• Recognition of indigenous peoples' rights to lands, territories and resources in the constitution or other forms of superior or domestic law(s)</li> <li>• Sanctioning of violators of indigenous peoples' lands and territories.</li> </ul>
<b>SUSTAINABLE DEVELOPMENT, OCCUPATIONS, TRADITIONAL ACTIVITIES, LIVELIHOODS AND FOOD SECURITY</b>	
<p>Develop, in conjunction with the indigenous peoples concerned, and where appropriate, policies, programmes and resources to support indigenous peoples' occupations, traditional subsistence activities, economies, livelihoods, food security and nutrition. (para. 25).</p>	<p>Possibility to perform traditional occupations (such as pastoralism, hunting/gathering, shifting cultivation, fishing) without restrictions</p>
<p>Respect the contributions of indigenous peoples to ecosystem management and sustainable development, including knowledge acquired through experience in hunting, gathering, fishing, pastoralism and agriculture, as well as their sciences, technologies and cultures (para. 35).</p>	<ul style="list-style-type: none"> <li>• Possibility to perform traditional occupations (such as pastoralism, hunting/gathering, shifting cultivation, fishing) without restrictions</li> <li>• Impact assessments have been undertaken prior to approval of projects that may affect indigenous peoples' lands, territories or resources, with the participation of indigenous peoples' representative institutions.<sup>52</sup></li> </ul>

<sup>52</sup> Also indicator for free, prior and informed consent

**STATE COMMITMENTS ENSHRINED IN THE WCIP OUTCOME DOCUMENT****PROPOSED INDICATORS****CEREMONIAL OBJECTS AND HUMAN REMAINS**

Develop, in conjunction with the indigenous peoples concerned, fair, transparent and effective mechanisms for access to and repatriation of ceremonial objects and human remains at the national and international levels (para. 27).

Development, in conjunction with the indigenous peoples concerned, of fair, transparent and effective mechanisms for access to and repatriation of ceremonial objects and human remains at the national level

### 3. Development outcomes under the Millennium Development Goals (MDGs) and Sustainable Development Goals (SDGs)

In September 2015, States adopted a new set of global SDGs to replace the MDGs. The 2030 Agenda for Sustainable Development<sup>53</sup>

“is a plan of action for people, planet and prosperity. It also seeks to strengthen universal peace in larger freedom. The 17 Sustainable Development Goals and 169 targets which we are announcing today demonstrate the scale and ambition of this new universal Agenda. They seek to build on the Millennium Development Goals and complete what these did not achieve. They seek to realize the human rights of all and to achieve gender equality and the empowerment of all women and girls. They are integrated and indivisible and balance the three dimensions of sustainable development: the economic, social and environmental.”<sup>54</sup>

See [http://www.iwgia.org/iwgia\\_files\\_publications\\_files/0724\\_SDG\\_Indicators\\_Final\\_eb.pdf](http://www.iwgia.org/iwgia_files_publications_files/0724_SDG_Indicators_Final_eb.pdf) on the Indigenous Peoples Major Group Position Paper on Proposed SDG Indicators

53 <https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf>

54 Sustainable Development Knowledge Platform, <https://sustainabledevelopment.un.org/post2015/transformingourworld>, Accessed February 2016

# WHAT TOOLS AND RESOURCES DOES INDIGENOUS NAVIGATOR OFFER?

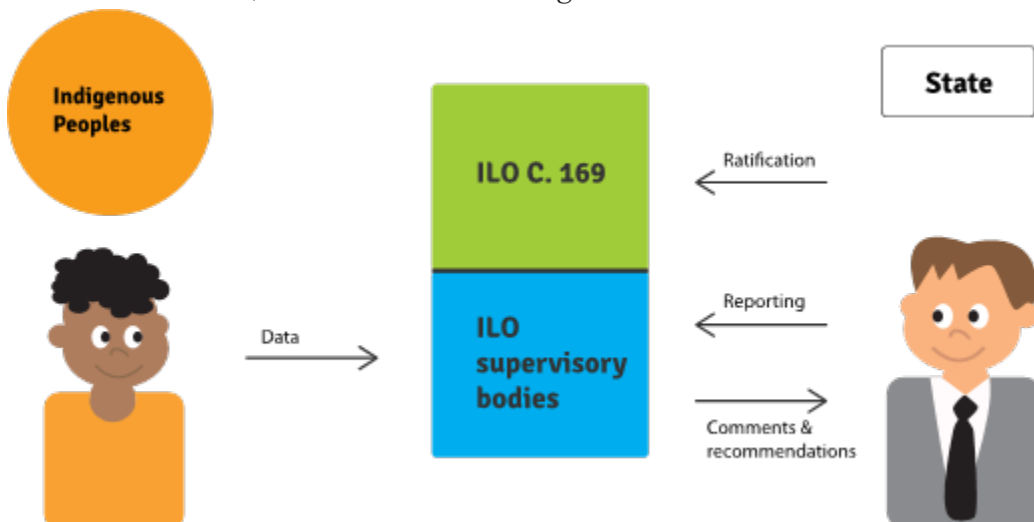
The Indigenous Navigator offers a range of free tools and resources for indigenous communities:

- Questionnaires for data gathering at community and national levels
- IP Community-Index and an IP National-Index to quickly assess and compare the situation across regions, countries and communities
- A comprehensive indicators framework
- A comparative matrix, which illustrates the links between UNDRIP and other human rights instruments
- A data portal for sharing data and tools across countries and communities

## II. THE MONITORING MACHINE

### Who can monitor the implementation of indigenous peoples' rights?

Indigenous individuals, groups, organizations and communities can monitor the implementation of indigenous peoples' rights by documenting violations and reporting these to international, regional and national human rights monitoring bodies and mechanisms. Monitoring enhances indigenous peoples' access to justice and strengthens their ability to hold States accountable, as illustrated in the diagram below:



## Thematic Areas of UNDRIP covered by the Indigenous Navigator

*Excerpts from Monitoring State compliance and implementation of the UN Declaration on the Rights of Indigenous Peoples – A tool prepared by AIPP, FPP, ILO, IWGLA and Tebtebba Foundation, with the support of the European Commission*

UNDRIP is a broad human rights instrument, which covers all areas of importance to indigenous peoples. Respect for diversity and equality, including gender equality, are overarching and cross-cutting principles of UNDRIP.

The Indigenous Navigator is solidly anchored in the provisions of UNDRIP and covers the full range of indigenous peoples' rights. The Indigenous Navigator monitors the provisions of UNDRIP thematically. These themes are illustrated below:



## 4. Indicators in assessing national and community level compliance

Indicators have been identified to measure States' compliance with their duties to respect, protect and fulfill indigenous peoples' human rights. These indicators aim to capture the level of recognition by the State of these rights, the violations of rights, as well as the progressive realization of rights.

The indicators<sup>55</sup> have been formulated following the "OHCHR approach" to human rights indicators, which define:

- **Structural indicators:** These reflect the ratification and adoption of legal instruments and the existence and creation of basic institutional mechanisms that are necessary for the promotion and protection of human rights.
- **Process indicators:** These measure States' ongoing efforts to transform their human rights commitments into the desired results through policies and specific measures taken to implement commitments on the ground.
- **Outcome indicators:** These capture individual and collective attainments that reflect the state of enjoyment of human rights.

## 5. How to use the Indigenous Navigator

### a. National and Community questionnaires

Based on the indicators, the Indigenous Navigator comprise a set of user-friendly questionnaires, which are designed to be complementary:

The **national questionnaires** assess the level of recognition and implementation of UNDRIP by States in a particular country. These questionnaires particularly look at laws, policies and programs. Methodologically, the national questionnaires are designed for desk research by indigenous experts and organizations.

The **community questionnaires** assess the implementation of UNDRIP on the ground, mainly looking at practical outcomes for particular indigenous communities. Methodologically, the community questionnaires are designed for collective assessments on the ground, for example through community meetings, focus group discussions and participatory research.

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<sup>55</sup> See OHCHR, 2012

The questionnaires come in long and short versions:

- The long versions provide detailed questions that will require more time for data collection.
- The short versions provide key questions that can easily and quickly be answered, with little time and resources available.

See <http://www.indigenousnavigator.org/> for the community questionnaire that was designed for monitoring the implementation of UNDRIP, WCIP Outcomes and the MDG and SDG goals at the community level.

See <http://www.indigenousnavigator.org/> for for the national questionnaire that was designed for monitoring the implementation of UNDRIP, WCIP Outcomes and the MDG and SDG goals at the national level.

## B. THE INDIGENOUS PEOPLES INDEX

The Indigenous Peoples' Rights & Development Index (IP Index) is another tool of the Indigenous Navigator, which aims at monitoring five key domains of indigenous peoples' rights and development at a glance.

