

ADB

INDIGENOUS PEOPLES/
ETHNIC MINORITIES
AND POVERTY REDUCTION



REGIONAL WORKSHOP PROCEEDINGS

Asian Development Bank

INDIGENOUS PEOPLES/ETHNIC MINORITIES

AND

POVERTY REDUCTION

PROCEEDINGS OF A REGIONAL WORKSHOP

Asian Development Bank
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FOREWORD

The Asian Development Bank (ADB) is pleased to release the Proceedings of the Regional Workshop on Indigenous Peoples and Poverty Reduction held in Manila on 25–26 October 2001. The Workshop was the culmination of an ADB regional technical assistance project on Capacity Building for Indigenous Peoples/Ethnic Minority Issues and Poverty Reduction. The project is mainly aimed at strengthening national capacities to combat poverty in the region and at improving the quality of ADB's interventions as they affect indigenous peoples/ethnic minorities. The Workshop was attended by representatives from the four developing member countries (DMCs) of ADB covered by the project (Cambodia, Indonesia, Philippines, and Viet Nam), nongovernment organizations, ADB, and other finance institutions.

The many complex issues and concerns affecting indigenous peoples/ethnic minorities were drawn out at the Workshop. It is hoped that this record of the proceedings will challenge the national governments, ADB, and other finance institutions as well as social development institutions, to introduce policies, programs, and measures to ensure that indigenous peoples/ethnic minorities fully participate in and benefit from the benefits of economic and social development.

The project was coordinated and supervised by Dr. Indira Simbolon, Social Development Specialist and Focal Point for Indigenous Peoples, ADB. The assistance of Jay Maclean in editing and of Anita L. Quisumbing and Lily Bernal in production is acknowledged with thanks.

The publication is one of a series of documents produced by the project. They comprise four country reports (on Cambodia, Indonesia, Philippines, and Viet Nam, respectively), a regional report covering these four countries, and the proceedings of the regional workshop that resulted in recommendations for a regional action plan for indigenous peoples/ethnic minorities. In addition, a regional report on the subject in Pacific DMCs was prepared under a separate consultancy.

It is hoped that the information in this publication series on the issues and concerns of indigenous peoples/ethnic minorities will help to guide national governments and other development partners in improving future interventions to recognize, promote, and protect the rights of these peoples.



ROLF ZELIUS

Chief Compliance Officer and
Deputy Director-General
Regional and Sustainable Development Department

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ABBREVIATIONS



ADB	-	Asian Development Bank
CEMMA	-	Committee for Ethnic Minorities and Mountainous Areas (Viet Nam)
CHARM	-	Cordillera Highland Agricultural Resource Management (Philippines)
GDP	-	gross domestic product
IFAD	-	International Fund for Agricultural Development
ILO	-	International Labour Organization
IMC	-	Inter-Ministerial Committee for Highland Peoples Development (Cambodia)
INDISCO	-	Inter-Regional Programme to Support Self-Reliance of Indigenous and Tribal Communities through Cooperatives and Self-Help Organizations
IPRA	-	Indigenous Peoples Rights Act (Philippines)
IWGIA	-	International Work Group for Indigenous Affairs
NCIP	-	National Commission on Indigenous Peoples (Philippines)
NCR	-	National Capital Region (Philippines)
NGO	-	nongovernment organization
RETA	-	regional technical assistance (ADB)
UN	-	United Nations
UNDP	-	United Nations Development Programme

OPENING ADDRESSES

TADA0 CHINO

PRESIDENT, ASIAN DEVELOPMENT BANK

It is a very great pleasure to welcome you here today. The subject of this workshop, indigenous peoples and poverty reduction, is one to which I personally attach great importance.

The workshop is the final public event of a regional technical assistance (RETA) that the Asian Development Bank (ADB) supported in 2001 on indigenous peoples, ethnic minorities, and poverty reduction in Cambodia, Indonesia, Philippines, and Viet Nam. The RETA has two main objectives, first to strengthen national capacities in this area, and second to improve the quality of ADB's own loans and other interventions as they affect indigenous peoples and ethnic minorities.

And this workshop has its own very specific objective, to approve a regional action plan that can guide future national approaches to this issue throughout the Southeast Asian region, and can also guide future interventions of international organizations including ADB itself.

Poverty reduction, as most of you know, is ADB's overarching objective. In 1999, I introduced a new poverty reduction strategy to ADB, which places special emphasis on the rights and responsibilities of indigenous peoples in such critical issues as sustainable resource management. It also recognizes that ethnic minorities may have special needs of social capital development, for example, special education curricula and self-managed health and other services.

In our interventions, we are increasingly aiming to reach out to the poorest groups of society. And there is growing evidence that in Southeast Asia, as in other parts of the world, indigenous peoples and ethnic minorities often bear the greatest burden of material poverty. This is one reason why so many of our new generation of loans are being directed at the areas where

these vulnerable groups are located. It is the case in our recent poverty reduction loan agreement for Viet Nam's Central Highlands, of our new community empowerment projects in the Indonesian islands of Kalimantan and Sulawesi, and in several projects now under preparation in the Philippine island of Mindanao.

I am pleased to say that indigenous peoples and ethnic minority concerns are also being addressed in some poverty reduction partnership agreements between ADB and governments of the region. Just two weeks ago, together with President Gloria Macapagal-Arroyo, I witnessed the signing of such an agreement with the Philippines. We pledged support to government efforts to promote indigenous peoples' rights, and to distribute ancestral domain titles to indigenous peoples.

Combating the poverty faced by indigenous peoples and ethnic minorities poses complex challenges for governments. Like all other population groups, indigenous peoples wish to benefit from the process of development. They need incomes, credit and financial assistance, marketing opportunities, production skills, and access to basic social services such as health and education. It is their location in forests, mountains, and other remote areas that often deprives them of access to such services. Special and targeted programs may be needed for their economic and social upliftment.

But indigenous peoples and ethnic minorities also have very unique cultures and traditions, with their own languages, and are striving today for development that respects their identity, values, and institutions. Their distinct cultures can be intimately linked to traditional forms of land tenure and resource management. These may be under threat as investment projects move into remote regions inhabited by them. Indigenous peoples can be concerned as much by the risk of impoverishment

through dispossession from their traditional lands and resources as by lack of access to material benefits and services.

Such dilemmas pose difficult challenges for all concerned with indigenous peoples and poverty, national and international, including ADB. How can a balance be struck between respect for and protection of indigenous cultures on the one hand, and on the other hand mainstreaming processes that combat social exclusion, break down the barriers of discrimination, and seek improved access for marginalized groups to national economic benefits?

In 1998, ADB adopted its first-ever Policy on Indigenous Peoples. It is a key policy instrument for ADB operations as they affect indigenous peoples and ethnic minorities. It calls for safeguards such as indigenous peoples' development plans, whenever a project might have a potentially adverse effect on these vulnerable groups. It also identifies key issues that should be considered as ADB operations address indigenous peoples' matters, including legal recognition of ancestral domain and the traditional rights of indigenous peoples over land and resources, recognized legitimacy of indigenous social and legal institutions, and recognition of the right of indigenous peoples to direct the course of their own development and change.

The present RETA is the first major regional initiative undertaken by ADB since the adoption of the Policy. It has addressed concerns that may be new for countries of the region. Some governments are only now becoming aware of the possible correlation between ethnicity and poverty. The project's relevance has been amply recognized by all participating governments and in each country a government focal agency has supported the activities and held a national workshop.

Moreover, the importance of the issues in the Asian region can hardly be overestimated. The poverty concerns of vulnerable ethnic minorities need to be addressed not only on ethnic grounds, but also increasingly on security grounds and the concerns of national harmony and stability. Disputes over land and resource rights can spill over to serious tensions, and to ethnically based conflicts, which can in turn damage national prosperity.

There is still much to be done to understand better how the economic and livelihood strategies of indigenous peoples and ethnic minorities relate to those of mainstream society. The findings of this project so far are that indigenous peoples and ethnic minorities are very often disproportionately poor and the poverty gap between them and mainstream society may also be growing. But there are also great opportunities to build national prosperity and effective governance on ethnic diversity, and thereby to prepare the ground for more inclusive development in all countries.

The main aim of this workshop, I reiterate, is to agree on some basic principles and approaches for national and international action to this effect. In some countries, the immediate priority may be the law and policy framework. I am pleased that, for example, ADB was able to assist the Royal Government of Cambodia in the drafting of an indigenous peoples' chapter in its new Land Law adopted this year. In other countries, it may be the need for better consultation mechanisms to ensure informed participation by indigenous peoples and ethnic minorities in the projects and programs that affect them. Other countries may now be ready to embark on concrete steps to make titles for ancestral lands. Governments may also consider more targeted approaches to address the specific needs of these peoples in development and poverty reduction programs.

Finally, your recommendations to ADB are welcomed. Our policy framework is in place. We are keen to learn how this can be translated into more effective programs of poverty reduction for indigenous peoples. We may need to increase expertise on indigenous and ethnic minority issues in our overall operational work to ensure that these concerns are incorporated in country strategies, programs, and projects. We also seek to improve our cooperation with other international organizations, drawing on their expertise in this area. The more specific that your proposals can be, the more impact this workshop can be expected to have on our future approaches and operations. So I wish you every success and look forward to your action plan with eager anticipation.

AMBASSADOR HOWARD DEE

PRESIDENTIAL ADVISOR FOR INDIGENOUS PEOPLES AFFAIRS, PHILIPPINES

Her Excellency President Gloria Macapagal-Arroyo congratulates Asian Development Bank President Tadao Chino and officers and staff for this wonderful initiative to advance the cause of our indigenous peoples who are the poorest of the poor in our region. Historically, they are our first citizens and yet, often occupy the last rank in the priority of regional affairs, an anomalous situation that this workshop intends to rectify.

Through the centuries, progress has bypassed our indigenous peoples and their development has even retrogressed. It is a grave injustice that they have to struggle for their survival from day to day, when their ancestors had already attained a level of self-sustenance and self-governance before western colonizers came to this region.

Your regional workshop is being held at an auspicious time when there is a happy confluence of events. As you are designing a regional action plan to guide ADB's future interventions, the World Bank is similarly conducting consultations on its new operational policies for development in ancestral lands, while we anticipate the promulgation of the Universal Declaration of Human Rights of the Indigenous Peoples of the United Nations.

The Philippine Supreme Court has just reaffirmed the constitutionality of our Indigenous Peoples Rights Act or the IPRA law, removing all obstacles to its vigorous implementation by the Macapagal-Arroyo administration. For the first time in our country's history, we have the trilateral support of the executive, legislative, and judiciary branches of government, to launch the reforms needed for the emancipation of indigenous Filipinos.

The IPRA law mandates a process of reform that is truly revolutionary. This reform process involves (1) the awarding of ancestral domain titles to indigenous communities; (2) protecting and empowering them to manage their ecosystems and resources for their self-sustenance; (3) building their capability for self-governance; (4) mainstreaming delivery of government services to their communities; and (5) preserving their indigenous knowledge systems, culture, and traditions for their future generations.

The newly constituted National Commission on Indigenous Peoples (NCIP) is tasked with this mandate

and to make good the President's promise of awarding 100 ancestral domain titles every year for the next 3 years to complete this titling process in 2004. The total area could amount to 5 million hectares.

Our government's commitment comes at a crucial time when indigenous Filipinos are struggling for their survival. Over the centuries they have suffered three waves of oppression and forced migration that continues to this day.

Datu Lapu-Lapu, the chieftain of Mactan, defended his lands against the Spanish colonizers in the 16th century. Using bamboo lances and poisoned arrows, he defeated Magellan and his forces on the beaches of Mactan Island. But in time, the "indios" who refused to be colonized had to retreat to the forests where they were out of reach of the Spaniards. This was the first forced migration. The forests became their natural habitat where they retained their own customary law and cultural traditions.

The next wave of oppression came with the large-scale logging that denuded 95% of Philippine forests. This postwar massive deforestation effectively plundered the natural habitat of millions of indigenous Filipinos. This environmental disaster was the single most devastating act of aggression against our indigenous populations. The Government gave license to this plunder and our trees were exported to many countries that wisely preserved their own forests.

With their natural habitat essentially destroyed, the indigenous Filipinos were left with barren mountains and even their wild game could not survive, depriving them further of their major source of sustenance and livelihood, and driving them farther into the hinterlands. This was the second forced migration.

In these hinterlands, severe conditions continue to threaten their survival. The last El Niño-related drought, in 1998, brought 1.5 million Lumads of Mindanao to the brink of starvation. There was nothing left to eat above the parched land. Even the palm trees were stripped of their bark. They had to dig for poisonous roots and process them for food to survive. A CARITAS team came from Europe to help and reported that Filipino indigenous peoples were living in conditions of the stone age.

In the hinterlands, the armed rebel groups recruit their young to be child soldiers, local politicians use armed goons to burn their houses and grab their lands, large corporate plantations, mining companies, and pastureland leases intrude into their unprotected communities.

In mid-2001, our President went to Mindanao to reinstate 650 Manobo families in their ancestral lands from which they were forcibly evicted 27 years ago. Datus came from adjoining villages to celebrate. Last week, the Datu who sat beside me during the ceremonies was killed with three other persons while surveying their lands. Their houses were burned down and the entire community had to evacuate. This threat of terrorism in our backyards poses the greatest challenge to us in the implementation of the IPRA law. The President is organizing a special task force to deal with this concern.

I am sharing our travails with you so that when you plan for the future, you are also fully aware of the present realities on the ground. It is providential that the chief delegate of Indonesia is His Excellency Yusril Ihza Mahendra who is Minister of Justice and Human Rights, as indeed the greatest obstacle to our collective success is injustice and the violation of human rights.

And from Cambodia, we have His Excellency Minister Ly Thuch, Minister of Rural Development, who can share with us the development experience of the

indigenous rural peoples in an agroforestry environment.

From Viet Nam, Commissioner Tran Luu Hai of the Commission of Ethnic Minorities and Mountainous Areas can acquaint us with indigenous resource management practices in the harsh environment of mountainous areas.

Our own Attorney Evelyn Dunuan, the new Chair of the National Commission on Indigenous Peoples, has a rich experience in the legal struggle of our indigenous Filipinos for recognition and emancipation, which she could share in order to help you in your own legal battles.

We also welcome the indigenous peoples' representatives, the national consultants from your respective countries, and the ADB officials who are guiding this workshop, particularly Ms. Indira Simbolon and Mr. Roger Plant who have worked so hard for this activity.

It is the hope of President Macapagal-Arroyo that this first workshop will provide the impetus for continuing dialogue and cultural exchanges among our indigenous peoples. We hope that this could lead to an alliance of indigenous Asians for mutual benefit and for the enrichment of our common and proud indigenous heritage.

Our Government would also be happy to participate in a technical study to provide the means to our indigenous peoples to restore their natural habitat that civil society has destroyed.

