

17th October, 2011

To

Mr. Joachim von Amsberg,

Vice President, Operations Policy and Country Services (OPCS)
The World Bank

Subject: Concerns and recommendations of indigenous peoples on the Safeguard Policy review of the World Bank

Dear Mr. Amsberg,

We, the undersigned Indigenous Peoples organizations and support NGOs, wish to express our dismay over the long drawn process of the World Bank's Safeguard Policy review. Since the Policy review was announced on November 15 2010 (during the High Level Dialogue between Indigenous Peoples and World Bank Senior Management), no concrete steps to engage with indigenous peoples have been undertaken on the review process. Further, no draft policy has been made publicly available till today. In the recent information update in Panama, indigenous [peoples were informed that the process of review has been extended to end of 2013].

Likewise, we also wish to express our serious concern about the possibility of the indigenous peoples Policy being incorporated into a broader social safeguard policy, instead of retaining it as a stand-alone policy for indigenous peoples.

Additionally, we wish to underline our concerns for the proposed Programme for Results (P4R). We believe this will result to the application of safeguard policies only to Bank activities in certain sectors such as infrastructure development. We therefore wish to reiterate that safeguard policies have to apply to the entire World Bank activities, projects and programmes. If adopted in the current formulation, the P4R may also result in dilution of accountability, as well as social and environmental responsibility of the institution.

We also wish to draw your attention to the findings of the learning review the World Bank Operational Policy 4.10. According to the review, the World Bank lacks tools to adequately assess and monitor the proper application of the safeguard policies. In particular, this inadequacy relates to the conduct of Free Prior and Informed Consultation, the implementation of Indigenous Peoples Plan and the review of the borrower country legal frameworks on indigenous peoples as well as the need to require a stronger recognition of indigenous peoples land rights among others.

In adopting the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in September 2007, the United Nations General Assembly affirmed that respect, protection and fulfillment of the collective rights of indigenous peoples are an integral part of international human rights standards. This underpins the need to re-align social safeguards for indigenous peoples with this human rights instrument. In this respect, several international institutions, as well as bilateral donors and private banking institutions standards have already mainstreamed the UNDRIP including the

right to Free Prior Informed consent. International Financial Corporation (IFC) of the World Bank Group also adopted this principle. Indigenous peoples have long been demanding the World Bank to revise its policy to make it consistent with the UNDRIP.

Given this context, the review of the Indigenous Peoples Policy is long overdue and further delay for another two years is unacceptable. Thus, we urge the WB to review the Indigenous Peoples Policy independently from the other safeguard policies. The Indigenous Peoples Policy should thereby be maintained as a stand alone policy with the incorporation of the following elements:

- 1. The right to Free Prior Informed Consent (FPIC) in accordance with the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and ILO Convention 169, along with the recognition and respect of the rights of indigenous peoples.**
- 2. The recognition of pastoralism as a livelihood and a lifestyle and the inclusion of pastoralist people as indigenous peoples in World Bank policies, in particular in the Indigenous Peoples Policy.**
- 3. The recognition and respect of the rights of Indigenous Peoples in voluntary isolation. In particular, no project shall take place in their territories.**
- 4. The effective and immediate solution of the gaps and shortcomings of the implementation of OP4.0 based on the IP Policy Learning review, as described above.**

We therefore urge the Bank to immediately draft the revised policy to include the elements listed above, and make it publicly available in multiple languages not later than December 2011. Likewise, the World Bank should conduct national, regional and global consultations. The revised Indigenous Peoples policy should be submitted to the Board of Executive Directors for its consideration by June of 2012.

We, make this request in good faith, and thank you in advance for your prompt reply

Respectfully,

Ms. Mina Susana Setra and Mr. Soikan Meitiaki

CC:

Mr. Cyprian Fisiy, Director, Social Development Department

Ms. Mary Barton-Dock, Director, Environmental Department

Mr. Juergen Voegelé, Director, Agriculture and Rural Development

Ms. Rachel Kyte, Vice President, Sustainable Development Network

Mr. Charles Di Leva, Chief Counsel

Mr. Stephen Lintner, Senior Advisor, Operational Policies

Mr. Navin Rai, Indigenous Peoples Adviser

Mr. Benoit Bosquet, Coordinator, FCPF

Mr. Gerhard Dieterle, Forest Advisor

Signed by :

No	Organization	Country/Network
01	Asia Indigenous Peoples' Pact (AIPP)	Thailand/Asia