While the IP-Index does not provide full information about indigenous peoples' situation, it is meant as a "snapshot", which captures aspects of rights and development that are considered essential by indigenous peoples across the globe. The IP-Index is based on indicators that are solidly anchored in UNDRIP. It measures the following five domains:

Figure 1: Key domains of indigenous peoples' rights and development



The assessment of each of the five domains carries equal weight within the index, namely one-fifth of the overall score. The situation within each domain is monitored through two indicators. The assessment of each of the ten indicators carries equal weight within the index, namely one-tenth of the overall score.

The indicators are selected to be complementary and highlight different aspects of States' responsibilities with regards to indigenous peoples' rights. The indicators are selected based on a desk review and the common knowledge and experiences of indigenous peoples. The proposed indicators are:

<b>Domains</b>	<b>Indicators</b>
<b>Self-government</b>	Planning of local development is handled by indigenous peoples' self-government institutions
	Recognition of the jurisdiction of customary law institutions in the constitution or other forms of superior or domestic law(s)
<b>Cultural integrity</b>	Degree of endangerment of indigenous peoples' languages
	Possibility to perform traditional occupations (such as pastoralism, hunting/gathering, shifting cultivation, fishing) without restrictions
<b>Lands, territories &amp; resources</b>	Title deeds or other binding agreements in recognition of indigenous peoples' collective rights to lands, territories and resources
	Incidents of land grabbing, land use or resource extraction without indigenous peoples' free, prior and informed consent
<b>Education</b>	Proportion of young adults [18-24 years] who are literate in their indigenous languages
	Proportion of young adults (18-24 years) who are literate [in the national language] <sup>56</sup>
<b>Health</b>	Proportion of population who regularly use key medicinal plants and traditional healing practices
	Proportion of population with access to affordable, essential drugs on a sustainable basis <sup>57</sup>

<sup>56</sup> Proposed Tier 2 SDG indicator

<sup>59</sup> Access is defined as having medicines continuously available and affordable at public or private health facilities or medicine outlets that are within one hour's walk from the homes of the population

## CALCULATING INDEX VALUES

By calculating the values of the responses to the short questionnaires, you can quickly assess the situation of your country or your community through the so-called IP Community Index, and the IP National Index.

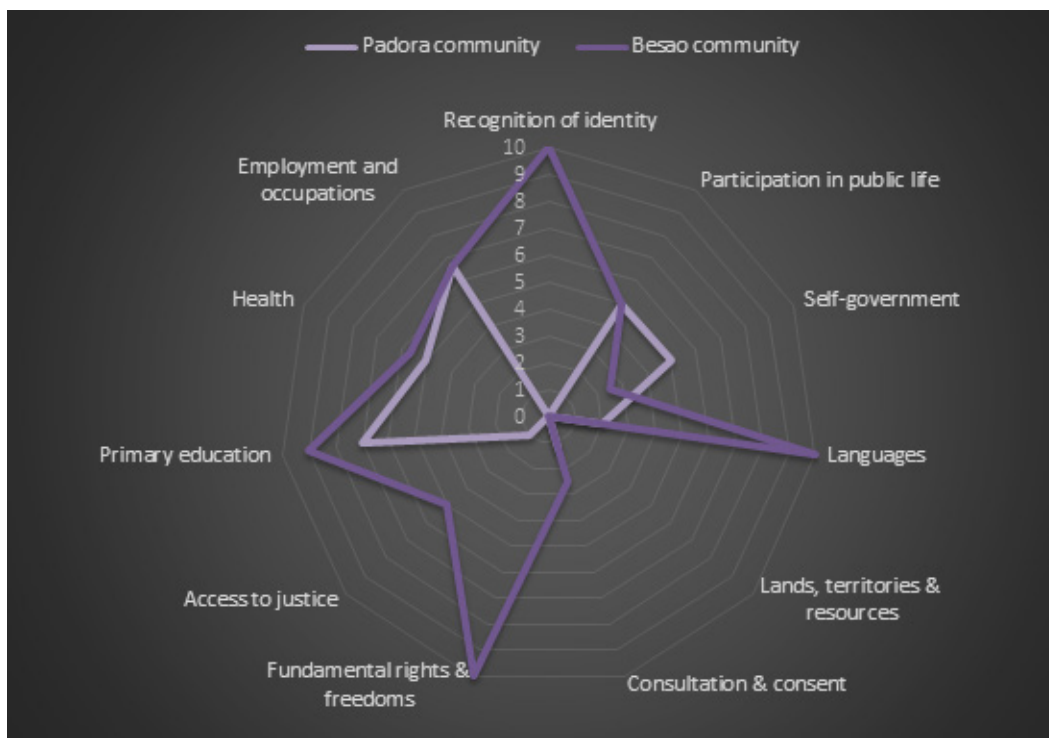
By assigning a numerical value from 0 to 10 to the responses, the data for each country or community can easily be computed, presented graphically and compared, across countries and communities. For example, if an indigenous language is “safe,” i.e. spoken by all generations with uninterrupted intergenerational transmission, it will be scored with 10 points. If a language is extinct, it will be scored with 0 points.

The Indigenous Navigator can illustrate implementation gaps by contrasting differences between recognition in national laws and community perceptions.

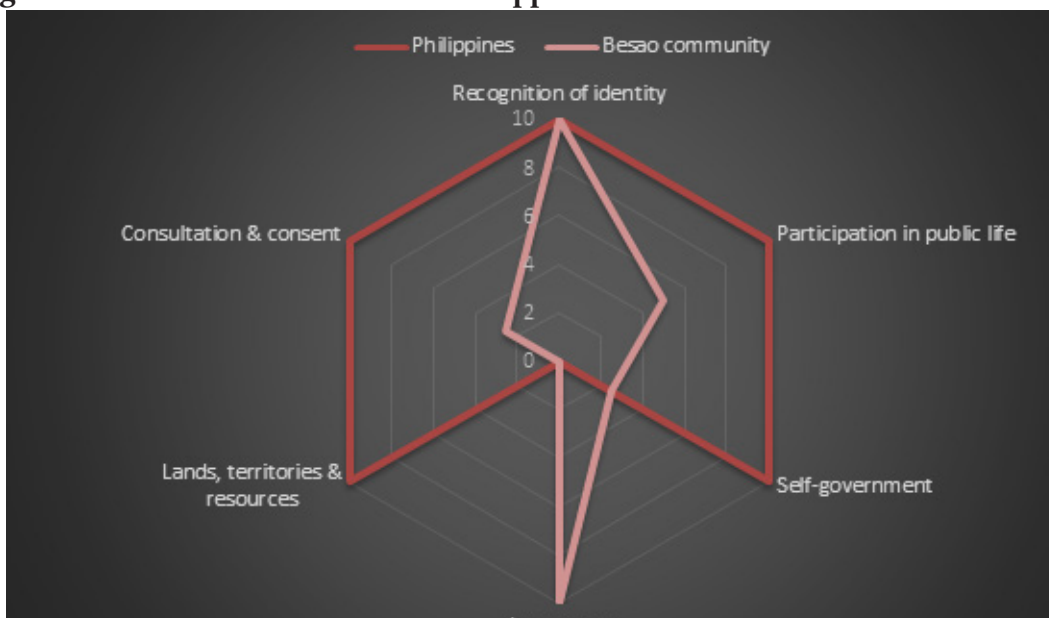
Examples of IP Index are shown below to illustrate how the values are plotted on the graph. Figure 1 is an example comparing the IP index of two indigenous communities – Besao and Padora.

Figure 2 is an example that shows the difference between the IP Index at the community level and at the national level in the case of the Besao community in the Philippines. This means that there are gaps in the implementation of existing national policies on the ground or at the community level.

**Figure 1: IP Index in Besao and Padora**



**Figure 2: IP Index in Besao and the Philippines**



## POINTS OF THE DISCUSSION:

- The Indigenous Navigator provides a framework and a set of tools for indigenous peoples to systematically monitor the level of recognition and implementation of their rights.
- It can be used to hold States accountable for their human rights duties and development commitments vis-à-vis indigenous peoples.
- It provides a Comparative Matrix linking the provisions of UNDRIP to matching articles and provisions of other human rights instruments.
- It also provides matrix of structural, process and outcome indicators to measure the realization of indigenous peoples' rights contained in the UNDRIP.
- The IP Index is another tool that monitors and captures aspects of indigenous peoples' rights and development at a glance.