SESSION 1

Opening Statements by Government Representatives

YUSRIL IHZA MAHENDRA,
MINISTER OF JUSTICE AND HUMAN RIGHTS,
INDONESIA

At the outset, allow me to begin, on behalf of the Government and the people of Indonesia, by expressing our greatest gratitude and appreciation to the Government and the people of the Republic of the Philippines, for the generous hospitality and warm welcome extended to us at this important event. We would also like to express our sincerest thanks to Mr. Tadao Chino, President of ADB, who has offered very constructive cooperation with the Government of Indonesia, particularly in this technical assistance for poverty reduction and capacity building for our cultural communities. This cooperation actually started when an ADB fact-finding mission visited Indonesia on 10-15 July 2000 in order to plan for the RETA to identify indigenous peoples' concerns to be part of ADB's grand strategy in dealing with poverty reduction and empowering our cultural (*adat*) communities. Under the coordination of the Ministry of Justice and Human Rights as a focal agency, various government institutions at national, provincial, district, and local levels, *adat* community organizations, nongovernment organizations (NGOs), and universities have provided significant contributions to the finalization of our comprehensive assessment of the existing conditions of *adat* communities as the basis for developing relevant agenda to address the two main issues: poverty reduction and empowerment.

Indonesia's population now numbers more than 210 million. It has been predicted that the number will reach 224 million by 2005. By the middle of this century, it will probably reach 350 million. The country consists of more than 17,800 islands, of which about 6,000 are not yet occupied. The country has a great diversity in terms of language, custom, tradition, ethnicity, and culture. There are about 600 local languages spoken

across the archipelago. They belong to different ethnic groups and cultural communities of the population. These languages are spoken in thousands of different dialects. However, within this great diversity, Indonesia has one national language, Bahasa Indonesia. This is one of the greatest benefits toward unifying the country.

During the past 3 decades, our development was mainly based on the paradigm of growth, centralism, and uniformity, and neglected the huge sociocultural diversity across the country. The past approach appeared to be very counterproductive to the genuine process of democratization and empowerment of our people and had critical implications for all sectors in our national development. There have been more than enough lessons learned from the mistake. As the result of our own self-examination, a process of self-correction triggered by a most painful crisis during the last few years, we have opened a new page in our history. Now, we are living in a new political environment of freedom and democratization. We are setting up a new foundation for our political, economic, and social life within a decentralization policy and provision of greater autonomy to over 70,000 villages. These reforms are aimed at speeding up our national recovery, promoting democratization and human rights, and upholding the rule of law.

Therefore, the cooperation between our Government and ADB to strengthen national and local capacity to deal with empowerment and poverty reduction reflects the inherent commitment of our new government. Under the leadership of President Megawati Soekarnoputri, Indonesia will put empowerment and poverty reduction as the inherent spirit of its priorities for the remaining 3 years of her Rainbow Cabinet agenda. From a human

rights perspective, poverty and feelings of powerlessness, isolation, polarization, intolerance, and marginalization of a certain segment of communities tend to lead to escalating violence, crime, and even armed conflict. As reported by United Nations Secretary General Kofi Anan, between 1989 and 1996, only 6 of 101 armed conflicts around the world involved hostilities between one state and another. The remaining 95 conflicts were internal. Most conflicts are triggered by economic stagnation, inequitable distribution of resources, undemocratic political systems, weak social structure, suppression of local rights, and intolerance. In fact, conflict and social tensions are very expensive. In addition to enormous losses of human lives, lifelong physical and mental injuries both to the victims and the perpetrators, and devastated social structure and networks, the economic cost to the countries concerned in terms of loss of capital, the destruction of material assets, and economic stagnation are of the order of billions of dollars. As an illustration, the cost of military and civilian efforts in the Kosovo conflict settlement was about US\$100 million per day. To this should be added the enormous cost of rebuilding the country after the war.¹

Therefore, the existing policies of ADB and the countries present to combat poverty and empower the powerless appear to be very relevant to our national and regional stability today and tomorrow. ADB's and our government's commitment to combat poverty and empower our people to be able to be self-reliant is indeed not only strengthening our national unity but also preventing any potential internal conflicts. As a multicultural, multiethnic, and multilingual society, Indonesia takes pride in its mosaic of peoples that evolved from our country's long history of tolerance and solidarity, born of centuries-old cohabitation. However, the political transformation in today's nation-building process, combined with the economic crisis currently besetting Indonesia, has had a significant impact on the overall situation there, which has put our *adat* communities in a more complicated situation. We do realize that poverty reduction and empowering *adat* communities are not easy tasks. Empowerment in its wide spectrum and meaning includes empowerment in

terms of economic, social, cultural, and political life. Empowerment of *adat* communities, therefore, requires the collective responsibility of all components within our society, including *adat* communities themselves. The Government will take the position of facilitator in this empowerment process and provide a policy framework and legal protection for them.

Under these circumstances, let me share with you some expectations and commitments to the follow-up of this project. First, we hope that this regional workshop will provide us with a comparative perspective to improve our national strategy in order to implement a number of concrete action plans. Under the cooperation with ADB, we are committed to review and identify the substantive policy challenges and measures that need to be taken in such areas as autonomy and decentralization, community empowerment, strengthening cultural institutions, land and forestry, and health and education, and also new means and mechanisms of delivering assistance. These include the mechanism of government coordination at all levels, the role of parliamentary and judicial institutions, and the role of *adat* communities at all levels, whether local, district, provincial, or even national. We realize that without effective consultation and participation, there can be little hope that development and antipoverty programs will respond to the real needs and aspirations of *adat* communities.

Second, we hope that this regional forum will provide us with a comparative perspective or a means to learn how to mainstream the concerns and expectations of our local people and our cultural institutions in their development and poverty reduction programs. ADB will probably be able to facilitate a number of our follow-up activities in this area. We are committed to fight poverty and we would like to improve the quality of our peoples' life. Special and targeted programs are greatly needed. The project report has addressed concrete programs that are specific, measurable, applicable, relevant, and traceable to cope with the existing demands and aspirations of our *adat* communities to improve their livelihoods and to bring them into the mainstream of development.

Third, we hope that this regional forum will enrich our vision of society to empower our *adat* communities

¹ Ministry for Foreign Affairs, Stockholm. 1999. *Preventing Violent Conflict*. Regeringskansliet UD, p. 26-27.

for a better tomorrow. Three decades of centralistic policies, promoting uniformity of institutions despite our diversity, have inevitably had their impact on local traditions, local communities, and land and resource management practices. But today's commitment to the implementation of decentralization, regional autonomy, and community empowerment policies clearly holds a great opportunity for strengthening *adat* communities and institutions. However, to manage and run this social transformation, from centralization to decentralization, from top-down to bottom-up is not an easy task. Under this spirit, ADB is strongly requested to continue the existing cooperation to address various identified core issues to strengthen our national capacity based on our very diversified communities.

Finally, we hope that this regional forum will strengthen our commitment to the equality, dignity, and rights to development of all our citizens. Based on the very inspiring inputs we had during a national workshop and the comprehensive reports of your project, allow me once again to extend my deepest appreciation to the President of ADB and all the consultants, and to Dr. Indira Simbolon and Mr. Roger Plant. The inputs have forced us to reflect on the reality and to confront the past and to take action to remedy those unresolved problems that continue to poison our present, by laying stronger foundations now for the shaping of a more just future, based on the full recognition that diversity is a fundamental value and a precious asset for our *adat* communities.

LY THUCH

MINISTER OF RURAL DEVELOPMENT, CAMBODIA

The area of Cambodia is 181,000 km² and shares borders with Thailand, Lao People's Democratic Republic, and Viet Nam. The population was about 11.5 million in 1998, of which around 85% were living in rural areas. The average population density is 65 people per km².

Cambodia is a multiethnic society and most people are ethnic Khmer. Indigenous peoples in Cambodia live mostly in the highland areas. They can be distinguished from their lowland neighbors by their inhabitation of the remote upland forest areas, and also by their distinctive religion, culture, and their use of semi-nomadic slash-and-burn agricultural techniques. These highlanders are the most ancient inhabitants of the country and live in the sparsely populated areas of the northern and northeastern regions, mainly on the national borders. Although a few indigenous groups are scattered in other provinces, they are predominantly in the four northeastern provinces. As of 1998, the indigenous population in these provinces was 112,000 (about 1% of the total population of the country), mainly in Stung Treng (71% of the provincial population) and Mondulkiri (66%).

The northeastern region, the homeland of these indigenous people, is fertile, rich in natural resources, and politically strategic. During the French colonial time, huge rubber plantations were developed in this area. The indigenous peoples were employed in the

plantations and related construction works. During the prolonged civil war, this region was under attack and the indigenous tribes were displaced and even forced to ignore their traditional practices. After the Paris Peace Accord in 1991, and the first election in 1993, significant economic activities began in this area. Modern farming practices for cash crops and commercial plantations were introduced. Logging concessions, agroindustries, and tourism have attracted national and international investors to the area.

The main objective of the Royal Government of Cambodia is the alleviation of poverty. The long-term vision is a socially connected, educationally advanced, and culturally vibrant Cambodia without poverty, illiteracy, or disease. Cambodia can have this vision materialize through the achievement of annual economic growth of 6–7% over the next 2–3 decades.

The extent of poverty in Cambodia is a concern for all of us. The Poverty Profile of Cambodia, based on 1999 data, shows that 36% of the population are poor. The poverty rate is higher in rural areas at 40%.

The Government has established the following key factors for its poverty alleviation strategy:

- peace, stability, and social order;
- investment promotion;

- domestic investment in priority sectors and improving the productivity of agriculture;
- building institutional capacity and strengthening good governance;
- integration of the Cambodian economy into the region and the world; and
- human resource development.

Cambodia is overwhelmingly rural. Therefore, rural development is critical to the eradication of poverty and maintenance of peace in Cambodia. Following the restoration of peace and political reconciliation in the early 1990s, many development agencies were involved with the rural development sector through emergency relief-oriented projects and rehabilitation programs. Most of the rural development programs during that period were implemented with donor-driven, result-oriented, task-focused approaches.

The Government has also built up the capacity and capability of its institutions to carry out their responsibilities to restore peace, consolidate government roles, and build the foundation of a democratic society to promote sustainable development. The national development strategy has shifted from an emergency-oriented rehabilitation approach to a sustainable community-based integrated development approach, emphasizing active community participation and empowerment. The role of the service provider has been modified from donor-driven direct interventions to facilitating and assisting communities in responding to their needs as they are identified through the local development process.

Cambodia has taken important steps in recent years to recognize the identity and rights of its ethnic groups. Ethnic minority groups are facing severe problems, and are at risk of being marginalized from the benefits of economic and social development. The key issues are as follows.

- *Lack of land security.* Most indigenous highland peoples have their rules of village land use for residence as well as for cultivation. Since economic opportunities have opened up in the region, the population has increased. Local and international investors in both timber extraction

and industrial plantations (such as coffee, rubber, palm oil, and soy bean), have caused a major shift in the use of land and resources of indigenous peoples. Another threat to land security is logging concessions. About 2.4 million hectares of concessions are located in the four northeastern provinces where the indigenous highland populations reside.

- *Lack of food security.* The livelihood of the indigenous people depends mostly on swidden (slash-and-burn) agriculture. Rice is the central staple crop of the swidden system. A variety of other crops is grown for subsistence, including vegetables, root crops, gourds, and fruits. Swidden agriculture is not productive enough to enable food security in the area. The practice relies on weather conditions and is subject to such natural disasters as flood, irregular rains, attacks by pests, and animal diseases. There are few lowland rice fields around their residential places. Some are as far as 15 kilometers from the villages. Therefore, although they know that lowland rice farming could produce a higher yield, villagers prefer their traditional swidden practice, which they can use closer to their village. Animals, such as cattle, pigs, and chickens are raised for several purposes including sacrifice, income, and food. Due to logging of timber, hunting as a business has diminished. Because some people use explosives and electric shock to fish, normal fishing is now also difficult.
- *Earning through traditional forestry products.* The indigenous communities use bamboo, vines, rattan, and nontimber products for their earnings. With the increase of logging concessions, these earnings have fallen and opportunities are limited.
- *Development activities and traditional culture.* Each highland village community has its own religious practices, kinship, social obligations, patterns of authority, customary law, conflict resolution, and decision making. When development projects, agriculture concessions, logging concessions, hydropower projects, and national parks and other conservation areas are established, they affect not only land management, but also traditional law

and practices. The people feel they are losing their power over their traditional system and their culture. The indigenous peoples should participate in development decisions that affect them and in the creation of protected areas. They need development, but not at the expense of their culture and traditions.

- *Poor access to financial resources and market outlets.* During the civil war, most physical infrastructure was destroyed and economic growth was interrupted. Access to marketing outlets is still not adequate and, therefore, there are few opportunities and demands to promote income generation. Small-scale credit is not available in their society and family business development is slow.
- *Lack of health facilities and education.* Indigenous villages are located far from district health centers and commune health posts. Villagers have no access to health care and have no money for consultation or to purchase medicine. They still practice traditional medicine in accordance with their beliefs when they are sick. Most indigenous highland peoples are considered animists, and they cannot be separated from spiritual beliefs and cultural implications. Health and hygiene knowledge is low. Traditional medicine and healers are important sources for health care.
- *Illiteracy and the education system.* Literacy rates in Ratanakiri and Mondulakiri are 23% and 33%, respectively. Due to the region's isolation and poverty, it is difficult to attract and retain teachers. Schools are generally clustered around the district and provincial capitals, making access difficult for many students. Many highland children do not speak Khmer at home, putting them at a distinct disadvantage when they enter school, where lessons are taught in Khmer. Very few Khmer can speak any highland languages.

The Kingdom of Cambodia has recognized the human rights of all citizens (including indigenous peoples) and they are assured in our Constitution as stipulated in the United Nations Charter and the Universal Declaration of Human Rights.

The Government has initiated an awareness promotion program for issues relating to indigenous peoples in the country and formed a special task force, the Inter-Ministerial Committee for Highland Peoples Development (IMC), in 1994. The IMC is composed of representatives from 8 key line ministries. A secretariat was created in the Ministry of Rural Development to assist and coordinate the IMC. The four northeastern provinces have been selected as the priority for development due to the large number of highlanders and diversity of the ethnic population.

IMC submitted a draft general policy guideline to the Government in September 1997 for development of highland peoples. The general policy stated that all highland peoples have the right to practice their own cultures, adhere to their own belief systems and traditions, and use their own languages, and that the Government should strongly encourage and support local organizations or associations established by highland peoples. The draft general policy also includes policy guidelines for highland peoples' development in different domains, from environment to infrastructure.

Recently, the Government created a new department under the Ministry of Rural Development, the Department of Ethnic Minorities Development, to follow up the IMC recommendations. The roles of this department are mainly

- short-, medium- and long-term planning for ethnic minorities development;
- improving the current policy for highland peoples' development;
- conduct of research on identity, culture, and tradition of ethnic minorities in Cambodia; and
- providing training for development workers in cooperation with different local and international development agencies in the mountainous and highland areas.