02	Indigenous Peoples' Alliance of the Archipelago (Aliansi Masyarakat Adat Nusantara - AMAN)	Indonesia
03	Mainyoito Pastoralist Integrated Development Organization (MPIDO)	Kenya
04	Consejo Autonomo Aymara (CCA)	Chile
05	Juventud Organizada para Vivir en Equilibrio con Nanaguadule (JOVEN)	Panama
06	International Alliance of Indigenous and Tribal Peoples of the Tropical Forest (IAITPTF)	Panama
07	Red de Mujeres Indigenas sobre Biodiversidad de America Latina y el Caribe	Latin America
08	Asociacion NAPGUANA	Panama
09	Fundacion Para la Promocion del Conocimiento Indigena (FPCI)	Panama
10	Coordinadora de Las Organizaciones Indigenas de La Cuenca Amazonia (COICA)	Latin-Central America
11	Center for Sustainable Development in Mountainous Areas	Vietnam
12	Water and Energy Users' Federation (WAFED)	Nepal
13	Inter Mountain Peoples' Education and Culture Association	Thailand
14	Indigenous Information Network (IIN)	Kenya
15	El Consejo Indigena Mesoamericano (CIMA)	Central America
16	Forest Peoples Program (FPP)	United Kingdom
17	National Association of Professional Environmentalist	Uganda
18	Indigenous Peoples Links (PIPlinks)	United Kingdom
19	World Jummo Voice	Switzerland
20	Red Indigena de Turismo de Mexico	Mexico
21	Zambia Climate Change Network	Zambia
22	Lelewal Foundation	Cameroun
23	Community Research and Development Services (CORDS)	Tanzania
24	Tanzania Intellectual Property Rights Network (TIP-Net)	Tanzania
25	Dupoto Forest and Wildlife	Kenya
26	Sostegno a Nuove Iniziative e Attività (Society for New Initiatives and Activities - SONIA)	Italy
27	Enlace Continental de Mujeres Indigenas de Las Americas	Continental Network
28	Indigenous Environmental Network (IEN)	North America
29	Indigenous Education Network of Turtle Island	North America
30	Centro de Culturas Indigenas del Peru (Chirapaq)	Peru
31	Center for World Indigenous Studies	USA
32	Wildlife Conservation Society (WCS)	Cambodia
33	Asian Indigenous Women Network (AIWN)	Philippines
34	National Forum for Advocacy Nepal (NAFAN)	Nepal
35	Association of Collaborative Forest Users Nepal (ACOFUN)	Nepal
36	Pakistan Fisherfolks Forum	Pakistan
37	Women's Initiatives for Society, Culture and Environment (WISE)	Philippines

38	Silingang Dapit sa Habagatang Sidlakang Mindanao, inc (SILDAP-SE)	Philippines
39	Asamblea Mixe Para El Desarrollo Sostenible A.C	Mexico
40	Nepal Federation of Indigenous Nationalities (NEFIN)	Nepal
41	Alaska Native Science Commission	USA
42	National Indigenous Women's Federation (NIWF)	Nepal
43	Indigenous Livelihoods Enhancement Partners (ILEPA)	Kenya
44	Jaringan Orang Asal SeMalaysia (Indigenous Peoples Network of Malaysia - JOAS)	Malaysia
45	Centro Para La Autonomía y Desarrollo de Pueblos Indígenas (CADPI)	Nicaragua
46	Zabarang Kalyan Samity (ZKS)	Bangladesh
47	Centre for Human Rights and Development	Mongolia
48	Mongolian People's Coalition for Food Sovereignty	Mongolia
49	Flemish Centre for Indigenous Peoples	Belgium
50	Lelewal Foundation	Cameroon
51	Ole Siosiomaga Society Incorporated (OLSSI)	Samoa
52	Sawit Watch	Indonesia
53	Yayasan Forum Studi Halmahera (FoSHal) Maluku Utara	Indonesia
54	Kelompok Studi dan Pengembangan Prakarsa Masyarakat (KSPPM)	Indonesia
55	Gema Alam	Indonesia
56	Yayasan Ulayat	Indonesia
57	Ngata Toro Indigenous Women's Organization (OPANT)	Indonesia
58	Keling Kumang Foundation	Indonesia
59	Akar Foundation	Indonesia
60	Cambodia Indigenous Youth Association (CIYA)	Cambodia
61	Borneo Resources Institute, Malaysia, Sarawak (BRIMAS)	Malaysia
62	International Indian Treaty Council (IITC)	USA
63	Horn Youth Development Association (HYDA)	East Africa
64	Walhi Nusa Tenggara Timur	Indonesia
65	Walhi Sumatera Barat	Indonesia
66	Koitsbu (Sunuwar Welfare Society)	Nepal
67	Cordillera Peoples Alliance (CPA)	Philippines
68	National Federation of Indigenous Peoples in the Philippines (KAMP)	Philippines
69	Yayasan Merah Putih (YMP)	Indonesia
70	BAKUMSU Sumatera Utara	Indonesia
71	Perkumpulan HUMA	Indonesia
72	The Netherlands Centre for Indigenous Peoples (NCIV)	Netherland
73	Zo Indigenous Forum	India
74	Jamaa Resource Initiatives	
75	Naga Women 's Union	India
76	International Council for the Indigenous Peoples of CHT (ICIP-CHT)	Bangladesh