# ANNEXES

## ANNEX A

The main reference materials used in preparing this Training Manual, as well as other useful reference materials on the UNDRIP, indigenous peoples' rights and various issues affecting indigenous peoples are compiled in a CD accompanying this manual. A table of contents of the CD and the links for accessing these materials are presented in the table below:

**Table of contents of CD with links**

### Training Manuals

Title	Programme	Types (eg. Advocacy, Manual, aware- ness raising, etc..)	Language/s (number of copies, orga- nizations to contact, Online Availability)	Weblink/s
A training manual on advocacy lobbying and negotiation skills for indigenous peoples in climate change and REDD+	Environment Programme	Manual	English (Available Online)	<a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/manuals">http://www.aippnet.org/index.php/publication-sp-2697/environment/manuals</a>
What to do with REDD? A Manual for Indigenous Trainers	Environment Programme	Manual	English (Available Online)	<a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/manuals?start=5">http://www.aippnet.org/index.php/publication-sp-2697/environment/manuals?start=5</a>

UNDRIP Manual	AIPP	Manual	English (Available Online)	<a href="http://www.aippnet.org/index.php/publication-sp-2697/undrip-and-indigenous-people/manuals">http://www.aippnet.org/index.php/publication-sp-2697/undrip-and-indigenous-people/manuals</a>
Understanding Community-Based REDD+: A Manual for Indigenous Community Trainers	Environment Programme	Manual	English (Available Online)	<a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/manuals?limitstart=0">http://www.aippnet.org/index.php/publication-sp-2697/environment/manuals?limitstart=0</a>
Understanding Community-Based REDD+: A Manual for Indigenous Community Trainers	Environment Programme	Manual	English (Available Online)	<a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/manuals?start=5">http://www.aippnet.org/index.php/publication-sp-2697/environment/manuals?start=5</a>
What to do with REDD? A Manual For Indigenous Trainers	Environment Programme	Manual	English	<a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/manuals/1043-what-to-do-with-redd-a-manual-for-indigenous-trainers">http://www.aippnet.org/index.php/publication-sp-2697/environment/manuals/1043-what-to-do-with-redd-a-manual-for-indigenous-trainers</a>
[Updated version] Understanding Community-Based REDD+: A Manual for Indigenous Community	Environment Programme	Manual	English (Available Online)	<a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/manuals">http://www.aippnet.org/index.php/publication-sp-2697/environment/manuals</a>

Training Manual on Free, Prior and Informed Consent (FPIC) in REDD+ for Indigenous Peoples	Environment Programme	Manual	English (Available Online)	<a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/manuals">http://www.aippnet.org/index.php/publication-sp-2697/environment/manuals</a>
Education Manual on Indigenous Elders and Engagement with Government	Capacity Building Programme	Capacity Building Training Manual	English	<a href="http://www.aippnet.org/index.php/publication-sp-2697/capacity-building-manuals">http://www.aippnet.org/index.php/publication-sp-2697/capacity-building-manuals</a>
Education Manual on Indigenous Elders and Engagement with Government	Capacity Building Programme	Capacity Building Training Manual	English	<a href="http://www.aippnet.org/index.php/publication-sp-2697/capacity-building-manuals/1200-education-manual-on-indigenous-elders-and-engagement-with-government">http://www.aippnet.org/index.php/publication-sp-2697/capacity-building-manuals/1200-education-manual-on-indigenous-elders-and-engagement-with-government</a>
A Training Manual on "Advocacy, Lobbying and Negotiation Skills for Indigenous Peoples in Climate Change and REDD+"	Environment Programme	Manual	English	<a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/manuals/1338-a-training-manual-on-qadvocacy-lobbying-and-negotiation-skills-for-indigenous-peoples-in-climate-change-and-reddq">http://www.aippnet.org/index.php/publication-sp-2697/environment/manuals/1338-a-training-manual-on-qadvocacy-lobbying-and-negotiation-skills-for-indigenous-peoples-in-climate-change-and-reddq</a>
Manual on Basic Financial Management for indigenous peoples' organizations in Asia	Capacity building Programme	Capacity Building Training Manual	English	<a href="http://www.aippnet.org/index.php/publication-sp-2697/capacity-building-manuals">http://www.aippnet.org/index.php/publication-sp-2697/capacity-building-manuals</a>

Leadership training for Indigenous Peoples	Capacity Building Programme	Manual	English (Available Online)	<a href="http://www.aippnet.org/index.php/publication-sp-2697/capacity-building-manuals">http://www.aippnet.org/index.php/publication-sp-2697/capacity-building-manuals</a>
Community Organising Training Manual	Capacity Building Programme	Manual	English (Available Online)	<a href="http://www.aippnet.org/index.php/publication-sp-2697/capacity-building-manuals">http://www.aippnet.org/index.php/publication-sp-2697/capacity-building-manuals</a>
Training Manual for Indigenous Peoples on Free, Prior and Informed Consent (FPIC)	Environment Programme	Manual	English	<a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/manual-for-indigenous-peoples-on-free-prior-and-informed-consent-fpic">http://www.aippnet.org/index.php/publication-sp-2697/environment/manual-for-indigenous-peoples-on-free-prior-and-informed-consent-fpic</a>
Gender Manual: Good Practices and Lessons Learnt by an Indigenous Peoples Organization	Indigenous Women Programme	Manual	English (Available Online)	<a href="http://www.aippnet.org/index.php/publication-sp-2697/indigenous-women/1505-gender-manual-good-practices-and-lessons-learnt-by-an-indigenous-peoples-organization">http://www.aippnet.org/index.php/publication-sp-2697/indigenous-women/1505-gender-manual-good-practices-and-lessons-learnt-by-an-indigenous-peoples-organization</a>

## Community Guides

Title	Programme	Types (eg. Advocacy, Manual, aware- ness raising, etc..)	Language/s (number of copies, orga- nizations to contact, Online Availability)	Weblink/s
What is REDD? A Guide For Indigenous Communities	Environment Programme	Community Guide	English (Available Online)	<a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/manuals?start=5">http://www.aippnet.org/index.php/publication-sp-2697/environment/manuals?start=5</a>
What is REDD? A Guide for Indigenous Communities (3rd Edition)	Environment Programme	Community Guide	English (Available Online)	<a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/manuals">http://www.aippnet.org/index.php/publication-sp-2697/environment/manuals</a>
Practical Guide for Media Practioners on Indigenous Peoples' issues in Asia ( New publication)	CD Programme		English (Available Online)	<a href="http://www.aippnet.org/index.php/publication-sp-2697/undrip-and-indigenous-people/manuals">http://www.aippnet.org/index.php/publication-sp-2697/undrip-and-indigenous-people/manuals</a>

## Audio-Visual Materials

Title	Languages (number of copies, organizations to contact, Online Availability)	Weblink/s
Our Forest, Our Life	English, Khmer, Laos, Spanish, Thai, Burmese, Malaysia in bahasa and Vietnamese Bahasa Indonesia (AMAN), Filipino (KAMP, available online) Burmese (POINT, available online)	<a href="http://www.aippnet.org/index.php/videos?start=5">http://www.aippnet.org/index.php/videos?start=5</a>
Indigenous Women's Rights Video	Environment Programme	Community Guide
Rights in action: FPIC for indigenous peoples (video)	English (Available Online) Thai (coming soon) Khmer (coming soon) Bengali (coming soon) Nepalese (coming soon) Tetun (coming soon)	<a href="http://www.aippnet.org/index.php/videos">http://www.aippnet.org/index.php/videos</a>
Our Land Our Lives	English	<a href="http://www.aippnet.org/index.php/videos/1367-our-land-our-lives">http://www.aippnet.org/index.php/videos/1367-our-land-our-lives</a>
Advancing Indigenous People's Solidarity and Movement	English	<a href="http://www.aippnet.org/index.php/videos/1521-a-brief-history-of-asia-indigenous-peoples-pact-aipp-and-the-6th-general-assembly">http://www.aippnet.org/index.php/videos/1521-a-brief-history-of-asia-indigenous-peoples-pact-aipp-and-the-6th-general-assembly</a>

<p>Community-Based Forest Management: Local Solutions to Global Challenges</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/videos/1434-community-based-forest-management-local-solutions-to-global-challenges">http://www.aippnet.org/index.php/videos/1434-community-based-forest-management-local-solutions-to-global-challenges</a></p>
<p>Forest Conservation: A Message from Indigenous Women</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/videos/1371-forest-conservation-a-message-from-indigenous-women">http://www.aippnet.org/index.php/videos/1371-forest-conservation-a-message-from-indigenous-women</a></p>
<p>When can we go back !</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/videos/1370-when-can-we-go-back">http://www.aippnet.org/index.php/videos/1370-when-can-we-go-back</a></p>
<p>Nepal : Video on Climate Change, the REDD Partnership Program, and Nepal Federation of Indigenous Nationalities</p>	<p>English and Nepali</p>	<p><a href="http://www.aippnet.org/index.php/videos/1357-nepal-video-on-climate-change-the-redd-partnership-program-and-nepal-federation-of-indigenous-nationalities">http://www.aippnet.org/index.php/videos/1357-nepal-video-on-climate-change-the-redd-partnership-program-and-nepal-federation-of-indigenous-nationalities</a></p>
<p>What is at stake for Indigenous Peoples in RIO+20</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/videos/1354-what-s-at-stake-for-indigenous-peoples-in-rio-20">http://www.aippnet.org/index.php/videos/1354-what-s-at-stake-for-indigenous-peoples-in-rio-20</a></p>
<p>Damned the Dam- The Voice of the People</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/videos/1352-damned-the-dam-the-voice-of-the-people">http://www.aippnet.org/index.php/videos/1352-damned-the-dam-the-voice-of-the-people</a></p>