The Ministry of Rural Development and international and nongovernment organizations have been implementing community-based, integrated, rural development programs in which the highland provinces are also included. The program settings vary from multipurpose development to specific-purpose

programs. Major activities of the various development partners include

- human resources development/capacity development;
- promotion of socioeconomic conditions in communities through local development planning, community empowerment, and community-based rural development structural improvements;
- reducing the workload of hill tribe women;
- nonformal educational projects;
- health system and community health services improvements;
- education system improvements; and
- nontimber forest products.

The IMC and the Department of Ethnic Minorities Development are the key government institutions responsible for developing a national policy and strategy and for formulating and coordinating development programs in cooperation with all partner agencies and key stakeholders (representatives of indigenous communities).

With ADB's active cooperation and technical assistance, we have an intense program of activities in Cambodia. We have studied the general conditions of indigenous peoples in Cambodia, conducted a poverty assessment, and identified major issues relating to indigenous populations through research and provincial and national workshops. As a part of the process for this regional workshop, we conducted a national workshop in Phnom Penh on 13 and 14 September 2001. The workshop was attended by a broad range of participants, from policymakers representing various ministries to provincial authorities, provincial departments concerned with ethnic minority development, national and international organizations, and representatives of indigenous groups.

Finally, we have developed an agenda for an action plan. It is grouped into substantive and institutional aspects and the role of international cooperation, as follows.

1. Substantive Aspects

- identifying vulnerable ethnic minorities,
- mainstreaming the concerns of ethnic minorities in poverty reduction strategies,
- enhancing land security,
- enhancing income and livelihood security,
- improving health services, and
- improving the education system.

2. Institutional Aspects

- The Inter-Ministerial Committee for Highland Peoples Development.
- Creation of the Department of Ethnic Minorities Development within the Ministry of Rural Development.
- Formulation of a mechanism through which ethnic minorities can be consulted over development priorities that affect them directly, and can participate in the design and implementation of such projects.

3. Role of International Cooperation

- International cooperation is very important in enabling Cambodia to uplift the social and economic conditions of its ethnic minorities.
- This can consist of
 - a. policy advice (such as on land and forestry legislation and policy);
 - b. technical assistance (such as land registration for ethnic minorities); and
 - c. specific, targeted projects/loans (directed particularly at the needs of ethnic minorities or at a geographical region).

TRAN LUU HAI

VICE CHAIRMAN, COMMITTEE FOR ETHNIC MINORITIES
AND MOUNTAINOUS AREAS, VIET NAM

First I would like to note especially our sincere thanks to ADB for its generous support within the framework of this project. Viet Nam highly appreciates regional cooperation and assistance from the international community and international organizations, especially the continuous support by ADB to the Vietnamese Government in poverty reduction, with the importance that ADB has attached to helping ethnic minority peoples.

In Viet Nam, ethnic groups are represented at the National Assembly by the Council of Nationalities. Within the Government, the leading coordinating agency is the Committee for Ethnic Minorities and Mountainous Areas (CEMMA), which has ministerial status and develops policies for ethnic minorities. Together with other agencies in Viet Nam, CEMMA is in charge of implementing programs and projects targeting ethnic minority groups.

Over the last 10 years, the Government has been circulating and implementing a number of policies, decisions, and programs aiming to eliminate hunger and reduce poverty in ethnic minority peoples. There are five principle policies, outlined below.

1. *Policy on capital investment.* The Government has given its socioeconomic development priority to remote and mountainous areas by providing partial funding for important infrastructure such as roads, irrigation, electricity and telecommunication systems, schools, hospitals, and clean water systems.
2. *Policy on land allocation.* Land, forest, and forestland allocation for cultivation and protection has been accelerated. The Government is aiming at allocating sufficient land for cultivation to ethnic minority farmers. In areas facing serious land shortage, the Government is securing land-use rights for the poorest people.
3. *Policy on human resources development.* Education and training for ethnic minority peoples are receiving considerable attention. Boarding schools

have been opened to serve ethnic minority students at the provincial and district levels, while semi-boarding schools are available at centers of commune clusters.

4. *Policy on creating market access.* The Government is facilitating the process of integrating market activities in mountainous areas with the national market by promoting access and exchange between the two. We also have formed a special policy to boost trading in remote mountainous areas and islands.
5. *Policy regarding economic sectors.* Two components have been identified as priorities in this policy. The first component is to create the right environment and conditions to develop the size and scope of collective units in mountainous areas. The second is to encourage various economic players to operate within the market economy with sufficient support from the Government. Long-term visions for a stable economy developing in the direction of productive markets have been seriously sought.

The above-mentioned policies aim at bridging the gap in socioeconomic development between the peoples in remote mountainous areas and on the plains, that is, between the ethnic minority and majority peoples in Viet Nam. We are striving to eliminate hunger and reduce the number of poor families.

The six most basic targets in our 5-year plan (2201–2005) for poverty reduction for ethnic minority peoples are the following.

1. GDP is expected to reach 6–7% per capita in mountainous areas. Incomes are estimated to double by 2005.
2. Prices for agricultural and forest products are to increase by 4–5% annually.
3. Industrial production is to grow 10–12% each year.

4. The value of the service sector is projected to increase by 7–8% annually.
 5. Regarding infrastructure, our goal is to provide 80% of the population of ethnic minority peoples with access to and use of clean water. Accessible roads to all commune centers will be constructed.
 6. With regard to sociocultural aspects, 90% of households will be exposed to communication and information systems such as television and radio. Programs to eradicate illiteracy in all communes will be conducted.
- Zoning residential areas and resettling communities to facilitate and stabilize livelihoods of ethnic minority peoples.
 - Promoting agricultural and forestry production, especially in manufacturing and marketing.
 - Constructing infrastructure according to zoning plans.
 - Building the capacity of local staff to fight against poverty.

There are several existing poverty reduction programs for ethnic minority peoples:

Centers of commune clusters. This program has been in operation since 1997 with the primary goal of providing sufficient infrastructure for centers of commune clusters. These centers are equipped with health posts, hospitals, local polyclinics, road and clean water systems, and agriculture and forestry extension centers. So far, we have established 100 centers and this number is expected to reach 500 by 2005.

Program for subsidized essential commodities. The commodities directly related to either livelihoods or production, such as seedlings, fertilizer, iodized salt, kerosene, and essential medicine, are subsidized by the Government in remote areas and for ethnic minority peoples.

Projects to support the poorest and most vulnerable households. Since 1993, the Government has invested Vietnamese dong (D)30–40 billion (US\$270,000) in support to the poorest households. Activities include provision of seedlings, fertilizer, means of production, clean water, and necessary goods (blankets, mosquito nets, clothes, etc.)

Program for socioeconomic development in the most remote and disadvantaged communes. From 1998 to 2001, the program granted D400 million (US\$27,000) to 2,230 communes all over Viet Nam. The funds are invested in the following.

Although the Government has made a series of efforts in eradicating hunger and reducing poverty among ethnic minority peoples, the results of the above-mentioned programs and projects are somewhat limited. The main reason for this limitation lies in the fact that Viet Nam is a poor country with special historical and geographical characteristics. In addition, people in mountainous areas in Viet Nam are continuously facing multidimensional difficulties and lack of access to these programs. The second most important reason is that the capacity to build on and to implement poverty reduction policies and programs in Viet Nam remains weak and insufficient.

The Government places primary focus on three principal areas in poverty reduction for ethnic minorities:

- Infrastructure building with appropriate consultative mechanisms and participation of the communities.
- Providing technical skills to ethnic minorities to improve their production and livelihoods.
- Capacity building for local staff, especially ethnic minority staff, at the grassroots level.

I hope that this workshop will clearly identify the main reasons for poverty in order to achieve appropriate interventions for indigenous and ethnic minority peoples in the region. We would like to learn useful lessons and receive support from friends and the international community in this long and challenging process to reduce poverty among ethnic

minority peoples in Viet Nam. We highly appreciate the long-term commitment and contribution of ADB to the

cause of poverty reduction in past years. We hope to continue to receive this support.

EVELYN DUNUAN

CHAIR, NATIONAL COMMISSION ON INDIGENOUS PEOPLES, PHILIPPINES

To begin with, may I present a brief introduction on indigenous peoples of the Philippines. I would like to talk a little of the Indigenous Peoples Rights Act (IPRA) of 1997, which is the legal basis for the government's program on indigenous peoples, and the role of the National Commission on Indigenous Peoples (NCIP). We, the contemporary indigenous peoples of the Philippines, number around 12 million in a total population of about 77 million, and are to be found in almost all parts of the country, particularly in the mountain ranges of the Cordilleras and the Sierra Madres, and the central plains in Luzon.

There are at least 110 major ethnolinguistic groups or tribes that now occupy only about 5 million hectares of the original 30 million hectares of ancestral domains of our forefathers. Many of our peoples may still be found within their original domains, but some have been relocated and resettled in other areas. Our indigenous cultural communities are the descendants of the original inhabitants of the archipelago, long before the advent of colonization. From earliest times, our ancestors exhibited the attributes of independent states, namely, people, territory, and government, through their customs and traditions, indigenous sociopolitical institutions, and independence or freedom from external control. Our forefathers managed to resist or escape from colonization and the inroads of other cultures, and were able to preserve their own beliefs, traditions, and ways of life, and handed these down to their descendants through the generations.

More specifically, the indigenous peoples in the Philippines today are usually differentiated from mainstream society Filipinos through the following distinctions, which should always be considered when making development plans for our indigenous peoples:

- Common ties of language, customs and traditions, and other cultural traits.

- Occupation of, or attachment to, land or territory.
- Resistance to colonization or other cultural inroads.
- Resultant differentiation from the rest of Philippine society.

For many decades, indigenous peoples were the victims of government neglect and inattention, of development aggression in projects and programs, of exploitation and discriminatory laws, and even of social discrimination from their own fellow Filipinos. Today, they are also identified as the poorest among the marginalized sectors of the nation.

The past government policies and programs of assimilation and integration have failed. To address this social injustice, and after more than 10 years of multisectoral advocacy, the Congress of the Philippines enacted the IPRA on 29 November 1997. Trumpeted and hailed as landmark legislation, the law seeks to recognize, promote, and protect the rights of indigenous peoples to their ancestral domains, lands, and waters. These are their rights to self-governance and empowerment, their rights to cultural integrity, their rights to social justice and other human rights, and the rights to delivery of basic services.

Enacted as a social legislation, the IPRA has been met from the very beginning with much opposition and criticism. In fact, a petition had been filed before the Supreme Court questioning the constitutionality of the law, which recognizes the rights of ownership by indigenous peoples of their ancestral domains and the natural resources within them by virtue of native title, but which government for many generations had claimed under the Regalian doctrine. Fortunately and rightly so, the Supreme Court has now ruled the IPRA as constitutional law.

The set law also created the NCIP to be the primary government agency to implement the provisions of the law. The NCIP is the highest policymaking body for indigenous peoples. It has the power to execute and implement policies and programs for indigenous peoples. It has quasi-judicial functions to settle cases affecting indigenous peoples and all their rights. It can award titles to lands and domains. And it is the representative of indigenous peoples of the Philippines in national and international bodies and forums. Structurally, the NCIP is composed of seven commissioners, representing each of seven ethnographic regions. These commissioners must be indigenous persons by blood or birth, and members of indigenous cultural communities or tribal groups that are native or indigenous to the ethnographic regions they represent. The NCIP has a central office in Metro Manila, 12 regional offices, 46 provincial offices, and 108 community service centers all around the country. It employs some 1,600 staff and employees.

During the first 3 years after the passage of the IPRA in 1977, the (previous) administration did not manifest enough political will to implement the law. Using the petition before the Supreme Court questioning the constitutionality of the law as a convenient pretext, the administration refused to release funds for the operations and projects of the NCIP. Thus, while apparently organized as a government agency, the NCIP was a structure that could do little, given its budgetary limitations, to address the needs and concerns of indigenous cultural communities during those first 3 years.

Soon after her assumption into power early this year, President Gloria Macapagal-Arroyo created the Office of the Presidential Advisor for Indigenous Peoples and appointed the Honorable Ambassador

Howard Dee to the position. Ambassador Dee has been untiring in his efforts and totally committed to serving the indigenous cultural communities. Today, the NCIP is fully commissioned and now we begin the real work.

The task of the NCIP as a government agency must be to support the government's program for the indigenous peoples. This administration is fully committed to the reduction of the poverty of its marginalized sectors including indigenous peoples. To do this, the NCIP, in collaboration with indigenous peoples' communities and their support NGOs, has adapted the generally accepted key result areas (KRAs) strategy of the administration's poverty alleviation program. The so-called KRAs include asset reform, increasing economic opportunities, social justice and economic reform, human resource development, participation in governance, protection and security of indigenous cultural communities and indigenous peoples, and capacity/institution building.

At the same time, the NCIP is forging relations not only with local NGOs but also with international groups, financing institutions, and other organizations. While the NCIP, as a government agency, must adhere very closely to the poverty alleviation program of the Government, it also has to work through the legal system with proper and effective implementation of the IPRA. The NCIP must also be there as the people's representative. In the end, the NCIP does not simply encourage poverty reduction or development for the sake of development, it seeks guarantees that all development programs, all efforts that are to be done in the name of the indigenous peoples of the Philippines, must in the ultimate analysis, lead to peace and development among the indigenous peoples themselves.

SESSION II

Opening Statements by Indigenous Peoples' Representatives/Civil Society

PHOY BUN NYOK

ADVOCACY WORKING GROUP, NON-TIMBER
FOREST PRODUCTS, CAMBODIA

*(The address was presented in her native
Cambodian language. Following is the translated text.)*

I am from the Tampuan ethnic group in Ratanakiri. On behalf of indigenous peoples in Ratanakiri, I would like to thank ADB for organizing this workshop for our indigenous peoples and to present some of the main issues concerning indigenous peoples in Ratanakiri.

The primary issue affecting the people is land conflict, which is of great concern in our own commune in Taket in Bo Keao District. The second is the hydropower operation at Yali Falls dam, which has caused problems for indigenous peoples in Ratanakiri who live along the Se San River. Third is the issue of illegal logging being carried out by the company that has the concession to log in our forest. The loggers have done a lot of damage in felling trees and scaring away wildlife from the area.

I would like to propose to ADB and to the Cambodian Government that any projects in the Taket area should originate from careful studies with participation of the indigenous peoples. In addition, any projects in our Taket village should also focus on land management, including general and agricultural land use. The second focus could be on education. Projects should also involve indigenous peoples in all decision-making processes. Consultations prior to the start of projects should be carried out. We feel that such projects should be for the benefit of all the indigenous peoples in the Taket area. Finally, I

would like to propose to ADB that project funds should be released after the establishment of a committee for monitoring and evaluating the project. We need to be sure that the funds will be used directly for the benefit of the indigenous peoples at the local community level.

ABDON NABABAN

AMAN, INDONESIA

Aliansi Masyarakat Adat Nusantara (AMAN) is an alliance of 33 indigenous peoples' organizations all over Indonesia and my position is Executive Secretary to the 64 members of the National Council. Ms. Den Upa will present the official statement of the organization. She is the coordinator of the National Council and is from the Toraja, a group of mountainous people in Sulawesi.