77	Voices for Interactive Choices and Empowerment (VOICE)	Bangladesh
78	Tanzania Network for Indigenous Pastoralists (TANIPE)	Tanzania, United Republic of
79	Centre for Indigenous Peoples of Indus (CIPI)	Pakistan
80	The Federation of Indigenous Women of Nepal in America (FIWNA)	Nepal, based in USA
81	CHT-American Jumma Peoples Association (CAJPA)	Bangladesh, based in USA
82	The Corner House, UK	United Kingdom
83	Friends of the Earth, US	USA
84	Lembaga Bela Banua Talino	Indonesia
85	Konsorsium Pendukung Sistem Hutan Kerakyatan (KpSHK)	Indonesia
86	KASAPI	Philippines
87	Indigenous Community Support Organization (ICSO)	Cambodia
88	SAMATA	India
89	Perkumpulan TELAPAK	Indonesia
90	Perkumpulan Punan Arung Buana Kalimantan Tengah	Indonesia
91	Yayasan Hakiki	Indonesia
92	LifeMosaic	United Kingdom
93	Forest Watch Indonesia (FWI)	Indonesia
94	Maleya Foundation	Bangladesh
95	Cultural Survival	USA
96	Ecology and Action Anthropology (INFOE)	Germany
97	Perkumpulan PETRA	Indonesia
98	Zomi Human Rights Foundation (ZHRF)	India
99	Walhi Sulawesi Tengah	Indonesia
100	Institute Manua Punjung	Indonesia
101	The National Forum on Forest People and Forest Workers (NFFPFW)	India
102	Housing Rights Task Force	Cambodia
103	Urban Research Centre	India
104	CHT Indigenous Jumma Association Australia (CHTIJAA)	Australia
105	Southeast Asia Development Program (ISADP)	Cambodia
106	Ilchamus Development and Human Rights Organization	Kenya
107	Horn Youth Development Association (HYDA)	East Africa
108	Le Réseau de Lutte Contre La Faim Au Cameroun (RELUFA)	Cameroon
109	International Council for the Indigenous Peoples of CHT (ICIP-CHT) Australia and New Zealand Chapter	Australia – New Zealand
110	Mbororo Social and Cultural Development Association (MBOSCUA)	Cameroon
111	Badan Perjuangan Rakyat Penunggu Indonesia (BPRPI)	Indonesia
112	Yayasan Peduli Nanggroe Atjeh	Indonesia
113	The Lebanese Physical Handicapped Union (LPHU)	Lebanon
114	Yayasan Simeulue	Indonesia
115	Jaringan Komunitas Masyarakat Adat (JKMA) Aceh	Indonesia

116	Association pour le Developpement Global des Batwa du Rwanda (ADBR)	Rwanda
117	Programme d'integration et de Developpement du Peuple Pygmee au Kivu - RDC	RDC
118	Reseau des Populations Autochtones et Locales pour la Gestion Durable des Ecosystemes Forestier - RDC	RDC
119	International Work Group for Indigenous Affairs (IWGIA)	Denmark
120	Pastoralists Governance and Development Project	Kenya
121	Law and Advocacy for Pastoralist (ALAPA)	Tanzania
122	Rainforest Foundation Norway (RFN)	Norway
123	Non Timber Forest Products (NTFP)	Indonesia
124	Centre of Research and Development in Upland Area (CERDA)	Vietnam
125	Non Timber Forest Products – Exchange Programme (NTFP-EP) for South and Southeast Asia	Philippines
126	SOBREVIVENCIA, Friends of the Earth Paraguay	Paraguay
127	North East Peoples Alliance	North East India
128	Interfaith Cooperation Forum	Cambodia
129	Native Science Commission	USA
130	DAMAAN Development Organization	Pakistan