Title	Languages (number of copies, organizations to contact, Online Availability)	Weblink/s
The Forest is Life: Knowledge for Communities	English (Available Online)	<a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/comic-books/1068-comic-book-the-forest-is-life-knowledge-for-communities">http://www.aippnet.org/index.php/publication-sp-2697/environment/comic-books/1068-comic-book-the-forest-is-life-knowledge-for-communities</a>
The right to Self determination and Development of Indigenous Peoples	English, Bahasa Indonesia, Burmese, Nepalese, Filipinp, Bengali	<a href="http://www.aippnet.org/index.php/publication-sp-2697/undrip-and-indigenous-people/undrip-comic-book">http://www.aippnet.org/index.php/publication-sp-2697/undrip-and-indigenous-people/undrip-comic-book</a>
Learn and Exercise Your Rights: A simplified version of the United Nations Declaration on the Rights of Indigenous Peoples(UNDRIP)	English, Hindi, Bengali, Burmese, Nepalese, Thai	<a href="http://www.aippnet.org/index.php/publication-sp-2697/undrip-and-indigenous-people/undrip-comic-book">http://www.aippnet.org/index.php/publication-sp-2697/undrip-and-indigenous-people/undrip-comic-book</a>
Rights in Action: Free, Prior and Informed Consent (FPIC) for Indigenous Peoples	English, Khmer, Nepalese, Filipino, Burmese	<a href="http://www.aippnet.org/index.php/publication-sp-2697/undrip-and-indigenous-people/undrip-comic-book">http://www.aippnet.org/index.php/publication-sp-2697/undrip-and-indigenous-people/undrip-comic-book</a>

## Briefing Papers, Case Studies and Reports

Title	Languages (number of copies, Organizations to contact, Online Availability)	Weblink/s
United Nations and Indigenous Peoples in Developing Countries An Evolving Partnership	English	<a href="http://www.tebtebba.org/index.php/content/326-united-nations-and-indigenous-peoples-in-developing-countries-an-evolving-partnership-2">http://www.tebtebba.org/index.php/content/326-united-nations-and-indigenous-peoples-in-developing-countries-an-evolving-partnership-2</a>
Asean, Climate Change, REDD+ and Indigenous Peoples	English	<a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1049-latest-publication-briefing-paper-on-asean-climate-change-redd-and-indigenous-peoples">http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1049-latest-publication-briefing-paper-on-asean-climate-change-redd-and-indigenous-peoples</a>
REDD+ and Indigenous Peoples, A Briefing Paper for Policy Makers	English	<a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1051-redd-and-indigenous-peoples-a-briefing-paper-for-policy-makers">http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1051-redd-and-indigenous-peoples-a-briefing-paper-for-policy-makers</a>
REDD+ Implementation in Asia and the Concerns of Indigenous Peoples	English	<a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1050-redd-implementation-of-indigenous-peoples-in-asia-and-the-concerns">http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1050-redd-implementation-of-indigenous-peoples-in-asia-and-the-concerns</a>
Briefing Paper on REDD+, Rights and Indigenous Peoples : Lessons from REDD+ Initiatives	English	<a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1069-briefing-paper-on-redd-rights-and-indigenous-peoples-lessons-from-redd-initiatives-in-asia">http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1069-briefing-paper-on-redd-rights-and-indigenous-peoples-lessons-from-redd-initiatives-in-asia</a>

<p>Drivers of Deforestation? Facts to be Considered Regarding the Impact of Shifting Cultivation in Asia</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1047-briefing-paper-drivers-of-deforestation-facts-to-be-considered-regarding-the-impact-of-shifting-cultivation-in-asia">http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1047-briefing-paper-drivers-of-deforestation-facts-to-be-considered-regarding-the-impact-of-shifting-cultivation-in-asia</a></p>
<p>Shifting Cultivation and Climate Change</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1053-shifting-cultivation-and-climate-change">http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1053-shifting-cultivation-and-climate-change</a></p>
<p>Indigenous Peoples and Climate Change Adaptation in Asia</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1046-briefing-paper-indigenous-peoples-and-climate-change-adaptation-in-asia">http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1046-briefing-paper-indigenous-peoples-and-climate-change-adaptation-in-asia</a></p>
<p>Shifting Cultivation Livelihood and Food Security: New and Old Challenges for Indigenous Peoples in Asia</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1455-briefing-paper-on-shifting-cultivation-livelihood-and-food-security-new-and-old-challenges-for-indigenous-peoples-in-asia">http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1455-briefing-paper-on-shifting-cultivation-livelihood-and-food-security-new-and-old-challenges-for-indigenous-peoples-in-asia</a></p>
<p>Non-Carbon Benefits in REDD+, Indigenous Peoples' Perspectives and Recommendations to the Subsidiary for Scientific and Technological Advice (SBSTA)</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1496-policy-briefing-paper-on-non-carbon-benefits-ncbs-indigenous-peoples-perspectives-and-recommendations">http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1496-policy-briefing-paper-on-non-carbon-benefits-ncbs-indigenous-peoples-perspectives-and-recommendations</a></p>

<p>Safeguards Information System (SIS) in REDD+: What Should It Deliver for Indigenous Peoples?</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1494-policy-briefing-paper-on-safeguards-information-system-sis-in-redd-what-should-it-deliver-for-indigenous-peoples">http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1494-policy-briefing-paper-on-safeguards-information-system-sis-in-redd-what-should-it-deliver-for-indigenous-peoples</a></p>
<p>Briefing Paper on the Rights of Indigenous Women to their Lands, Territories and Resources in Asia</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/indigenous-women/1509-briefing-paper-on-the-rights-of-indigenous-women-to-their-lands-territories-and-resources-in-asia">http://www.aippnet.org/index.php/publication-sp-2697/indigenous-women/1509-briefing-paper-on-the-rights-of-indigenous-women-to-their-lands-territories-and-resources-in-asia</a></p>
<p>WHOWE ARE Indigenous Peoples in Asia</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/undrip-and-indigenous-people/briefing-papers/1055-who-we-are-indigenous-peoples-in-asia">http://www.aippnet.org/index.php/publication-sp-2697/undrip-and-indigenous-people/briefing-papers/1055-who-we-are-indigenous-peoples-in-asia</a></p>
<p>ASEAN's Indigenous Peoples</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/undrip-and-indigenous-people/briefing-papers/1054-asians-indigenous-peoples">http://www.aippnet.org/index.php/publication-sp-2697/undrip-and-indigenous-people/briefing-papers/1054-asians-indigenous-peoples</a></p>
<p>Overview of the State of Indigenous Peoples in Asia</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/human-rights/1420-briefing-paper-overview-of-the-state-of-indigenous-peoples-in-asia">http://www.aippnet.org/index.php/publication-sp-2697/human-rights/1420-briefing-paper-overview-of-the-state-of-indigenous-peoples-in-asia</a></p>

<p>Development for Whom? Safeguard Policies and Projects of International Financial Institutions Affecting Indigenous Peoples in Asia</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/human-rights/1418-briefing-paper-development-for-whom">http://www.aippnet.org/index.php/publication-sp-2697/human-rights/1418-briefing-paper-development-for-whom</a></p>
<p>Violence Against Indigenous Women and Girls: A Complex Phenomenon</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/indigenous-women/1276-new-publication-violence-against-indigenous-women-and-girls-a-complex-phenomenon">http://www.aippnet.org/index.php/publication-sp-2697/indigenous-women/1276-new-publication-violence-against-indigenous-women-and-girls-a-complex-phenomenon</a></p>
<p>Violence, Customary Law and Indigenous Women's Rights in Asia</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/indigenous-women/1056-briefing-paper-violence-customary-law-and-indigenous-womens-rights-in-asia">http://www.aippnet.org/index.php/publication-sp-2697/indigenous-women/1056-briefing-paper-violence-customary-law-and-indigenous-womens-rights-in-asia</a></p>
<p>Indigenous Women in Southeast Asia, Challenges in Their Access to Justice</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/indigenous-women/1154-briefing-paper-indigenous-women-in-asia-challenges-in-their-access-to-justice">http://www.aippnet.org/index.php/publication-sp-2697/indigenous-women/1154-briefing-paper-indigenous-women-in-asia-challenges-in-their-access-to-justice</a></p>
<p>Mining in the Womb of the Earth Struggles of Indigenous Women Against Destructive Mining</p>	<p>English</p>	<p><a href="http://iphrdefenders.net/resources/publications/6-human-rights/2-mining-the-womb-of-the-earth-struggles-of-indigenous-women-against-destructive-mining">http://iphrdefenders.net/resources/publications/6-human-rights/2-mining-the-womb-of-the-earth-struggles-of-indigenous-women-against-destructive-mining</a></p>