I am here to introduce the indigenous peoples' situation in Indonesia as a background to understand the perspective of indigenous peoples on poverty and how to alleviate that poverty. Minister Mahendra has already explained that Indonesia is a multiethnic country. It has more than 70,000 islands and it is also known as a major biodiversity center with at least 47 major ecosystem types. We are also well known for our cultural diversity. According to our conservative estimate, there are more than 250 ethnic groups, with more than 500 different languages. These two factors—mega biodiversity and major cultural diversity—are closely related while supporting each other. AMAN's rough estimate for the population of indigenous peoples in Indonesia is 53 million. AMAN defines indigenous peoples as communities that live in their ancestral territory, accept sovereignty over their land and natural resources, and govern their communities by customary laws and institutions, which sustain the continuity of

their livelihoods. This definition was formulated in the first national congress of indigenous peoples in 1999.

Now I want to share with you the position of indigenous peoples in Indonesia. The Constitution (*Undang Undang Dasa*, 1945) has the same name as the national motto of Indonesia, and means unity in diversity. There is an acknowledgment of our indigenous cultures and their differences. There is also recognition and protection in our Constitution in Article 18B and the second amendment of 1999, which states that the traditional rights of indigenous communities—the term is *masarat adat*—to govern and regulate their people and manage their resources are recognized and respected by the State. This is a clear indication that the State has recognized and respected indigenous peoples' rights. And there is also an article, Article 28.5.3, which states that the cultural identity and traditional rights of indigenous communities are respected and protected by the State as one of the human rights.

However, in our history of development, indigenous peoples are major groups that have become victims of development. National development policy and law systematically destroy this indigenous local system. Imposition of state control over natural resources has changed the communal and collective rights of indigenous peoples in their ancestral domains. For example, the Forestry Law of 1999 states that customary forests are classified by the Government as state forests. The exploitation rights to these state forests are then granted to state-owned and private companies. That is one of the sources of social conflict now in Indonesia. The Government also imposed a uniform level of governance, which is supported by the local military and local-level military administration. This concept has destroyed the indigenous, community-based governance system, and has also generated communal conflicts. This phenomenon occurs all over Indonesia. Indonesian people nowadays live a life full of potential for conflict provocation. If you have money, you have personnel and power. This provides a base for provocation and social unrest.

The major problem now facing the indigenous peoples in Indonesia is psychological degradation. It is true that indigenous peoples are economically marginalized. We refer to this problem as "how to reduce poverty in the midst of plenty." Indigenous peoples have wealth: they are rich in land, forests, water, and fish. They have everything, but yet they are

also suffering. There is a process of political weakening nowadays due to the absence of political space for indigenous peoples to be informed of formal political structures, major policies, and law-making processes. The Parliament has tried to discuss how to develop national political systems that allow indigenous peoples to participate in the whole process of policymaking.

We also face conflicts and social disintegration within the community and also between communities. This is a priority for indigenous peoples in Indonesia. Based on these issues, we believe that poverty alleviation in Indonesia is not just an economic problem. It is political and cultural in all aspects. Ms. Den Upa will now present demands and recommendations from AMAN's perspectives to reduce poverty.

DEN UPA ROMBELAYUK AMAN, INDONESIA

(The address was presented in Bahasa Indonesia. Following is the translated text.)

AMAN's demands and recommendations to reduce the poverty of indigenous peoples in Indonesia are as follows:

1. Review and reform all laws and government regulations that violate the Constitution of 1945 and its amendments in 1999, e.g., the Forestry Law, Fisheries Law, and Mining Law.
2. Stop all foreign loans that facilitate and develop natural resource-based industries, because this support will only exploit indigenous peoples and further expose them to manmade disasters.
3. Review and renegotiate all existing contracts and concession permits of logging and mining companies. The activities of these companies have replaced the voice of birds with machinery. They have destroyed the biodiversity.
4. Implement development projects with transparency and seek approval of local indigenous peoples and their participation in implementing these projects.

5. Support indigenous communities and indigenous peoples' organizations directly in building their capacity in revitalizing and enforcing customary laws and institutions to govern themselves and manage their own resources.

I hope that this workshop will be a great success and will be a part of the solution for indigenous peoples in Indonesia and the region. We also hope that the mechanisms by which ADB gives support to indigenous peoples will be made transparent and clear.

This is also a special message to our Minister, Professor Mahendra, because the Minister has given a sign of recognition and respect for indigenous peoples. I hope that the Minister will have the power to fight for justice, to enforce the law, and also to find solutions for all conflicts in Indonesia.

VICTORIA TAULI-CORPUZ

TEBTEBBA FOUNDATION, PHILIPPINES

On behalf of my organization and my people, Takan-Takanay Igorots in the Cordillera, I would like to thank ADB for bringing us here to talk about how to reduce poverty among indigenous peoples in the countries present here.

I am quite comfortable speaking on this podium today because Ambassador Howard Dee and Commissioner Evelyn Dunuan have already spelled out the situation of indigenous peoples in the Philippines, so I will not go into that anymore. I will go directly into the recommendations that I think should be coming from an NGO or an indigenous peoples' perspective. Although I was introduced as a Commissioner of the National Commission on the Role of Filipino Women, all of my life I have really been working with our own local communities and the NGOs here in the Philippines, as well as within the international arena. The perspective I am going to present here is coming from that background.

The issue of poverty among indigenous peoples, which is really appalling, is one of the greatest scandals of our times. Indigenous peoples live in communities that are very rich with natural resources. Almost all of these natural resources have been preserved mainly because indigenous peoples have struggled against and

resisted projects that are going to destroy these resources. Therefore, it is not acceptable to see that indigenous peoples remain in a state of poverty. It is the responsibility now of government, of the international community, and of us as indigenous peoples to correct this historical injustice and give justice to the people who have given their share in terms of preserving and conserving these natural resources, not only in this part of the world but in the whole world. I would like to present the recommendations that I think should be considered by this workshop.

First, poverty reduction should really be approached within the framework of recognizing and respecting the rights of indigenous peoples to self-determination and a right to control and use their own ancestral lands and resources. This is the main reason why indigenous peoples are in such an appalling state of poverty. Even if they have all the wealth in the land, they are never given the right to control and use the land and resources for their own development. Indigenous peoples' land has always been seen as base for resources that will be taken away for the sake of so-called national development. And that kind of framework is not acceptable in these times.

Second, respect, recognition, and support for indigenous peoples' sustainable resource management practices should be institutionalized. We have seen that the main problem is so-called development aggression. The so-called development projects are often imposed on our communities—whether mines, industrial tree plantations, dams, or even protected areas—and do not necessarily respect our customary ways of conserving and sustaining our own natural resources. We have always strongly asserted, for instance with the Department of Environment and Natural Resources, that we do have good forest resource management practices. For example, in my town we have what we call *patangan*, which is a very good resource management practice to conserve our pine forests, and this is the reason why we still have a thick pine forest in our communities. But, somehow, this has not been supported nor integrated into the programs of the Ministry. Similarly, the Ifugaos have the *muyong*, a very sustainable forest management practice, which still has not really been considered as such and integrated into the policies of the Ministry. There are many other indigenous, sustainable, resource management practices, whether in forestry, agriculture, or in mining, which have to be

looked into and considered as resource management practices.

Third, we need to review and assess all government programs, policies, and development projects that are being implemented in indigenous peoples' communities. Two weeks ago, during the first phase of this consultation, some government ministers gave reports of what they have done for indigenous peoples with an evaluation of the effectiveness of the lessons learned in these projects. It is very clear that many of these projects have not addressed our situation. They are top-down projects, which we did not ask for and, therefore, many have failed. It is about time for us to assess why these projects failed and to rectify all the mistakes and weaknesses, so that we will be able to start respecting the knowledge and perspectives of indigenous peoples.

All official development aid-funded projects, such as ADB, ODA, and World Bank projects should be included in this review. In the Philippines, for instance, in Mindanao, there are 200 industrial forests that remain a source of problems for the Lumads in the area. These have, with due respect to ADB, been funded by some ADB money. Problems brought to the fore by the Lumads should be considered and used as a reason to review and revise the kind of support being given to projects in our communities. This is really important because now we have the IPRA; we need to assess the suitability and consistency of projects with promoting the rights of indigenous peoples as defined in the IPRA, and also by international standards like the Convention 169 of the International Labour Organization (ILO) and emerging instruments or standards like the UN draft declaration on the rights of indigenous peoples.

Fourth, because we have struggled, because indigenous peoples have resisted, there are now existing policies and others being formulated to promote and respect indigenous peoples' rights. In the 1970s, when my organization was still new, we actively participated in the struggle to stop the World Bank-funded Chico River Dam project. We were able to stop this due to the tremendous support received from the international community. The World Bank was pressured to come up with its own indigenous peoples' policies. Also, the IPRA came into being due to the struggles of our ancestors and the present generation of indigenous peoples. Things do not come to us on a silver platter. We really have to fight for our rights. Many lives were lost and

militarization has been imposed in many of our communities. In fact, Ambassador Dee mentioned earlier that a Datu he sat with was killed in Mindanao because his tribe was asserting their rights over their lands against a university based there, which has a conflicting claim over that land.

This is the kind of situation we are faced with every time. Because we have consistently asserted our rights, improved policies have come into being—the indigenous peoples' policy of ADB, the World Bank indigenous peoples' policy, and policies of bilateral donors, such as Denmark, The Netherlands, and even the European Commission. Recently, UNDP finalized its policy on indigenous peoples. This is the result of our lobby during a UNDP meeting emphasizing the need for formulating policies for indigenous peoples as UNDP had done for gender issues. These kinds of policies should be implemented or revised as necessary. Recently, we met the World Bank representative to advise that their draft revised policy is weaker than the original one and does not recognize ancestral domains or rights to these domains. Neither does it recognize the rights of indigenous peoples to self-determination or acknowledge free and prior informed consent. This was the very strong message that we presented. We hope that it will be integrated into the revision of the World Bank policy.

Fifth, the most important thing is to sensitize and raise the awareness of government employees on indigenous peoples' rights and perspectives. As Evelyn Dunuan mentioned earlier, even in the NCIP, almost half of the staff have not heard of the IPRA. The discriminatory thinking that indigenous peoples are stupid, that they cannot understand the real world, and, therefore, that their demands are not realistic, is one of the main problems over the decades. What we are presenting is realistic. It only requires that people be able to grasp, understand, and be compassionate toward indigenous peoples' concerns.

Sixth, the whole concept of mainstreaming indigenous development perspectives should really be taken seriously, as has been done with gender issues. If there is such a thing called Gender and Development, why cannot we create a whole theory, a whole concept on indigenous peoples and development? I strongly believe that this is what we need to do now. Many mainstream development projects in the world have failed. Some projects that are sustainable are in

indigenous peoples' communities. These viable systems should be institutionalized and recognized not only by our Government but also by international institutions.

Seventh, we should continue participating in the setting of international standards in the global arena. The UN has finally adopted the recommendation to establish a permanent forum on indigenous peoples within its system. The forum has a mandate to look into all the different issues, such as human rights, gender, development, trade, and conflict resolution. This is a body that we would like to further strengthen. This will help ensure that member governments of the UN will really uphold the rights of indigenous peoples.

At the end of the day, it is the empowerment of the local communities that is basic in all these endeavors. Empowering local communities and allowing them to define what development is, allowing them to be the key partner in reducing poverty, is the right approach.

In the Philippines, in spite the fact that there is a Mining Act, indigenous peoples have felt that mining could destroy their communities. As a result, many

mining corporations have not been able to enter indigenous peoples' communities and have had to pull out of the country. This might not be good in the short term for so-called national development. Personally, I think it is good, because it allows indigenous peoples to define development in the way they would like it to be done. This also means that the Government should review and revise all discriminatory policies and laws against indigenous peoples. This should be a major project to be undertaken and led by the NCIP.

These recommendations are not just mine; they have come up from various consultations with indigenous peoples all over the country. I am synthesizing and presenting them at this workshop. I sincerely believe that if we are able to implement these recommendations, the historical injustice that has been done to indigenous peoples would be rectified. In addition, I strongly believe that indigenous peoples are the real key partners in development and in reducing poverty in any country where they are found. And if we are not able to tap into the expertise, knowledge, and experience of indigenous peoples, we are going to lose a lot.

SESSION III

Presentation of the Project's Main Findings

ROGER PLANT

ADB CONSULTANT TEAM LEADER

Our primary challenge in this study was making the case for differentiated treatment for indigenous peoples and ethnic minorities in poverty reduction programs. This is a fundamental issue. Under what circumstances should they have very distinct treatment? Should a program/project or any of its components be ethnically targeted? That means targeted not at a geographical region wherein these indigenous peoples reside, but specifically at people who are identified as indigenous or ethnic minorities. Whether there should be special consultation procedures to permit effective participation of indigenous peoples in the design, implementation, and also monitoring of programs is a very key issue.

The following presentation focuses on indigenous peoples. We recognize that indigenous peoples and ethnic minorities are not the same. There could be very different connotations in being referred to as indigenous or ethnic minority. There are also many similarities and common characteristics. Our program dealt with these questions from different angles. First, we discussed the complex issue of definitions and assessing how we can in practice distinguish between indigenous and nonindigenous peoples. You have to think of the purpose of defining yourself as indigenous. This has been stated earlier, particularly by indigenous participants. We believe that, in the ADB policy, self-definition is a fundamental criterion. But in Indonesia, people are talking about *adat* customary law, peoples, and institutions. That is very complicated because it may be impossible in some countries to identify which were the first ancestral inhabitants of a particular location. However, the emphasis is much more on the aspirations of people to manage their lands, to manage their resources in a particular way, and to exercise some

governance in accordance with their own time, values, and institutions.

Second, we reviewed the law and policy framework, examining the extent to which there may be special provisions for indigenous peoples in national laws and policies and programs. We tried to find out whether indigenous peoples are disproportionately poor, whether this condition has been changing over a period of time, and what structural and other factors could lead to a worsening of poverty for indigenous peoples. It is very difficult to find statistical data for this. The only reliable data were in Viet Nam, where household surveys over time have disaggregated poverty indicators by ethnicity through 10 different ethnic groups. These surveys indicate a growing poverty gap between the ethnic minority and lowland populations, which is a very important factor to take into account. It is essential to find the means to make such assessments in other countries. However, in the future, they must be made in a different way. They must take into account the perceptions of indigenous peoples and communities.

Third, and most important, our study did focus on the perceptions of indigenous peoples and communities with regard to poverty trends, causes of poverty, poverty characteristics, perceptions of well being, and appropriate remedies. I think this is the most interesting part of our report. One can see why poverty means different things for different ethnic groups. There are universal dimensions to poverty reduction strategies, but it is absolutely essential that strategies take into account local perceptions.