<p>The Impacts of Land Dispossession on Indigenous Women</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/indigenous-women/1507-briefing-paper-the-impacts-of-land-dispossession-on-indigenous-women">http://www.aippnet.org/index.php/publication-sp-2697/indigenous-women/1507-briefing-paper-the-impacts-of-land-dispossession-on-indigenous-women</a></p>
<p>HerStory of Empowerment, Leadership and Justice A collection of personal essays by Indigenous Women</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/indigenous-women/1402-indigenous-women-programme-publishes-herstory">http://www.aippnet.org/index.php/publication-sp-2697/indigenous-women/1402-indigenous-women-programme-publishes-herstory</a></p>
<p>HerStory Retold Retold A Collection of Personal Essays by Indigenous Women</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/indigenous-women/1499-her-story-retold-new-publication">http://www.aippnet.org/index.php/publication-sp-2697/indigenous-women/1499-her-story-retold-new-publication</a></p>
<p>National Security Laws and Measures: The Impacts on Indigenous Peoples</p>	<p>English</p>	<p><a href="http://iphrdefenders.net/resources/publications/6-human-rights/97-national-security-laws-and-measures-the-impacts-on-indigenous-peoples">http://iphrdefenders.net/resources/publications/6-human-rights/97-national-security-laws-and-measures-the-impacts-on-indigenous-peoples</a></p>
<p>SHEd NO MORE BLOOD : North East India Indigenous Peoples Human Rights Challenges</p>	<p>English</p>	<p><a href="http://iphrdefenders.net/resources/publications/6-human-rights/45-shed-no-more-blood-north-east-india-indigenous-peoples-human-rights-challenges">http://iphrdefenders.net/resources/publications/6-human-rights/45-shed-no-more-blood-north-east-india-indigenous-peoples-human-rights-challenges</a></p>

<p>Indigenous Peoples and National Human Rights: Institutions in Asia Good Practices and Challenges</p>	<p>English</p>	<p><a href="http://iphndefenders.net/resources/publications/6-human-rights/40-indigenous-peoples-national-human-rights-institutions-in-asia-good-practices-and-challenges">http://iphndefenders.net/resources/publications/6-human-rights/40-indigenous-peoples-national-human-rights-institutions-in-asia-good-practices-and-challenges</a></p>
<p>Business and Human Rights : Indigenous Peoples' Experiences with Access to Remedy</p>	<p>English</p>	<p><a href="http://iphndefenders.net/resources/publications/6-human-rights/39-business-and-human-rights-indigenous-peoples-experiences-with-access-to-remedy">http://iphndefenders.net/resources/publications/6-human-rights/39-business-and-human-rights-indigenous-peoples-experiences-with-access-to-remedy</a></p>
<p>Threatened Lands, Threatend Lives</p>	<p>English</p>	<p><a href="http://iphndefenders.net/resources/publications/6-human-rights/38-threatened-lands-threatened-lives">http://iphndefenders.net/resources/publications/6-human-rights/38-threatened-lands-threatened-lives</a></p>
<p>Asia Indigenous Peoples' Perspectives on Development</p>	<p>English</p>	<p><a href="http://iphndefenders.net/resources/publications/6-human-rights/37-asia-indigenous-peoples-perspectives-on-development">http://iphndefenders.net/resources/publications/6-human-rights/37-asia-indigenous-peoples-perspectives-on-development</a></p>
<p>Diverse Path to Justice- Legal pluralism and the rights of indigenous peoples in Southeast Asia</p>	<p>English</p>	<p><a href="http://iphndefenders.net/resources/publications/6-human-rights/36-divers-paths-to-justice-legal-pluralism-and-the-rights-of-indigenous-peoples-in-southeast-asia">http://iphndefenders.net/resources/publications/6-human-rights/36-divers-paths-to-justice-legal-pluralism-and-the-rights-of-indigenous-peoples-in-southeast-asia</a></p>
<p>Development Agression as Economic Growth : A Report by the Asia Indigenous Peoples Pact</p>	<p>English</p>	<p><a href="http://iphndefenders.net/resources/publications/6-human-rights/35-development-aggression-as-economic-growth-a-report-by-the-asia-indigenous-peoples-pact">http://iphndefenders.net/resources/publications/6-human-rights/35-development-aggression-as-economic-growth-a-report-by-the-asia-indigenous-peoples-pact</a></p>

<p>PRELIMINARY REPORT : International and Interfaith Solidarity Mission in Defense of Indigenous Communities Fighting Impunity</p>	<p>English</p>	<p><a href="http://iphndefenders.net/resources/publications/6-human-rights/34-preliminary-report-international-and-interfaith-solidarity-mission-in-defense-of-indigenous-communities-fighting-impunity">http://iphndefenders.net/resources/publications/6-human-rights/34-preliminary-report-international-and-interfaith-solidarity-mission-in-defense-of-indigenous-communities-fighting-impunity</a></p>
<p>Tilting the Balance: Indigenous Women, Development and Access to Justice</p>	<p>English</p>	<p><a href="http://iphndefenders.net/resources/publications/6-human-rights/33-tilting-the-balance-indigenous-women-development-and-access-to-justice">http://iphndefenders.net/resources/publications/6-human-rights/33-tilting-the-balance-indigenous-women-development-and-access-to-justice</a></p>
<p>Indigenous Media, Free of Expression and Right to Information : ASEAN Scenario</p>	<p>English</p>	<p><a href="http://iphndefenders.net/resources/publications/6-human-rights/18-indigenous-media-freedom-of-expression-and-right-to-information-asean-scenario-new-briefing-paper">http://iphndefenders.net/resources/publications/6-human-rights/18-indigenous-media-freedom-of-expression-and-right-to-information-asean-scenario-new-briefing-paper</a></p>
<p>Access to Remedy: Business and Indigenous Peoples' Rights</p>	<p>English</p>	<p><a href="http://iphndefenders.net/resources/publications/6-human-rights/15-access-to-remedy-business-and-indigenous-peoples-rights">http://iphndefenders.net/resources/publications/6-human-rights/15-access-to-remedy-business-and-indigenous-peoples-rights</a></p>
<p>No Rights, No Justice: Experiences of Indigenous Peoples Affected</p>	<p>English</p>	<p><a href="http://iphndefenders.net/resources/publications/6-human-rights/14-no-rights-no-justice-experiences-of-indigenous-peoples-affected">http://iphndefenders.net/resources/publications/6-human-rights/14-no-rights-no-justice-experiences-of-indigenous-peoples-affected</a></p>

Survival under Threat : Human Rights Situation of Indigenous Peoples	English	<a href="http://iphndefenders.net/resources/publications/6-human-rights/13-survival-under-threat-human-rights-situation-of-indigenous-peoples-in-bangladesh">http://iphndefenders.net/resources/publications/6-human-rights/13-survival-under-threat-human-rights-situation-of-indigenous-peoples-in-bangladesh</a>
Supporting Indigenous Peoples Human Rights Defenders at Risk : The IPHRD FUND	English	<a href="http://iphndefenders.net/resources/supporting-indigenous-peoples-human-rights-defenders-at-risk-the-iphrd-fund">http://iphndefenders.net/resources/supporting-indigenous-peoples-human-rights-defenders-at-risk-the-iphrd-fund</a>
Indigenous Peoples and Corporate Accountability in the ASEAN	English	<a href="http://iphndefenders.net/resources/publications/6-human-rights/3-indigenous-peoples-and-corporate-accountability-in-the-asean">http://iphndefenders.net/resources/publications/6-human-rights/3-indigenous-peoples-and-corporate-accountability-in-the-asean</a>
Overview of the State of Indigenous Peoples in Asia	English	<a href="http://iphndefenders.net/resources/publications/6-human-rights/7-overview-of-the-state-of-indigenous-peoples-in-asia">http://iphndefenders.net/resources/publications/6-human-rights/7-overview-of-the-state-of-indigenous-peoples-in-asia</a>
We Have Rights : A Community Guide for Indigenous Peoples on the 2009 ADB Safeguard Policy	English	<a href="http://iphndefenders.net/resources/publications/6-human-rights/9-we-have-rights-a-community-guide-for-indigenous-peoples-on-the-2009-adb-safeguard-policy-statement-and-accountability-mechanism">http://iphndefenders.net/resources/publications/6-human-rights/9-we-have-rights-a-community-guide-for-indigenous-peoples-on-the-2009-adb-safeguard-policy-statement-and-accountability-mechanism</a>
Development for Whom?	English	<a href="http://iphndefenders.net/resources/publications/6-human-rights/8-development-for-whom">http://iphndefenders.net/resources/publications/6-human-rights/8-development-for-whom</a>

<p>Traditional Livelihoods and Indigenous Peoples</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/environment-reports/1061-traditional-livelihoods-and-indigenous-peoples">http://www.aippnet.org/index.php/publication-sp-2697/environment-reports/1061-traditional-livelihoods-and-indigenous-peoples</a></p>
<p>Additional guidance on REDD+ safeguards information systems</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1048-additional-guidance-on-redd-safeguards-information-systems">http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1048-additional-guidance-on-redd-safeguards-information-systems</a></p>
<p>Indigenous Peoples and Climate Change</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1052-indigenous-peoples-and-climate-change">http://www.aippnet.org/index.php/publication-sp-2697/environment/briefing-papers/1052-indigenous-peoples-and-climate-change</a></p>
<p>Indigenous Peoples' Perspectives on Development</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/human-rights/1060-asia-indigenous-peoples-perspectives-on-development">http://www.aippnet.org/index.php/publication-sp-2697/human-rights/1060-asia-indigenous-peoples-perspectives-on-development</a></p>
<p>Traditional Knowledge of Indigenous Peoples, Why should it be at the heart of discussions on early warning systems and agriculture?</p>	<p>English</p>	<p><a href="http://ccmin.aippnet.org/index.php?option=com_content&amp;view=article&amp;id=1315:new-briefing-paper-traditional-knowledge-of-indigenous-peoples-why-should-it-be-at-the-heart-of-discussion-on-early-warning-systems-and-agriculture&amp;catid=116&amp;Itemid=147">http://ccmin.aippnet.org/index.php?option=com_content&amp;view=article&amp;id=1315:new-briefing-paper-traditional-knowledge-of-indigenous-peoples-why-should-it-be-at-the-heart-of-discussion-on-early-warning-systems-and-agriculture&amp;catid=116&amp;Itemid=147</a></p>

<p>Research on the Roles and Contributions of Indigenous Women in Sustainable Resource Management in Asia- Case studies from India, Nepal and Vietnam</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/case-studies/1527-research-on-the-roles-and-contributions-of-indigenous-women-in-sustainable-resource-management-in-asia-case-studies-from-india-nepal-and-vietnam">http://www.aippnet.org/index.php/publication-sp-2697/environment/case-studies/1527-research-on-the-roles-and-contributions-of-indigenous-women-in-sustainable-resource-management-in-asia-case-studies-from-india-nepal-and-vietnam</a></p>
<p>Indigenous Peoples Human Rights Defenders Field Handbook on Human Rights Documentation and Advocacy</p>	<p>English</p>	<p><a href="http://iphndefenders.net/mediabox/docs/2015/hr_manual/handbook%2032.pdf">http://iphndefenders.net/mediabox/docs/2015/hr_manual/handbook%2032.pdf</a></p>

Title	Languages	Weblink/s
UN Declaration on the Rights of Indigenous Peoples: Articles on Human Rights and Militarization	English	<a href="http://iphrdefenders.net/resources/publications/6-human-rights/6-un-declaration-on-the-rights-of-indigenous-peoples-articles-on-human-rights-and-militarization">http://iphrdefenders.net/resources/publications/6-human-rights/6-un-declaration-on-the-rights-of-indigenous-peoples-articles-on-human-rights-and-militarization</a>
UN Declaration on the Rights of Indigenous Peoples (UNDRIP) on Rights to Development	English	<a href="http://iphrdefenders.net/resources/publications/6-human-rights/5-un-declaration-on-the-rights-of-indigenous-peoples-undrip-on-rights-to-development">http://iphrdefenders.net/resources/publications/6-human-rights/5-un-declaration-on-the-rights-of-indigenous-peoples-undrip-on-rights-to-development</a>
UN Declaration on the rights of Indigenous peoples on Customary Laws	English	<a href="http://iphrdefenders.net/resources/publications/6-human-rights/79-un-declaration-on-the-rights-of-indigenous-peoples-on-customary-laws">http://iphrdefenders.net/resources/publications/6-human-rights/79-un-declaration-on-the-rights-of-indigenous-peoples-on-customary-laws</a>
UN Declaration on the Rights of Indigenous Peoples on Self-Determination	English	<a href="http://iphrdefenders.net/resources/publications/6-human-rights/78-un-declaration-on-the-rights-of-indigenous-peoples-on-self-determination">http://iphrdefenders.net/resources/publications/6-human-rights/78-un-declaration-on-the-rights-of-indigenous-peoples-on-self-determination</a>
UN Declaration on the Rights of Indigenous Peoples on Cultural Rights	English	<a href="http://iphrdefenders.net/resources/publications/6-human-rights/80-un-declaration-on-the-rights-of-indigenous-peoples-on-cultural-rights">http://iphrdefenders.net/resources/publications/6-human-rights/80-un-declaration-on-the-rights-of-indigenous-peoples-on-cultural-rights</a>
Indigenous Peoples in Asia : Common Experiences and Issues	English	<a href="http://iphrdefenders.net/resources/publications/6-human-rights/86-indigenous-peoples-in-asia-common-experiences-and-issues">http://iphrdefenders.net/resources/publications/6-human-rights/86-indigenous-peoples-in-asia-common-experiences-and-issues</a>

UN Declaration on the Rights of Indigenous Peoples (UNDRIP) on the Rights to Land, Territories and Resources	English	<a href="http://iphndefenders.net/resources/publications/6-human-rights/81-un-declaration-on-the-rights-of-indigenous-peoples-undrip-on-rights-to-land-territories-and-resources">http://iphndefenders.net/resources/publications/6-human-rights/81-un-declaration-on-the-rights-of-indigenous-peoples-undrip-on-rights-to-land-territories-and-resources</a>
ASEAN Intergovernmental Commission on Human Rights (AICHR) and Indigenous Peoples	English	<a href="http://iphndefenders.net/resources/publications/6-human-rights/82-asean-intergovernmental-commission-on-human-rights-aichr-and-indigenous-peoples">http://iphndefenders.net/resources/publications/6-human-rights/82-asean-intergovernmental-commission-on-human-rights-aichr-and-indigenous-peoples</a>
UNDRIP and FPIC	English	<a href="http://iphndefenders.net/resources/publications/6-human-rights/83-undrip-and-fpic">http://iphndefenders.net/resources/publications/6-human-rights/83-undrip-and-fpic</a>
Indigenous Knowledge	English	<a href="http://iphndefenders.net/resources/publications/6-human-rights/84-indigenous-knowledge">http://iphndefenders.net/resources/publications/6-human-rights/84-indigenous-knowledge</a>
The United Nation's Declaration on the Rights of Indigenous Peoples	English	<a href="http://iphndefenders.net/resources/publications/6-human-rights/85-the-united-nation-s-declaration-on-the-rights-of-indigenous-peoples">http://iphndefenders.net/resources/publications/6-human-rights/85-the-united-nation-s-declaration-on-the-rights-of-indigenous-peoples</a>
Indigenous Women's Rights Enshrined in UNDRIP and CEDAW	English	<a href="http://www.aippnet.org/index.php/publication-sp-2697/indigenous-women/1246-indigenous-womens-rights-enshrined-in-undrip-and-cedaw">http://www.aippnet.org/index.php/publication-sp-2697/indigenous-women/1246-indigenous-womens-rights-enshrined-in-undrip-and-cedaw</a>
Indigenous Peoples, Climate Change and REDD	English	<a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/info-posters">http://www.aippnet.org/index.php/publication-sp-2697/environment/info-posters</a>