Issues that arose in every country were land tenure, forestry, and resource management. There are also very serious concerns with regard to health, education, income, income-generation, access to other services, and infrastructure. Some government delegates have made references to these programs and we accept that these could be very fundamental priorities. But what unites the indigenous peoples and

ethnic minorities throughout the world is wanting to maintain an integrated community based on control of land and natural resources.

Some countries are still struggling to adopt the appropriate law and policy framework for indigenous peoples. This is particularly the case in Indonesia, after 30 years of decentralization and grappling with related concerns in the context of community empowerment, decentralization, and regional autonomy. The question is clearly, how do you identify the land area that has been occupied for a long period of time by a particular group? What is the appropriate land tenure arrangement and land adjudication policy? There are very complex debates and concerns emerging in the other countries.

It is interesting to look at the particular situation of the Philippines, which has an extremely sophisticated and detailed IPRA that sets out what needs to be done in order to identify and demarcate ancestral lands and domains in order to issue the appropriate titles. But this Act was adopted in 1997, and we heard in emotive terms earlier about the recent tragic event in Mindanao, where people were killed after trying to register their ancestral lands and domains.

It is clear that a law is certainly not enough. One needs to work out exactly, together with these communities and some NGOs who have a lot of expertise in this area, what steps are needed in order to mark community lands to find out how those lands are used. At the same time, one needs to work very closely with the legislature in order to work out who will title the land. You cannot have a communal land title unless you have a traditional institution in which the land title could be vested. And you also have to form a land-use strategy.

A point strongly emphasized in our report is that although subsistence economies are important to the indigenous peoples of Asia as they are important to indigenous peoples everywhere in the world, indigenous peoples do not live entirely on subsistence economies. The aspirations of all indigenous peoples for their children include education and incomes, but some of them see education as a passport out of the local community. There is no reason why an indigenous person should not want to be a university professor or a senior government official; we have some very distinguished government officials in this group who are indigenous, and they can be an inspiration. The

fundamental element is the desire to maintain one's community integrity.

There is a terribly urgent need to identify, map, demarcate, and title these lands in every country of this continent; this is a very key issue. Unless these lands are titled very quickly, there could be very serious confrontations, disputes, and violence.

On consultative mechanisms and traditional institutions, there is certainly, and correctly, growing interest by ADB and others concerning the role of institutions in poverty reduction and development. Traditional indigenous peoples' and ethnic minorities' institutions could be very important agents of governance, enjoying strong legitimacy within their communities, and with an important role in conflict mediation and resolution. But traditional institutions also change. They can be undermined by centralizing and other policies. However, with the possible exception of the Philippines, the role of traditional institutions in poverty reduction and development does not appear to be strong in the project countries. There are ongoing attempts to revitalize customary law institutions in Indonesia, to create a new highland peoples' organization in Cambodia, and to recognize new mechanisms for local-level consultations with ethnic minorities in Viet Nam. However, in establishing these mechanisms, it is also important to look beyond the many local and community levels. It has to be remembered that indigenous peoples could be a very large proportion of a national population, and their interests and the extent of their poverty reduction would be affected by decisions at the national as well as local levels. There is a corresponding need for consultative mechanisms, which would permit indigenous peoples' representatives to be involved in policy formulation at different levels of society. Some lessons may be learned from such bodies as the NCIP in the Philippines and Viet Nam's Committee for Ethnic Minorities and Mountainous Areas.

Regarding the role of international assistance, concern with indigenous peoples is quite recent but is decidedly growing. The consulting team was asked specifically to review ADB projects in each of the countries. Policy and program interventions by international agencies in the project countries have had mixed success. The mere drafting of a policy may not lead to effective results. However, as organizations like ADB give more emphasis to poverty reduction including

targeting the poorest geographic regions, there will inevitably be contact with indigenous peoples/ethnic minorities. We found that this is the case in all the project countries, with the possible exception of Cambodia, where indigenous peoples are located in a geographic region that has not so far been considered a priority for ADB assistance. This means that more poverty reduction projects have contained specific components for indigenous peoples/ethnic minorities; a number of indigenous peoples'/ethnic minorities' development plans have been prepared for specific projects and in some cases, the bulk of intended beneficiaries of ADB projects have been indigenous peoples/ethnic minorities.

Nevertheless, adequate attention to the poverty concerns of these peoples also requires policy dialogue with the government, to seek consensus on key policy reforms and to promote meaningful consultations with indigenous peoples regarding national policy decisions. There is scope for addressing these issues more comprehensively in poverty reduction partnership agreements with the countries concerned and in ADB's country strategies and programs. In the latter, Viet Nam and the Philippines have given considerable attention to indigenous peoples' concerns. However, there is a need to develop mechanisms for consulting at all stages of policy, program, and project development between government and assistance agencies, and representative bodies of indigenous peoples. When this is done, the concerns of indigenous peoples will have been effectively mainstreamed.

HEAN SOKHOM
CONSULTANT, CAMBODIA

First of all, I want to talk again about the significance of the number of ethnic minorities in Cambodia. Minorities in Cambodia mainly live in four provinces in Cambodia. The largest group of ethnic minorities does not reach 20 dozen. They account for only about 1% of the total population, which makes the mainstream society forget or remain ignorant about indigenous peoples. Due to this lack of knowledge of indigenous peoples and indigenous culture, indigenous peoples are neglected in the process of development. For example, the Government has decided to give forest

concessions and land concessions that have greatly affected the indigenous culture.

Although the Government recognizes the rights of ethnic minorities and the equal rights of every citizen, the policy framework at the national level needs more attention. There are draft policies made by the IMC in 1997 with support from UNDP. However, a draft law has not yet been approved. A new Land Law has been approved by the Government, the National Assembly, and the King. The Forestry Law is not yet recognized by the Government, but will soon be submitted to the National Assembly.

Regarding the role of international entities in Cambodian highland peoples' development, we can use the examples from ILO, the World Bank, and UNDP, which are making efforts mainly in capacity building for government personnel as well as for indigenous peoples. ADB has provided more than 12 technical assistance projects across the nation. However, only a few address the needs of indigenous peoples. One is the Min Ha irrigation project. Another is the project to support the agriculture sector program, which resulted in the development and passage of the Land Law. ADB is now supporting a 2-year project on capacity building for government officials on implementation of new laws, and capacity building for indigenous peoples. Even this support is not sufficient. For example, to give a land title to every citizen, technical support is needed in, for example, demarcation of the land area.

In developing an action plan, support to accelerate the granting of land titles and rights to ethnic minorities as well as for the whole population, needs to be spelled out. Since the 1993 election, there has been land encroachment by the majority ethnic groups of Cambodians in highland areas. The population in Ratanakiri grew 100% in only a few years. Hence, the urgent need to focus on land titling. Ethnic minorities also need institutions that can coordinate or cooperate at the national and international levels for highland peoples' development.

The last point relates to capacity building. The education system in Cambodia is weak, not only in the highland regions but also in other areas of the country. In highland areas, when we talk about development, we also talk about the capacity of the population. If ethnic minorities do not have sufficient capacity, mainstream society will continue to make decisions on their behalf.

MYRNA SAFITRI
CONSULTANT, INDONESIA

There are five main indigenous peoples' issues in Indonesia: identification of indigenous peoples; government regulation of indigenous peoples; poverty as perceived by indigenous peoples themselves; poverty reduction programs conducted by ADB and other initiatives; and recommendations from an action plan for indigenous peoples' poverty reduction in Indonesia.

The simple question of who are the indigenous peoples in Indonesia, cannot be answered by the people in Indonesia because we have no single term for indigenous peoples. There are many terms; for example, some people translate indigenous peoples as native people or as isolated people. The most commonly used term is "*adat* communities," which is becoming increasingly accepted now as the translation of indigenous peoples in Indonesia. However, there are no formal definitions or criteria by the Government for this term or exact data on numbers, locations, and groups of people that could be categorized as belonging to *adat* communities.

There are no generic laws that specifically and comprehensively regulate indigenous peoples or *adat* communities. We have many regulations related to indigenous peoples, ranging from the Constitution to sectoral laws and their implementing regulations, such as agrarian and mining laws. The laws are general in nature and open to various interpretations. They are also directive and normative, but not instrumental. They have the spirit of centralism and integrity, but do not contain guarantees of protection or even information to indigenous peoples.

Indonesia also does not have a special body responsible for handling issues related to indigenous peoples. However, there have been some attempts to recognize and promote indigenous peoples' rights; for instance, the establishment of regional governments and the recognition of human rights. There are also some administrative moves to recognize indigenous peoples, such as in draft decisions related to agrarian reform and natural resource management.

The third issue is an understanding of the cause of poverty as perceived by indigenous peoples. Based on our study and consultations, especially with indigenous peoples in four villages in Indonesia, poverty

for indigenous peoples is defined principally as lack of food security. Poverty is related to the positions of indigenous peoples in their realms and natural resources. A second perception of poverty is the location of and access to land. Another is concerned with the degradation of the quality of the natural resources vis-à-vis the communities' subsistence needs. Their poverty is also related to lack of recognition, especially from the Government, of the local institutions that control their natural resources. This has caused many conflicts over natural resources in indigenous peoples' areas. Poverty is also the result of lack of education, information, networking, and infrastructure.

Regarding the poverty reduction programs conducted by ADB and other organizations and institutions, Indonesia has many projects related to poverty reduction, but none specifically targeted to indigenous peoples or *adat* communities. In general, the problems of poverty reduction programs are the lack of indigenous peoples' participation in the whole process within these programs; the charitable nature of most programs; the lack of efforts to empower *adat* communities, which results in the tendency for these communities to be dependent on poverty reduction programs; and ignorance of the existing issues within the *adat* communities, such as the problems of landownership and access to natural resources. However, we also realize that there are some improvements within these projects, which others will address. Finally, we would like to recommend that the consultative mechanism be a focus for a regional action plan.

RAYMUNDO ROVILLOS
CONSULTANT, PHILIPPINES

The focus of our study was really a poverty assessment of indigenous peoples. We conducted field-level key-format interviews and focus-group discussions at the village level in the Cordilleras and Mindanao. We presented the findings at village-level meetings during the workshops earlier this year. The results of these workshops were presented and validated during the national workshop held at ADB 3 weeks before this regional workshop

The major problem that we confronted was getting data disaggregated according to ethnicity. Up until the

latest survey by the National Statistics Office, there had not been any such desegregation. We were lucky to find baseline data for 1995 that enabled us to distinguish between indigenous peoples-dominated regions (with 40% or more of indigenous peoples in the population) and nonindigenous peoples-dominated regions. The main findings follow.

The average regional income in indigenous peoples' areas is lower than the national average. But it is not correct to generalize indigenous peoples as the poorest of the poor. The data show that, consistently over the years, Cordillera with the biggest percentage of indigenous peoples (about 95%), has a growth rate exceeding even that of the national capital region (NCR). Indigenous peoples' regions generally follow the national trend in terms of growth rate. That means that average income in indigenous peoples' regions was growing as much as the national rate. However, national and regional wealth does not trickle down to the poor in indigenous peoples' regions. While the national poverty incidence declined by 10% in recent years, that in the indigenous peoples' regions declined much less. In fact, many became poorer. In other words, indigenous peoples' regions may be rich in resources, mining industries, and other extractive industries that contribute to the GNP, but the benefits do not reach the poor.

The inflation rate in indigenous peoples' regions is higher than the NCR. This is attributed to the very poor social infrastructure, lack of farm-to-market linkages, and high prices of commodities in the former. Poverty is also becoming more serious. We used an ADB indicator, the poverty gap index, which shows on average how much the incomes of the poor need to be raised in order to bring them above the poverty line. The poverty gap tells us the extent or the depth of poverty within the poor sector, and who are the poorest of the poor. We found that in the indigenous peoples' regions, the severity and the extent of poverty are very high compared to that in the NCR; they are among the highest in terms of poverty gap.

I would also like to focus on indigenous peoples' perspectives on poverty and development. This is more difficult in the Philippines, because most of the data are ethnographic and we cannot generalize from a few case studies. However, these case studies give us a glimpse of what indigenous peoples think about poverty and development. For example, they don't want to be considered to be poor. The Lumads in Mindanao say

that they are not poor. What they fear is the possibility of being pushed into that kind of situation. Now who are the poor? For them, the poor are the landless, the homeless, the underpaid workers, sex workers, those who have been displaced from their ancestral territories (through land grabbing by nonindigenous peoples or introduction of extractive industries), and people who have lost touch with their sense of identity and their lineage and attachments with their particular clans. It also means powerlessness, dependency, and ignorance of indigenous knowledge. Small and fragmented landholdings, lack of irrigation, inability of households to generate cash, inadequate social infrastructure, and inadequate credit and marketing services were also mentioned as causes for poverty.

What are indigenous peoples' notions of development or well-being? There are continuities and changes as far as this aspect is concerned. While we still observe the indigenous or traditional notions of wellness or well-being, there have also been changes. On the continuous side, the idea of harmonious relationships with the environment and the supernatural world is very much articulated. Being wealthy is not a matter of material accumulation but the ability to share. For example, they have rituals where the wealthy people hold a feast at which they share meat or rice, or any products to those who have less in life. However, this idea of gift giving and sharing has been taken advantage of by unscrupulous people, especially in the Lumad areas of Mindanao. Many people have lost their lands because of that kind of generosity, of sharing; for example, people were giving away hectares of land for a pack of cigarettes. These are anecdotes, but you hear them and people are serious when they talk about these things. Now, there are also changes due to exposure to media and modernization. These changes are related to the need to leave the community to study and/or look for jobs in the city.

We also studied the Cordillera Highland Agricultural Resource Management Project, from which we learned that it is not enough to have projects that presume to serve the indigenous peoples by raising the standards of living, increasing their income, and where you have 90% of the beneficiaries being indigenous peoples and almost 100% of the staff being indigenous peoples. The case study validated and would reinforce Ms. Tauli-Corpuz' recommendation that there is a strong

need for sensitization, even among indigenous peoples themselves, of the need to integrate indigenous institutions in development programs.

Based on these findings, the key elements of a program of action are recognition, ownership by indigenous peoples of their ancestral domain, capacity building for sustainable development and protection of their ancestral domain, delivery of basic services to indigenous peoples' communities, and strengthening the capacity of NCIP toward better governance. In the country report, we have detailed the activities, the indicative key result areas, and the time frame for each of the four major areas. Technical and financial support for these major programs being proposed by the NCIP needs to be considered.

BUI THE CUONG
CONSULTANT, VIET NAM

In Viet Nam, the Government has given great attention to setting up a system of laws, policies, and programs for ethnic minorities and indigenous peoples. Since the early 1990s, Viet Nam has had comprehensive policies and programs for ethnic minorities and indigenous peoples, which grew in the late 1990s with increasing investments in ethnic minorities' and indigenous peoples' areas.