## Case Studies

Title	Languages	Weblink/s
<p>Indigenous Peoples' effective engagement in REDD processes in Philippines and Cambodia</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/case-studies/1466-indigenous-peoples-effective-engagement-in-redd-processes-in-philippines-and-cambodia">http://www.aippnet.org/index.php/publication-sp-2697/environment/case-studies/1466-indigenous-peoples-effective-engagement-in-redd-processes-in-philippines-and-cambodia</a></p>
<p>Research on the roles and contributions of indigenous women in sustainable forest management in Mekong countries</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/case-studies/1412-research-on-the-roles-and-contributions-of-indigenous-women-in-sustainable-forest-management-in-mekong-countries">http://www.aippnet.org/index.php/publication-sp-2697/environment/case-studies/1412-research-on-the-roles-and-contributions-of-indigenous-women-in-sustainable-forest-management-in-mekong-countries</a></p>
<p>Managing forests, sustaining lives, improving livelihoods of indigenous peoples and ethnic groups in the mekong region, Asia</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/case-studies/1376-managing-forests-sustaining-lives-improving-livelihoods-of-indigenous-peoples-and-ethnic-groups-in-the-mekong-region-asia">http://www.aippnet.org/index.php/publication-sp-2697/environment/case-studies/1376-managing-forests-sustaining-lives-improving-livelihoods-of-indigenous-peoples-and-ethnic-groups-in-the-mekong-region-asia</a></p>
<p>Hydropower development and the right to free, prior and informed consent of Indigenous Peoples- Case studies from Nepal and North-East India</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/case-studies/1062-hydropower-development-and-right-to-free-prior-and-informed-consent-fpic-of-indigenous-peoples-case-studies-from-nepal-and-northeast-india">http://www.aippnet.org/index.php/publication-sp-2697/environment/case-studies/1062-hydropower-development-and-right-to-free-prior-and-informed-consent-fpic-of-indigenous-peoples-case-studies-from-nepal-and-northeast-india</a></p>

<p>Global Warming Scapegoat : A new punishment measure imposed on indigenous peoples for practicing their sustainable traditional livelihood activities</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/case-studies/1063-global-warming-scapegoat-a-new-punishment-measure-imposed-on-indigenous-peoples-for-practicing-their-sustainable-traditional-livelihood-activities">http://www.aippnet.org/index.php/publication-sp-2697/environment/case-studies/1063-global-warming-scapegoat-a-new-punishment-measure-imposed-on-indigenous-peoples-for-practicing-their-sustainable-traditional-livelihood-activities</a></p>
<p>Climate Change, Trees and livelihood : A case study on the carbon footprint of a Karen community in Northern Thailand</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/case-studies/1065-climate-change-trees-and-livelihood-a-case-study-on-the-carbon-footprint-of-a-karen-community-in-northern-thailand">http://www.aippnet.org/index.php/publication-sp-2697/environment/case-studies/1065-climate-change-trees-and-livelihood-a-case-study-on-the-carbon-footprint-of-a-karen-community-in-northern-thailand</a></p>
<p>Indigenous Knowledge and Customary Law in Natural Resources Management</p>	<p>English</p>	<p><a href="http://www.aippnet.org/index.php/publication-sp-2697/environment/case-studies/1066-indigenous-knowledge-and-customary-law-in-natural-resource-management">http://www.aippnet.org/index.php/publication-sp-2697/environment/case-studies/1066-indigenous-knowledge-and-customary-law-in-natural-resource-management</a></p>

### ICE-BREAKERS

Ice-breakers are exercises which can serve many purposes notably to make the participants feel relaxed, to set the atmosphere of a training or to break a tension, to establish relationships among the trainees as well as with the facilitators, and more importantly to reinforce learnings in a fun and lighter atmosphere.

Below is a list of ice-breakers which trainers could use, when they see fit, in any educational and team-building related activities:

#### *Ice-breakers for getting to know each other*

##### A. FACT OR FICTION?

Ask everyone to write on a piece of paper three (3) things about themselves which may not be known to the others in the group. Two are true and one is not. Taking turns they read out the three 'facts' about themselves and the rest of the group votes which are true and false. There are always surprises. This simple activity is always fun, and helps the group and leaders get to know more about each other.

##### B. INTERVIEW

Divide the participants into pairs. Ask them to take three minutes to interview each other. Each interviewer has to find three (3) interesting facts about their partner. Bring everyone back together and ask everyone to present the three facts about their partner to the rest of the group.

##### C. NAME GAME

Get each participant to introduce themselves choosing an adjective to describe their personality. This personality trait must begin with the same letter as their first name. For example – Sunny Sui, Helpful Harus, Laughing Luka

Applying the same process- alternatively, the participants may be asked to choose food that

describes them, activity they like to do, colour they like/resemble, animal they admire etc. This is best used in groups where people do not know each other's names, but will work as a group or team.

## D. WHAT I DID LAST NIGHT

Get each participant to introduce themselves and give a description of what they did last night/the other day.

This can also be used for participants in a multi-day training, to do a recapitulation of the previous day's activities.

## E. PEOPLE BINGO

Great for new groups. Make a 5 by 4 grid on a piece of card and duplicate for everyone in your group. Supply pens or pencils. Each box contains one of the statements below. Encourage the group to mix, talk to everyone to try and complete their card. If one of the items listed on the bingo card relates to the person they are talking with, have them sign their name in that box. End the activity after 10 minutes and review some of the interesting facts the group has discovered about each other. You can add your own statements appropriate for your group.

- Had travelled by boat for a day
- Has eaten an insect food
- Has a herbal garden
- Is wearing blue
- Speaks a foreign language
- Plays a musical instrument
- Has 2 or more pets
- Had been to the Himalayas (in Nepal)
- Hates broccoli
- Has 2 or more siblings
- Name begins with an 'S'
- Loves Thai food
- Loves to walk
- Likes to get up early
- Someone who speaks Hindi
- Someone over 6ft tall

## F. SHARING FEATHER

Participants are sitting in a circle – each participant who holds the feather will answer three questions about themselves and their relationship to other things in the world. First they must introduce themselves and provide the possible meaning behind their name, who gave it to them, special significance, any nicknames etc and also where they are from (this is their relationship to themselves). Next they must describe their relationship to other people (they may be a mother, auntie, grandmother, sister, etc) and pick one of those relationships to tell the group why it is special. Lastly they must describe a place on earth of special significance to them. Then the feather is passed on to the next participant.

This exercise is to reaffirm our connectedness to ourselves, other people including our families and the earth.

The feather can be replaced with stones, tree branch, leaves etc. Questions can be changed to suit group as long as the main message of connectedness is not lost.

This ice breaker is better suited for presentation material that is a bit more emotionally triggering or a difficult topic to discuss. Materials that can be used: A feather, stone, tree branch, leaves etc or something to pass when it is the participant's time to share.

### *Ice-breakers that can be used to re-inforce learnings*

## G) FEAR IN A HAT

Set an appropriate tone, e.g., settled, attentive, caring and serious. The tone could be set by introducing the topic of fear and explaining how it is normal and natural for people to experience anxiety, worry and fear. A good way of starting to deal with these fears is have them openly acknowledge these without being subject to ridicule or judgment. Having one's fears expressed and heard almost immediately cuts them in half.

This can be done as the first activity in a training, during the initial stages or well into the training. When used early on in particular, it can help to foster group support and be helpful for alerting the group to issues they may want to surface or give importance during the whole period of the activity.

Ask everyone, including the group leaders, to complete this sentence on a piece of paper (anonymously):

“In this training, I am [most] afraid that...” or “In this training, the worst thing that could happen to me would be...”

Collect the pieces of paper, mix them around, then invite each participant to pick a piece of paper and read about someone’s fear.

One by one, each participant reads out the fear of another and elaborates and what he/she feels that person is most afraid of in this group/situation. No one is to comment on what the person says, just listen and move on to the next person.

If the reader doesn’t elaborate much on the fear, then ask them one or two questions. Avoid implying or showing your opinion as to the fear being expressed, unless the person is disrespecting or completely misunderstanding someone’s fear. If the person doesn’t elaborate after one or two questions, leave it and move on.

When all the fears have been read out and elaborated on, then discuss what people felt and noticed.

These activities can be done as well to know about each other’s “likes and dislikes” - worries, complaints/gripes, wishes and favorite moments in two separate hats.

## **H. ONCE UPON A TIME**

Ask each participant to think of either the name of a person, a place or a thing. Invite them to share this with the rest of the group. Select one in your group to begin a story. However, within 10 seconds they must mention the person, place or thing they have thought of. After 10 seconds (use a stopwatch or kitchen timer) the story is continued by the next person who must also mention their person, place or thing within the 10 seconds.

Continue until everyone has made a contribution. The stories can get really weird, but that’s part of the fun!

## **I) ARRANGE THE LETTERS**

This ice-breaker helps to elaborate/deepen understanding on the topics of the workshop. The participants will be divided into small groups and will be given a set of letters (big) for

them to use in the activity. They will be asked to form the words given by the facilitator. If the workshop is on the UNDRIP, participants will be asked to compose the words by forming a line. Words could be “indigenous peoples”, collective rights, and or any other words related to the topic of the workshop.

If the workshop for example is about “gender mainstreaming”- participants will be asked to form words such as “gender mainstreaming”, sex roles, biological roles, etc.

The first group to form the words will be the winner and as a price they will be asked to define the word/s they just formed

To keep the participants’ enthusiasm on the game, it is good to do it up to three times only.

### **J. COMPLETE THIS SENTENCE**

Have participants complete one of these sentences, after they introduced themselves: Once upon a time our village, our community was still...

This ice breaker works with everyone, anytime. The beginning sentence could be related to the topic of the workshop.