Recently, we further emphasized effectiveness, quality, and participation in policy and program implementation. However, an often repeated question in Viet Nam is why is effectiveness limited, even though there is strong commitment by the leadership and there are comprehensive programs and projects related to the issue? Some reasons include problems related to ethnic minorities' concepts of development; and inadequate links and consistency between policies, basic laws, programs, and projects, leading to overlap and confusion between programs and projects. Although the Government is calling for participation, the centralized or top-down approach is still practiced and there are not yet clear procedures for institutions and for implementation of policies, program designing, monitoring, and evaluation. There are also problems of weak coordination and participation of stakeholders, including coordination between government agencies and civil society.

A large gap between the perceptions of poverty by officials and by ethnic minorities was identified. The official understanding of poverty seems to be more focused on minimal food needs, on physical infrastructure, and on improving production for markets. For example, in the Central Highlands, there is extensive development of industrial crops. The official focus is on social services, education, and health systems. But the people's perception of poverty is related to food security, knowledge of new products, health, and strong family kinship and traditional community culture. In reality, the perception of poverty by ethnic minorities seems to be holistic and certainly different from the official point of view. Thus, external development interventions may not meet the needs of ethnic minorities.

We recommend that first there should be reviews of overall policies to examine the basic concepts and principles, and also to ensure consistency between basic principles and programs and projects. In this review, attention should be paid to the comprehensiveness of these policies and programs.

This process should be done in such a way as to ensure the participation of stakeholders at all levels. The needs and aspirations of ethnic minorities should be recognized. They should be the main focus of development interventions and their customary laws, languages, and other traditional systems and education respected.

DISCUSSION

In the ensuing open discussion of these presentations, the following matters were raised.

There are often conflicting policies in different government agencies; for instance, a policy on indigenous peoples conflicting with a policy on industrial forest management programs, which are very much against indigenous peoples' desires. This emphasizes the need for a review of relevant policies to ensure that they are consistent.

In Lao PDR, there is an excellent policy on ethnic minorities and a coordinating body, the Lao National Front. However, one of the programs advocated as part of the poverty reduction program is to stabilize and stop shifting cultivation altogether by the year 2020. Of

course, the intention is good, but there is no mention of the rights of ethnic minorities. There may be a parallel situation in Viet Nam.

A related issue is the scope for linking existing relevant programs and projects in the region and to use them as entry points for new projects.

It is possible that certain powerful families within an indigenous peoples' community could take control of access and ownership of that community's natural and strategic resources, in essence leading to privatization. This could shift the concentration of wealth from the national level to the communal level, but in a way that could strengthen the feudal system, which is closely related to indigenous peoples' concerns. There is a need to create mechanisms and processes so that access to and sharing of benefits derived from ancestral domains are equitably distributed.

Empowerment should be seen in the broad context of democratization and decentralization. So, apart from empowering indigenous peoples, it is equally important to empower the pillars of democracy and the "pillars" of local democracy—namely the local press, local media, local political parties, and local universities all over the region.

Similarly, it was pointed out that conceptualization of poverty and the analysis of poverty of indigenous peoples could be broadened. While various dimensions have been discussed qualitatively, the quantitative analyses could be broadened to include health indicators and other human indicators as dimensions of poverty. There are probably systematic differences between indigenous peoples and mainstream populations.

The lack of gender analysis in the project was noted. More extensive inclusion of gender issues would help make recommendations more focused.

SESSION IV

Plenary Discussion on Thematic Concerns

LAND RIGHTS AND NATURAL RESOURCE MANAGEMENT

Atty. Hector Soliman of the Philippines presented five questions for discussion on land rights and natural resource management.

- Do indigenous peoples have any rights at all? In various countries, there are situations where the rights of indigenous peoples are very much lacking, and there are other countries where the rights of indigenous peoples are already part of the national legal system. This issue includes ownership, users' rights, and whether these rights should be transferable to people outside the communities.
- Who will benefit from these tenurial instruments? Under normal civil law, there is a distinction between natural persons—individuals like you and me—and juridical or artificial persons, which are normally corporations, cooperatives, or associations. But taking the case of indigenous peoples, the distinction does not hold very neatly. Can tribal councils, councils of elders, clans, or tribes be proper beneficiaries of tenurial instruments? And how do they apportion the land or the use of the land among themselves?
- How are ancestral domains delimited? There would be problems of surveying—whether a formal survey or a table survey, or some level of sophistication between them is required.
- What will be the allowable extent of resource use? Normally, the right to land pertains to surface rights, the right to use what is on top of the land. The Philippine IPRA has expanded this concept to include not only the croplands, the pastures, the forests, the inhabited areas, and the burial grounds,

but also subsurface rights or subterranean rights, which can include minerals, water, and other resources under the surface.

- How can conflicting claims between mining, forestry, public land, ownership, and other various forms of claims be resolved? These claims are derived from conflicting or unresolved conflicts of other laws, policies, and practices of the government or the state, or the private sector. Resolution of these conflicts leads eventually to the whole question of whether we want to give social justice to indigenous communities or give in to state imperatives for productivity, such as high-value crops for export like timber, cacao, and palm oil.

In the ensuing discussion, the seriousness of the Philippine situation was highlighted. There are various conflicting land claims and, in most cases, the powerful entities who have claims over the land have the capacity—militarily, economically, and legally—to assert their claims and undermine or dismiss immediately the claims of indigenous peoples. There are instances of indigenous peoples being killed because another private person had an interest in their lands. The political will to recognize ancestral land rights has implications in terms of strengthening institutions that would support indigenous peoples' claims in the face of powerful vested interests and government imperatives of raising productivity within an economic growth framework.

Conflicts can escalate not just between government and local communities, but also among the local communities themselves, as in Indonesia.

The land law in Viet Nam requires that rights of ownership be clarified. Land belongs to the Government and the land law protects land-use rights. Land tenure is either short term or long term, depending on the use.

Some other dimensions of land rights include competition between religious law and customary law in land rights, as has taken place for centuries in Indonesia, most recently in West Sumatra, in Aceh, and the North Moluccas where there is competition in land rights between Islamic law and customary law; and the fact that most land is owned by men, not by women. This puts women in a very disadvantaged position.

BASIC SOCIAL SERVICES, INCOME GENERATION, AND LIVELIHOOD

Tuomo Poutiainen, Associate Expert, ILO, Manila, described the ILO viewpoint. Employment promotion is one of the best poverty reduction strategies in general. In ILO's work to promote employment and livelihood in rural areas, where low income and low productivity persist, it is important to establish indigenous self-help groups and institutions, referred to earlier as tribal leadership structures. This experience also indicates that, in order for the rural areas to be able to share progressive economic growth and a balanced use of natural resources, enhancing skills and livelihood potential in all sectors is needed, particularly for youth and women.

ILO proposes a community-driven participatory approach. Members of the community themselves are the key actors in deciding on and implementing livelihood activities. The tribal leadership should have a strong vision of the livelihood capacity of the area. Thus, the need is equally to build capacity and confidence as much as to provide technical inputs; but access to capital is one of the most crucial elements. Different grant and loan mechanisms like revolving loan funds, as well as community savings schemes, can have much economic impact, provided that the loan allocation and the management of these facilities are organized in such a manner that ownership by the indigenous peoples is clear.

Regarding basic social services, no growth can take place if some basic conditions like good health and education are not met. One way to ensure that is through mutually constructive partnerships between government and communities. The local government units, the communities, and the government line agencies together have a shared vision of developing

these areas. Decentralization of government functions opens up opportunities in this regard by bringing decision-making mechanisms closer to indigenous peoples. However, constructive partnerships can only take place if the civil servants are well aware of the rights of the indigenous peoples and their tasks vis-à-vis indigenous peoples.

The first matter raised in discussion was the question of an appropriate educational curriculum. Often, the purpose of education is helping create community-based livelihood and employment opportunities. However, as mentioned earlier, the communities often see education as a passport to earn a livelihood and employment in the wider economy. The language of the courses will also differ in the two cases. How can governments reconcile these different aspirations of indigenous peoples? Many indigenous peoples educated in the western mode have to unlearn what they learned in school in order to be able to appreciate the knowledge and skills that their people have developed. For example, foresters in the Philippine Department of Environment and Natural Resources who were educated in western forestry management practices that are alien to indigenous forest management practices, find it difficult to understand what indigenous peoples want in this regard.

Regarding the community-driven approach, it was pointed out that this can only be successful if an appropriate policy framework and principles on land rights are in place and the rights to natural resources are accorded to the ethnic minorities and indigenous peoples. An example was given in West Bengal, where for the past 20 years the Government has involved certain communities in the protection and regeneration of a previously degraded forest. The communities have responded remarkably and the forest has grown back. However, a gender contradiction has emerged. Women are traditionally excluded from community forest management committees, although they are responsible for meeting the day-to-day needs of the household, which are based very much on use of forest products. Women are barred from using the protected forests and have to walk much longer in order to forage for fuel, fodder, etc. In fact, they are branded as thieves by the male members of their own communities and are being humiliated because they do not abide by the social protection norms that have been set by the forest protection committees.

In Ratanakiri, in the Cambodian highlands, social culture and beliefs affect opportunities for improving livelihoods. There is a chronic rice shortage only because part of the crop is used by the community for religious ceremonies. Although attempts are made to apply agricultural techniques to improve livelihoods, the people are unwilling to clear the lands due to their belief in forest spirits. It is important to make a clear differentiation between each country in approaches to poverty reduction. In Cambodia, agricultural extension programs to ensure food security for indigenous peoples are needed. Another suggestion is community-based small agroindustrial schemes for coffee and tea, and associated marketing arrangements. Both these proposed activities could be supported by ADB.

One return for support of the promotion and preservation of indigenous traditions, customs, and culture, could be enhanced livelihoods from indigenous culture tourism as well as environmental tourism.

POLICY COORDINATION AND CONSULTATIVE MECHANISMS

Mr. Trinh Cong Khanh, Deputy Director for Policy for Mountainous Areas, CEMMA, observed that to effectively implement policies and programs on poverty reduction for indigenous and ethnic minorities, adequate coordination needs to be in place between relevant agencies and stakeholders, with appropriate mechanisms to involve indigenous peoples and ethnic minorities. The challenge faced in many countries is to find appropriate mechanisms not only at the national level, but also at regional and local levels.

In Viet Nam, for example, the leading coordinating agency is CEMMA, which works in collaboration with other agencies to develop and implement policies and programs for ethnic minorities. The challenges include the following.

- The capacity to work and collaborate with other stakeholders at all levels remains weak and insufficient.
- The mechanism to implement policies and programs is incomplete and ineffective.

- There are 53 ethnic groups. There has not been a specific and appropriate approach to work with these different ethnic groups.

The discussion on this presentation resulted in the following points.

In Indonesia, the most crucial requirement for policy coordination and adequate consultation is indigenous peoples' organizations. These organizations have a very important role—to coordinate the involvement of members, to be involved in policymaking, and to lobby governments and legislators. Indigenous peoples' organizations are also important in educating indigenous peoples and disseminating information on policies, new laws, and projects. While government agencies have a role to play, that of representation should remain with indigenous peoples themselves.

This reinforces the view that consultative mechanisms must be really community-driven and participatory. To this end, there is a need to look at mechanisms that have already been developed on free and prior informed consent. For instance, the World Commission on Dams has laid out very sophisticated procedures on how to ensure that the people who are directly affected are the ones consulted and the ones who are going to make decisions on particular issues.

Indigenous peoples are aware of negative aspects of their cultures and ways to overcome them. For instance, in the Philippine Cordilleras, there was a custom whereby a bride price or dowry was required of the woman to be married. Sometimes, the dowry was so big that many women and their families could not afford it. A network of indigenous peoples' organizations for women within the communities was able to get rid of such practices.

Secondly, culture is always evolving. It is a fluid, dynamic thing. It is not something that we can preserve in a static manner. It has to evolve and adapt. In this respect, indigenous peoples are like any other people. Government agencies and finance institutions can help strengthen the positive aspects of indigenous culture and remove negative aspects that violate the rights of other people.

Discussion followed on types of institutional mechanisms that can effectively represent indigenous peoples, for example, in the processes of legislation, and to involve them more in decision making. In the

Philippines, the IPRA resulted from consultations all over the country. There were regional and provincial consultations. There were also technical working group meetings with almost all sectors likely to be affected by the passage of the IPRA. Prior to the passage of the Act in 1977 and again during a recent administration, there was a so-called Social Reform Agenda. There was a council in charge of environment and natural resources and indigenous peoples' concerns. Consultations were made possible through this mechanism.

It was pointed out that the development of protection of indigenous peoples' rights can be seen as occurring in three phases—legitimization, implementation and conflict resolution, and harmonization.

Legitimization results when a country comes to terms with a broadly-based social consensus on the

rights that indigenous peoples should enjoy in their respective societies and culture. The issue of religious law and customary law is, thus, recognized, for example, in the IPRA.

In a national setting, legitimization sets up one standard within a panoply of standards that might not be consistent with one another. This creates problems for the process of implementation and conflict resolution. Some issues have been mentioned earlier—mining and logging. These have to be addressed in order to determine the hierarchy of conflicting standards in such matters as social justice versus productivity, and resource exploitation versus sustainable use. Methodologies for rational conflict resolution are required. Finally, harmonization is the process of finding the best possible combinations between all the conflicting claims.

SESSION V

Panel Discussion: The Role of International Assistance

SVEND JENSBY

WORLD BANK

It is no secret that donors such as the World Bank have often been uncomfortable with indigenous peoples and ethnic diversity, primarily because they are politically contentious issues, but also because they challenge the modernization of economics. Specific poverty data on indigenous peoples are difficult to find. By moving from the population to the household income level, with nutrition status and infant mortality data, resource allocations can be made along neat and definable lines. In contrast, indigenous peoples have a variety of patterns, social structure, and land-use practices, making uniform solutions difficult to apply. An initiative such as ADB is undertaking is truly needed and I would like to commend ADB for taking on this very challenging and difficult task, which has many complex issues, as well as conflicting interests and perceptions.

Despite this difficult context, I think there is agreement on some of the suggestions made in earlier sessions of this workshop in terms of policy development, consistency in policy, harmonization of policies, capacity building, sensitization of government agencies to ensure implementation of the policies as well as culturally appropriate development activities for indigenous peoples, capacity building for indigenous peoples and their organizations, improving participatory approaches, and finally more and better analysis of indigenous peoples' poverty and exclusion. These are all activities that our agencies, one way or another, are addressing. The difficult question is, of course, how these issues should be addressed and how international agencies can assist. These agencies are very diverse with different histories and approaches, highlighting the need for coordination and sharing of experiences.

The areas of work suggested earlier fit into three different approaches by international agencies. One is looking at indigenous peoples as a cross-cutting issue. The second approach is more proactive indigenous peoples' development, whether in policy or projects. Third is the mainstreaming and inclusion of indigenous peoples in the development process on their own terms and in a participatory manner. Agencies can, and probably should, combine all three. However, I would like to stress mainstreaming and inclusion, as I see more long-term opportunities under that approach. Nevertheless, I think policy work is the key. It is very important and it is something that we need to be addressing. The model of development for an agency such as the World Bank is to work through and with government agencies.

The World Bank has few very small "windows" for giving funds directly to indigenous peoples' organizations and NGOs. The World Bank and other agencies need to work with governments to help the latter to interact better with local communities. There is a new generation of community-based development approaches and projects that grapple with such issues as how to improve governments' delivery of poverty reduction programs and projects; and how to get governments to work more effectively for the people, particularly indigenous peoples and other marginalized groups, through empowering these groups to determine their needs and participate fully in design and implementation of poverty reduction programs.

Such community-based activities have the potential to reposition indigenous peoples as active participants in the development process rather than as passive recipients of development assistance. We can do this by creating space for indigenous peoples to take this active role, making state structures more responsive to the needs of indigenous peoples by opening up to respond more effectively to pressures from marginalized groups. There are examples that do

this on a large scale, for instance, the Human Development Project in Indonesia. The government in the Philippines is trying to reorganize some implementation arrangements at the community level through their Department of Social Affairs. These are community-based projects, including community infrastructure development, natural resource management, and socioeconomic activities and services. The subprojects are designed and determined by communities themselves, with outside facilitation of technical inputs as needed.

The key element in these types of projects is transparency, which is pursued through information sharing and monitoring by civil society. Also, the fight against corruption is at the center of the design. I think these are fundamental issues when dealing with the government-community relationships. Preparation of these projects needs to include a thorough analysis of the flow of information, the flow of resources, and the flow and constraints of decision-making processes in order to establish so-called institutional maps that link our main units to communities. When successful, these types of projects can empower communities, strengthen social capital at the local level, and improve government agencies' responsiveness to local communities.

To strengthen this approach, there is potential to move beyond addressing the needs of indigenous peoples and marginalized members of society so as to allow indigenous peoples' communities along with other communities to compete for funds by composing and designing their own projects. I think that the reluctance of international agencies to work with indigenous peoples is changing. There are legal instruments, although incomplete, that enable or advocate indigenous peoples' development on their own terms.

HERMINIA DEGAWAN

INTERNATIONAL LABOUR ORGANIZATION,
BANGKOK

It is indeed a pleasure for me, an indigenous person from the Philippines, to be addressing this meeting. As you probably know, ILO, one of the oldest international organizations, is quite unique in that it is the only UN agency that includes among its members nongovernment entities such as workers' and

employers' organizations. ILO came up with the first binding international instrument on indigenous peoples, Convention 107, which was adopted by ILO in 1957. This was the first international instrument that specifically addressed the particular concerns of indigenous and tribal peoples. In 1989, after intense lobbying and struggles by indigenous peoples, ILO amended Convention 107 into Convention 169. Convention 169 is the second binding international instrument that addresses indigenous and tribal peoples. It promotes the idea and principle of participation and consultation with indigenous peoples in all matters affecting their lives including development projects that affect their ancestral territories. Convention 169 recognizes that indigenous and tribal peoples have rights over their ancestral territories and that they should be part of all the processes that go into the development of such territories. However, Convention 169 remains unratified by many governments. In the Asia-Pacific region, only the Fiji Islands has so far ratified it. Nevertheless, the Convention has been cited in many instances and I am pleased that ADB, in its policy paper, has also cited it. In the Philippines, one of the bases of the development of IPRA was Convention 169.

Currently there are two projects within ILO that particularly address indigenous and tribal peoples: the Inter-Regional Programme to Support Self-Reliance of Indigenous and Tribal Communities through Cooperatives and Self-Help Organizations (INDISCO), which is essentially a grassroots community-driven project seeking to alleviate poverty and empower indigenous peoples in the economic sphere; and a project to promote the ILO policy on indigenous and tribal peoples. (Other projects of ILO also touch on indigenous peoples; for instance, a project on the elimination of child labor and a project on trafficking of women and children in the Mekong subregion.)

The second project promotes policy advocacy, policy development, and policy implementation. The INDISCO pilot projects, for example, cannot be sustainable if there are no appropriate policies in place to ensure that whatever gains are made will be sustainable. At the same time, we recognize that policy advocacy cannot be a stand-alone activity. It has to have complementary projects on the ground so that indigenous peoples can see the relevance of such policies. That is why there is a two-pronged approach, the policy and grassroots-level projects.

The project to promote indigenous and tribal peoples' rights does not aim to have Convention 169 ratified, although this is the far-reaching goal of ILO. ILO would like to see that governments recognize indigenous peoples' rights and develop policies that may, in fact, be more far reaching and far more progressive than Convention 169 (as is the case in the Lao People's Democratic Republic and the Philippines). ILO wants to facilitate dialogues between governments and indigenous organizations to discuss appropriate policies. In the Philippines, ILO would like to help the NCIP to implement the good points of the law.

The ILO has always been proactive in coordination within the United Nations (UN) system. In the Philippines, for example, the ILO is the lead agency; it convenes the UN task force on indigenous peoples, wherein all the UN agencies come together and share information. ILO is interested to develop this approach in all countries, hopefully at the regional level, with the support of ADB, wherein we can share common experiences and learn lessons from each other.

TERENCE JONES

UNITED NATIONS DEVELOPMENT PROGRAMME,
MANILA

I will address four matters: the international enabling environment, changes in UNDP policies, the Philippines as an illustration of some of the work that we are doing, and initiatives at the regional level.

In terms of the enabling environment, as a result of pressure through the decades to support indigenous peoples, a permanent forum has been established; there is a special rapporteur under the UN Commission on Human Rights. Indigenous peoples' issues were taken up at Durban at the Racism Conference, and we are building momentum toward the Johannesburg 10-year review. These events point to increasing recognition and acknowledgment that the human rights of indigenous peoples require proactive and effective capacity within the UN to address these issues.

Although UNDP did produce in 1998 a policy on how it connects the state of human development with human rights, including working with indigenous peoples, these recent initiatives and also reorganization

of our policy framework have brought us closer to a commitment to pursue a rights-based approach in our work overall. The Memorandum of Understanding we have with the Commission on Human Rights enables us to fully internalize international human rights instruments as the basis for our programming in the future. We have had consultations with indigenous peoples' organizations globally to provide us with feedback on how we should reorient and make our cooperation more effective.

Essentially, there are five areas where UNDP should focus its policy. One is effective participation in policymaking, ensuring that exclusion no longer affects issues pertinent to indigenous peoples. The second is work on protection and promotion of human rights including self-determination and ancestral domains and related issues. The third is the role in conflict prevention and peace building, which often affect indigenous peoples directly. The fourth area is the environment—the whole question of the relationship between indigenous peoples and their environment should be aired at international environment conventions. Finally, we must ensure that in our work we pay particular attention to analyzing the impact of globalization on indigenous peoples.

UNDP is about to release a new policy paper to guide the organization in its work on indigenous peoples, which incorporates the five elements above. There are three particular areas of focus. One is the law, with the different institutions that deal with indigenous peoples, whether governments, other state institutions, or the communities that are involved—often in a conflicting sense—in issues pertinent to indigenous peoples. The second is capacity development of those same institutions, again particularly in terms of strengthening the capacity of organizations representative of indigenous peoples, and how they interact with those institutions. And finally, there is the need for creating a space for dialogue, not only over policy issues, but also on policy practice—what in reality is happening, not merely what is the norm.

The third matter, on some issues in the Philippines, which has an excellent law and an institution that is mainly responsive to the needs of the indigenous peoples, is that there are, nevertheless, many problems. UNDP's support has been withheld for the last few years because the enabling environment

was not conducive to working at the policy level. This has changed; the program been redesigned with new actors and will shortly be launched. It supports a multifaceted rights-based approach to indigenous peoples in the Philippines. The issue was not the legal practice, but how to put the policy into practice. In Mindanao, we are working in the conflict areas with the ex-combatants from Muslim communities. We have also been engaged with indigenous peoples in areas of conflict, working with local people in trying to establish peace and development in communities as the focus for empowerment at the community level. Also, we are brokering a dialogue between those empowered communities and local governments and other agencies to ensure that indigenous peoples' rights are respected and that indigenous peoples have access to development resources in tune with their self-defined needs.

In terms of UN cooperation in the Philippines, there is a working group under the development assistance framework, which was signed in 1998. ILO leads in indigenous peoples and child labor and in 1999, a common statement of support for and how we would work with indigenous peoples in the Philippines was signed. So there is a strong commitment at the policy level. In practice, however, we need to do much more in terms of learning to work together as genuine partners in making sure that we dovetail our respective capacities in the most effective way. That is our agenda for the coming years.

Fourthly, at the regional level, UNDP has had some experience in Southeast Asia and we intend to build upon that in formulating a new program, not only for Southeast Asia but also for South Asia and other regions. We want to deepen our work on providing space for policy dialogue for exchange of best practices in terms of experience in and around the region. We are also looking at how we can help indigenous peoples' organizations to have an influence on policies and policy practice.

I think we have challenged international organizations by supporting the rights-based approach for realizing the aspirations of indigenous peoples. The challenge to ADB is to be serious in its attempt to mainstream indigenous peoples' concerns in its development programs. The question then is to how to increase its capacity by working effectively in partnership with UNDP, ILO, World Bank, and others.

VANDA ALTARELLI

INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

The mandate of the International Fund for Agricultural Development (IFAD), unlike that of some other agencies, has always been to eradicate poverty. Half our current lending in the Asia-Pacific region deals with indigenous peoples and ethnic minorities, either exclusively or partially.

There has been for a long time in IFAD's Asia Division a strong feeling that unless we were doing some work with indigenous communities, which have been terribly marginalized, the conflicts would spread, as indeed they have. Originally IFAD had programs with ethnic minorities and indigenous peoples, especially in the Peoples Republic of China, India, and Viet Nam. The strategy has totally changed since the Asian economic and financial crisis and now focuses on marginalized groups, of which most are indigenous peoples. We start with indigenous knowledge systems and try to mainstream indigenous peoples in the cognitive mind of politicians and civil society. One goal is securing tenurial rights to natural resources and forests. Ancestral rights are one of the elements and so are policy dialogues, not just for legal rights but also for restrictions on selling a number of products on which indigenous peoples rely.

Very recently, we have begun work on ecological services, which is an innovative concept, via a consortium of agencies including the International Centre for Research in Agroforestry and the World Resources Institute. Most indigenous or upland communities provide an enormous amount of ecological services in terms of biodiversity and watershed management. This consortium will look at how, especially from the institutional point of view, payment for these ecological services could be made. Indigenous peoples have, for a very long time, provided ecological services, but very rarely have they been rewarded for the provision of these services.

IFAD also promotes demand-driven integrated projects in agriculture, identification of niche markets, and provision of basic support services. The main approach is participatory learning and technology blending. Indigenous peoples have an enormous amount of knowledge on which to build.

The other elements of IFAD's strategy, enhancement of women's agencies and institution building at the local level, aim at promoting a coalition of the poor, not only in projects but also at the country level. They include also the rights-based approach and social justice. Most projects deal with legal trading, legal funds, studies on rights and policy dialogues, reversal of the deterioration of natural resources, diversification of economy, promotion of locally-based microfinance services, job creation through public work programs, development of infrastructure, decentralization and local institution building, and human resources development, with emphasis on women. Sometimes we try to nurture champions for these causes, again at the local and national level.

Regarding international cooperation, IFAD has a number of cofinancing arrangements, especially with ADB. For the future, we would like to enlarge such partnerships, not only with ADB, but also with other agencies, especially in the realm of policy dialogue and also in establishing networks of networks—very often, exchange of information on what works best is missing.

SOREN HVALKOF

INTERNATIONAL WORK GROUP FOR
INDIGENOUS AFFAIRS

The International Work Group for Indigenous Affairs (IWGIA) was founded in 1968 and supports indigenous peoples worldwide in their struggle for human rights, self-determination, rights to territory, control of land and resources, cultural integrity, and rights to development. We do that through four main activities.

First, we undertake documentation and publications. The documentation is on regional issues, specifically on various ethnic groups, or on relevant topics. We publish books, documents, newsletters, and our flagship, the Yearbook, which is an annual update on the indigenous peoples' situation worldwide. Second, we undertake human rights work and send the findings to the UN Commission on Human Rights for its various working groups. Third, IWGIA does worldwide networking with indigenous and nonindigenous organizations, trying to connect indigenous researchers, experts, and indigenous leaders in order to use each other's resources and support each other in struggles.

Fourth, a new activity is to become more involved in indigenous peoples' development projects by supporting the empowerment of indigenous organizations.

In Asia, IWGIA supports 31 specific projects with varying characteristics. In the Philippines, there is a long-term partnership with the Cordillera Peoples Alliance and also with the Inter-Peoples Alliance, an indigenous peoples' organization focusing on mapping and obtaining certificates of ancestral domain titles in Luzon, Mindanao, and Negros.

Funding for these activities comes from government sources, mainly Scandinavian aid agencies. They have great interest in indigenous issues and offer potential for future partnership with agencies in this region.

I would like to comment on land titling and land tenure reforms. IWGIA has had positive experience in the late 1980s in large-scale land titling in central Peru, where there was increasing conflict and an urgent need for action. The indigenous peoples had no legal organizations and were facing encroachment on their lands by nonindigenous colonies and settlers. It was almost civil war in that part of Peru. Slavery was widespread in the area, outright selling and buying persons and entire families. IWGIA started by working with international indigenous organizations on ways to resolve the problems. The solution that came out was land titling, although the people felt that the situation would worsen if this was carried out.

Nevertheless, an indigenous organization was supported to implement a titling program. They signed an agreement with the Government of Peru. Although there was mutual distrust in the beginning, by having to confront the highly tense political situation and area together, a mutual understanding and respect emerged. They succeeded in titling 12 million hectares, but this is only in the central Peruvian Amazon. The conflict with the settlers ended the moment there was demarcated space. The conclusion to this is that if you put indigenous peoples' organizations in charge of land titling, you do have very strong potential for developing processes of democratization. In the Peruvian case, once they had their titles, these people could be registered also as citizens and their candidate became mayor of an area where they weren't even represented as anything but slaves 10 years earlier.

Another conclusion is that land titling may be not as important as the process to obtain the title. Land

titling and land tenure processes for indigenous peoples are very powerful tools for democratizing society and for indigenous participation in civil society. And I think it would be a very useful tool for ADB to use as a point of departure for indigenous work, and for an action plan, because it involves many aspects. ADB could put emphasis on strengthening the capacity of indigenous peoples' organizations in the Asian region in general. Focus should be placed on building strong representative counterparts and institutionalizing their relationship with ADB.

OPEN DISCUSSION

The discussion brought out concerns from the four project countries about the lack of detailed data on indigenous peoples' populations and societies, without which it is difficult to find proper solutions to their problems; the lack of coordination in different government policies on indigenous peoples; the implications of corruption; the role of the UN international forum on indigenous peoples; and the different understanding between government and indigenous peoples on land rights and laws.

On attempting to coordinate and harmonize government policies on indigenous peoples it was pointed out that indigenous peoples themselves should be closely involved, as has been the case in the Philippines, for example.