### **K. CHANGE**

This simple exercise makes people aware of the impact of change and how they feel about it. Ask the participants to fold their arms. Then ask them to fold their arms the other way round. Wait in silence for a few moments before asking them to unfold their arms. Debrief by asking: how difficult it was to fold their arms the other way; what it feels like with their arms folded the other way round; and did they have an urge to unfold or re-fold their arms.

### **L. COINCIDENCE**

The idea of this exercise is to help people become aware that some events are not as coincidental as they may seem at first. Tell the participants that you will be asking them to find the person in the room whose birthday is nearest to their own, but before they do that, ask them to write down what they think the chances are of someone finding a person who celebrates their birthday on the same day of the year as they do. When the mingling stops, ask what they originally thought the chances were of two people having the same birthday.

Capture the responses on a flip chart. Also ask whether anybody now wants to change their mind. The statistical chances of two people sharing the same birthday depend on the number of people in the group. If the group has 24 people, there is a better chance that 50 per cent have the same birthday.

## M. OBJECT STORIES

Collect together a number of objects and place in a bag. The objects can include everyday items i.e. traditional jewelry, bags, a pencil, key-ring, mobile phone, but also include some more unusual ones i.e. holiday photograph, wig etc.

Pass the bag around the group and invite each participant to dip their hand into the bag (without looking) and pull out one object.

The leader begins a story with the first object picked. After 20 seconds, the next person takes up the story and adds another 20 seconds, incorporating the object they are holding. And so on, until everyone has made a contribution to your epic literary tale

### *Ice-breakers to energize the participants*

## N. ANIMAL GROUPS

Gather all the participants in a large common area. Give each one a slip of paper with the name of an animal on it. When each one has already a paper, ask them to locate the other members of their animal group by imitating that animal's sound only. Talking is not allowed. The participants might hesitate initially, but that hesitation soon gives way to a cacophony of sounds as the participants moo, snort, and giggle their way into groups.

This is a good activity to awaken and energize the participants especially during a critical hour in the afternoon where many usually get sleepy.

## O. ANIMAL ROUNDUPS

Tell group members to silently think of their favorite animal. Then tell them that without talking, they need to arrange themselves from largest to smallest animals. Group members can only make gestures and the noise of their animal. After they have finished, have group members go around and say the animal they were supposed to be to see if it was accurate.

## P. ANIMAL SOUNDS

Works with any group size over 10 and with large groups; the more the merrier.

Invite participants into a circle. Hand out blindfolds and help people to blind fold another. Alternatively, ask for eyes closed.

Explain that each person will hear a whisper of an animal name. Move around the group, giving each person the name of animal (e.g., from the list below).

The challenge will be to find all other animals of one's own kind. No one is allowed to talk - only animal sounds can be made.

Chaos ensues, until gradually there's order and unity as animals find one another.

List possible animals (aim to have three or more of each animal). Note: Consider possible cultural issues if animal is sacred or offensive):

Wolf, Cat, Pig, Snake, Lion, Crow, Monkey, Frog, Elephant

## Q. BALL-TOSS

This is a semi-review and wake-up exercise when discussing a topic that requires heavy concentration. Have everyone stand up and form a circle. It does not have to be perfect, but they should all be facing in, looking at each other. Toss a ball or bean bag to a person and have her/him tell what thought was the most important learning concept was e.g. indigenous peoples, collective rights of indigenous peoples, etc. They then toss the ball to someone and repeat the process. Continue the exercise until everyone has caught the ball at least once and explained an important concept just covered.

## R. THE QUESTION WEB

You need to have a spool of string for this game. Ask the participants to stand in a circle. Hold on to the end of the string and throw the ball/spool to one of the participants to catch. They then choose a question from 1-20 to answer. A list of 20 sample questions is given below. **Adapt for your group.**

Hold the string then throw it to another participant. Eventually this creates a web as well as learning some interesting things about each other! At the end of the game facilitator could comment that all played a part in creating this unique web and if one person was gone it would look different.

In the same way it's important that we all take part to make the group what it is, unique and special.

1. If you had a time machine that would work only once, what point in the future or in history would you visit?
2. If you could go anywhere in the world, where would you go?
3. If your house was burning down, what three objects would you try to save?
4. If you could talk to any one person now living, who would it be and why?
5. If you HAD to give up one of your senses (hearing, seeing, feeling, smelling, tasting) which would it be and why?
6. If you were an animal, what would you be and why?
7. Do you have a pet? If not, what sort of pet would you like?
8. Name a gift you will never forget?
9. Name one thing you really like about yourself.
10. What's your favourite thing to do in the summer?
11. Who's your favourite cartoon character, and why?
12. Does your name have a special meaning and or were you named after someone special?
13. What is the hardest thing you have ever done?
14. If you are at a friend's or relative's house for dinner and you find a dead insect in your salad, what would you do?
15. What was the best thing that happened to you this past week?
16. If you had this week over again what would you do differently?
17. What is the first thing that comes to mind when you think about God?
18. What's the weirdest thing you've ever eaten?
19. If you could ask Christ to change one problem in the world today, what would you like him to change?
20. What book, movie or video have you seen/read recently you would recommend? Why?

## S. IF

Ask the group to sit in a circle. Write 'IF' questions on cards and place them facing down in

the middle of the circle. The first person takes a card, reads it out and gives her/his answer, comment or explanation. The card is returned to the bottom of the pile before the next person takes a card.

This is a simple icebreaker to get participants talking and listening to others in the group. Keep it moving and don't play for too long. Write your own additional 'IF' questions to add to the list.

1. If you could push for a policy in the government, what would it be?
2. If a mining company gave you a big royalty for using your land, will you accept it?
3. If you could change something in your community, what would it be?
4. If you could talk to anyone in the world, who would it be?
5. If you could wish one thing to come true this year, what would it be?
6. If you could live in any period of history, when would it be?
7. If you could change anything about yourself, what would you change?
8. If you could be someone else, who would you be?
9. If you could have any question answered, what would it be?
10. If you could have any kind of pet, what would you have?
11. If you had to be allergic to something, what would it be?
12. If money and time were no object, what would you be doing right now?
13. If you had one day to live over again, what day would you pick?
14. If you could learn any skill, what would it be?
15. If you were given funds for a project, what would the project be?

## T. AROUND THE WORLD

The facilitator begins by saying the name of any country, city, river, ocean or mountain that can be found in a map. The participant next to facilitator must then say another name that begins with the last letter of the word just given. Each person has a definite time limit (e.g. three seconds) and no names can be repeated. For example - First person: Liberia, Second Person: Australia, Third Person: Srilanka

## U. SUPERMARKET

The first player says: "I went to the market to buy an Asparagus (or any other object you can buy in a supermarket that begins with an A). The next player repeats the sentence, including

the “A” word and adds a “Banana” word.

Each successive player recites the sentence with all the alphabet items, adding one of his own. For example; ‘I went to the supermarket and bought an Asparagus, Banana, Cabbage, Durian, Envelopes, Fig. It’s not too hard to reach the end of the alphabet, usually with a little help! Watch out for ‘Q’ and ‘X’.

## V. LINE UP

Ask the participants to line up. This works best with 8-10 in a line. If you have a bigger group, split them up and challenge each line to complete the task first. Ask the group to form a new line in order of...

- Height, from smallest to tallest.
- Birthdays, from January through to December.
- Shoe size, from smallest to largest.
- Alphabetical first names (A-Z).
- Alphabetical mother’s first names.
- Alphabetical grandmother’s first names.
- Anything else you can think up.

## W. PEOPLE TO PEOPLE

Ask participants to form teams of two, then they introduce themselves to each other and tell them to stand back to back.

Then the facilitator will give different combinations that the pair has to execute (right hand to right hand, left foot to right foot, head to head, right hand to left leg, etc...). The pairs must maintain all combinations until they switch partners.

Once the leader says People to People they will then go switch partners.

If you have an odd number of participants, the odd person is the leader. Once pairs switch, the odd person out is the new facilitator.

## X. DRIZZLE, RAIN AND TYPHOON

This is a simple activity to energize the participants especially in an afternoon when many are sleepy. The participants will be asked to form at least two lines facing the facilitator with arms forward.

When the facilitator says:

Drizzle : each will massage the back of the person in front of him/her with just a finger;

Rain : massage a bit stronger using all the fingers ;

Typhoon : massage the back strongly using the two hands

After doing the massage a few minutes, ask the participants to do an “about face” so the other person will also get a chance to be massaged.

Source:

Ice-breakers, Warm-up, Review and Motivator Activities

<http://www.nwlink.com/~donclark/leader/icebreak.html>





## **UPDATED TRAINING MANUAL ON THE UNDRIP**

Asia Indigenous Peoples Pact (AIPP)  
2015