Regarding corruption, a key approach has been to bypass various levels of government hierarchy,

enabling funds to pass directly to communities, and to involve monitoring by civil society and the media. Strong indigenous peoples' organizations are needed to expose and account for the impact of corruption on indigenous peoples' rights. Also, intervening organizations will tend to weaken the indigenous peoples' organizations.

On the permanent forum, a number of international agencies have been participating in its preparation and all UN agencies are in support of the forum. It is hoped to have a separate secretariat staffed by indigenous peoples. ILO is developing a program to train indigenous peoples for the UN system. They should take on the role of making the forum function. Thus, the need to develop indigenous peoples' representatives is an urgent one.

It was agreed that some indigenous communities have no notion of landownership and this calls for strong regional and local indigenous peoples' organizations to mediate between government and NGOs on the one hand, and indigenous communities on the other. The continually evolving nature of indigenous cultures was mentioned again in this regard—is it the indigenous peoples or outside influences that are controlling the changes? Some communities may have to adopt the ownership concept in order to be able to deal with outside pressures.

Finally, issues of globalization, trade, regional development, patenting of natural resources, partnering agreements, and networking, although not discussed, were mentioned as other matters that need consideration in addressing indigenous peoples' concerns.

SESSION VI

Broad Principles of a Regional Action Plan, Specific Proposals, and Operational Implications

Four discussion groups were formed to provide recommendations and commentary on a draft regional action plan, in the areas of law and policy framework, international and national action, employment and income and distribution of basic services, and consultative mechanisms and policy coordination, respectively. The reports and subsequent plenary discussion follow.

LAW AND POLICY FRAMEWORK

Six recommendations were made:

1. ADB should have an overall and detailed policy related to indigenous peoples, which has to be culturally sensitive, meaning that customs and traditions of indigenous peoples have to be adopted and considered in policy formulation. This recommendation was raised because there is one point in ADB's policy on indigenous peoples that is related to the compensation of cultural loss in case there is a project sponsored by indigenous peoples.
2. ADB and other international agencies should further influence the process of law and policy reforms regarding indigenous peoples in borrowing countries.
3. ADB should invest in programs on indigenous peoples' capacity building in order for them to be able to participate in the process of law and policy reform. Specifically, ADB should sponsor seminars, training, or workshops for this purpose.
4. For the states that have insufficient or weak law or policy regarding indigenous peoples,

international agencies should make it a condition to the borrowing country to institute law or policy reform for indigenous peoples.

5. Representation of indigenous peoples in legislative or representative bodies in the respective states should be increased.
6. ADB should initiate a consultative regional forum to discuss the issues and concerns of indigenous peoples, with participation by governments, NGOs, indigenous peoples' representatives, and others.

In discussion the following points were raised.

- It was felt that given the existing spirit and political commitment by states regarding indigenous peoples, there is no need for development partners to impose conditions related to national laws in order for states to have access to loans for indigenous peoples. However, it would be useful for states to have available guidelines and literature relating to international standards pertaining to indigenous peoples. It was pointed out that national laws may not be able to meet international standards due to existing political systems, economic conditions, and quality of the policymakers in a state. The political issues are very sensitive, so international organizations should focus on guidelines related to economic conditions and capacity building of policymakers.
- Where policy issues arise in projects, there should be policy dialogue involving the indigenous peoples themselves.

- The use of local dialects or languages in development projects should be considered, because indigenous peoples should be involved in legislative advocacy and have representatives on all relevant decision-making bodies. Training in strategies of legislative advocacy could be provided by agencies such as ADB.

INTERNATIONAL AND NATIONAL ACTION

Multilateral institutions like ADB should engage in continuing policy dialogues with national governments toward drafting legal frameworks on indigenous development. Financial assistance in capacity building for the implementation of existing indigenous peoples' land rights and natural resource management is needed. Support for initiatives in policy formulation and institutional reform is also needed. Regional technical assistance by ADB should be formulated to address better the issues in each country.

At the national level, the following specific recommendations were made.

Cambodia

- Identification, delineation, and regulation of customary lands.
- Support for land distribution with equity.
- Supporting mechanisms for land registration.
- Increasing awareness of indigenous peoples on their rights, including human rights and land rights.
- Studying the implementation procedure of the government's land policy.

Indonesia

- Support for institutional capacity building.
- Constitutional reform to address indigenous peoples' rights.
- Support in community mapping.

Philippines

- Facilitating activities that help to institutionalize community mapping and self-delineation, including land-use mapping.
- Conducting proper capability-building activities for indigenous peoples in community mapping and surveying.
- Supporting NCIP in the development of a complete set of rules and regulations for indigenous peoples' issues.

Viet Nam

- Support to form specific guidelines for implementing laws on indigenous peoples.
- Increasing indigenous peoples' participation in development projects.

In discussion, it was pointed out that there was one very specific and concrete policy recommendation with regard to ADB related to policy dialogue—for ADB to conduct another regional technical assistance focusing on land issues in selected countries in Asia, if not the same countries in the present project. In such assistance, international and domestic consultancies should be balanced to ensure that there are effective and proactive counterparts, and not place too much reliance on international consultants. However, states should determine what they can do themselves before asking for external assistance.

EMPLOYMENT AND INCOME AND DISTRIBUTION OF BASIC SERVICES

The following concerns and needs were identified.

- Infrastructure, specifically national roads, railroads, irrigation, and spring development.
- Education, including school buildings, training materials development, training of indigenous teachers, deployment of teachers, and relevant educational opportunities for indigenous peoples (an example is the School of Living Traditions, which is being developed in the Philippines).
- Health, especially setting up proper health habits, clinics, basic health care guidelines, and support services and equipment, such as ambulances and first-aid kits.
- Agricultural extension, including marketing of produce, information services, and promotion of best indigenous peoples' practices in agriculture; and training of government personnel in artisanal activities.

There was also an expressed need for information dissemination, such that communities are made aware of government and other programs that are trickling down to their communities. There should be support for a center for culture and development, which was proposed by Cambodia. It could be a center for livelihood vocational training, for training of indigenous peoples teachers, and for advocacy for indigenous peoples' rights.

Most of the countries said they would need roads. But there was concern about the negative impact on the communities of building roads. In general, guiding principles should be applied to mitigate any adverse effects of projects or programs entering the communities. Some such principles follow.

- First is self-determination, which is appropriately reflected in free prior and informed consent as embodied in the IPRA, vis-à-vis assimilation. The use of a bottom-up and participatory approach, the use of local languages, participation in decision making in projects; and the need to decentralize,

to retain indigenous cultures, and to build on existing resources, were all mentioned in this regard.

- Timely delivery of services is required. Services should be sensitive and responsive to the needs of indigenous ethnic groups. Programs and projects should be designed based on the aspirations of the community, rather than the aspirations of those who are implementing the projects from outside. Respect for the existing projects and plans of indigenous peoples' communities is required. Capacity building is needed for both government agencies and indigenous peoples' communities in project planning, implementation, and monitoring.
- Regarding use of nonextractive resources, it was pointed out that some of the studies conducted at the grassroots level do not show benefits to indigenous peoples' communities. There should be support for traditional livelihoods that are sustainable and viable. Also, development of natural medicinal products, which would require some technology transfer, would enhance their value in the market. However, there remains the need to preserve the special technologies that have traditionally served indigenous peoples' communities.
- Transparency in fund flow and mutual respect should be emphasized. Also, indigenous peoples should respect the laws in their countries. The suggestion was made to introduce or increase fund management by communities, especially in their livelihood programs. Funds should be channeled directly to the indigenous peoples' communities rather than to some other NGO or government entity.

CONSULTATIVE MECHANISMS AND POLICY COORDINATION

Two sets of recommendations were made concerning consultative mechanisms and policy coordination, on general concerns and on ADB projects, respectively.

The general recommendations were (i) to identify and resolve gaps and conflicts among existing policies; (ii) capacity building to enable indigenous peoples to lobby and participate in government at all levels; and (iii) the leading agency for indigenous peoples in a country should be dealing with, not only policy formulation and implementation of projects and programs, but also monitoring and evaluation. And, of course, there should be good representation of indigenous peoples in this agency.

Regarding ADB, the following recommendations were put forward.

- A review of policies should be made in all areas to identify gaps or conflicts in indigenous peoples' issues; it could also include social impact analysis of policies and projects that are being implemented in indigenous peoples' communities. Indigenous peoples should be involved in developing and making such policies.
- Assistance could be provided in some practical areas of needs of indigenous peoples, specifically strategic needs regarding reforms to national policies regarding land titles.
- Assistance in preparing national action plans on indigenous peoples would be useful; for example, in the case of Indonesia, such assistance could be on mapping indigenous peoples' characteristics to improve understanding on their ethnicity, locations, and land area.
- Funding of pilot projects on capacity building for indigenous peoples and officials, from provincial to national levels, should be considered; for example, in the case of Cambodia, assistance could be placed on strengthening the capacity of the new department dealing with indigenous peoples' issues.
- Organization and facilitation of national and regional discussions on poverty reduction and indigenous peoples, with participation of all stakeholders, governments, NGOs, and indigenous peoples, would be a useful contribution.

In the discussion that followed, representatives of ADB agreed to take up the matters raised. One aspect of ADB's indigenous peoples' policy was questioned, that "if individuals or communities must lose their social support systems or ways of life so that the project can proceed, this should be compensated appropriately." How can the loss to indigenous peoples of their culture be compensated appropriately?

A chart indicating crucial issues in each country was suggested as a basis for an ADB review. The chart could have several columns, dealing respectively with identification of sectors affecting indigenous peoples (e.g., education, health); the present condition of these sectors in each country; the policy agenda of governments, NGOs, and external agencies relevant to improving these sectors; lists of institutions working on specific issues; identification of focal-point agencies on each issue; and a complete agenda for actions with a timetable.

SESSION VII

The Draft Regional Action Plan

On the basis of the workshop discussions and recommendations, a first draft of a regional action plan for future work on these issues was prepared. It is designed to be of use for both ADB and other national and international agencies concerned with the issues. The main elements of this action plan are presented below. The plan is intended for presentation to different governments and international donor agencies to facilitate coordinated work on indigenous peoples, ethnic minorities, and poverty reduction in Southeast Asia over the next 5-year period.

INTRODUCTION, SCOPE OF THE PLAN, AND METHODOLOGY

A key objective of the project is to propose a regional plan of action to address the poverty concerns of indigenous peoples and ethnic minorities.

In presenting this action plan, some clarification is needed. For a project that has been financed and implemented by ADB, and which has reviewed ADB's past activities in the participating countries, it is inevitable that some of the emphasis should be on the future activities and programs that can be undertaken by ADB itself. Components of the plan can guide the future approach and activities of ADB, and result in specific programs of technical assistance, research and analysis, and other interventions.

However, the action plan needs also to be of more general application, identifying policy concerns that can be addressed at the national level, and activities and programs that can be undertaken by national and international agencies, either governmental, intergovernmental, or nongovernmental. Some comparative advantages of the different actors will be identified in the next section.

Furthermore, the plan has to address procedural issues as well as specific activities and programs. A key concern of indigenous peoples throughout the world is that they should be consulted adequately, if possible through their own representative institutions, with regard to any development or investment projects that are likely to have an impact on their lands or livelihood. Getting the procedures right in order to secure the involvement of indigenous peoples and ethnic minorities in the process of their own development, can be as important as planning specific or targeted activities on their behalf.

A regional action plan also has to take due account of national differences. The context is very different, for example, in the Philippines, where the legal framework for recognizing indigenous rights and land security is firmly in place; from that in Indonesia, where these concerns are only now beginning to be placed on national policy agendas. Throughout the region there remain some concerns about definition (i.e., the population groups to be covered by the terms *indigenous peoples* and *ethnic minorities*) and the implications of the terms used for practical policies and programs.

Despite some underlying differences between the participating countries, this project has also identified some common challenges and opportunities. Some of these challenges are quite immense for national governments and civil society, and also for the international assistance and development community. Land adjudication policies and natural resource rights and management stand out as the most significant concerns around Southeast Asia, sometimes gathering in intensity in recent years. Community empowerment, the role of traditional institutions in governance and decentralization, consultative mechanisms, health, education, social services, language, and cultural recognition are some other common issues and challenges.

As pointed out earlier, the issues of ethnic or indigenous identity can be highly complex. Some governments may be reluctant to recognize the concept of indigenous peoples, fearing that this may lead to differentiated claims that can undermine national unity. However, as ADB President Tadao Chino emphasized during this regional workshop, failure to address the poverty concerns of vulnerable ethnic minorities can undermine national harmony and spill over into serious interethnic tensions.

Even so, the purpose of identifying a population group as indigenous or ethnic minority needs to be clearly understood. To cite President Chino again, "How can the balance be struck between respect for indigenous cultures and mainstreaming processes that combat social exclusion, break down the barriers of discrimination, and seek improved access for marginalized groups to national economic benefits?" The point is that indigenous peoples and ethnic minorities can be singled out for distinct treatment, either on the grounds of their vulnerability and poverty in the context of modernization and development, or because of cultural differences. In neither case are these groups likely to wish to be protected from development. Like any other peoples and communities, they will almost certainly wish to benefit from material progress. Indeed, as the participatory poverty assessments demonstrated in each of the four countries, indigenous peoples and ethnic minorities express needs largely similar to those of other groups of society. They want more and better education, jobs, and incomes; improved health and health services; greater access to credit and financial services; higher quality roads and infrastructure; and many of the other material benefits that make up a decent human existence.

At the same time, some indigenous and ethnic minority groups can display strong resistance to assimilation by the dominant society. Retaining their distinct social, cultural, and economic institutions—whether of language, governance, land and resource management, or traditional health care—can be an integral part of their existence. But this can also be a matter of choice. Self-identification as indigenous can be bound up with lifestyle choices as much as with ethnic origin. Further, external characteristics such as language or dress may not identify persons or groups with a strongly felt indigenous identity.

ISSUES OF DEFINITION AND IDENTITY

National Action

Each of the participating countries has had potential difficulties in identifying the persons or communities considered to be indigenous peoples or ethnic minorities for the purpose of targeted poverty reduction programs or any other form of intervention that might require differentiated approaches. The problems of identification clearly vary from country to country, as has been seen in the earlier analysis.

In Cambodia, where adequate census data are available, the important thing is to determine which ethnic minority groups should be covered by the special provisions of the new Land Law, or by the policies and programs of the IMC.

In Indonesia, participants at the national workshop recommended a major participatory process, involving universities and research institutions as well as organizations of *adat* communities, to identify *adat* communities and institutions. Such a process is clearly necessary, if the Government is to fulfill its commitment to strengthen *adat* institutions within the framework of regional autonomy and decentralization programs.

In the Philippines, despite a fairly strong legal and institutional framework, there is still insufficient clarity as to which ethnic groups will be covered by the provisions of the IPRA. Full clarity will be needed if the Government carries out its pledge to accelerate the issuance of ancestral domain titles between 2002 and 2004. The issues are particularly complex in Mindanao, where the distinction between indigenous and Muslim identity is not always clear. Muslim groups might henceforth choose to identify themselves as indigenous in order to pursue ancestral domain claims. A series of participatory consultations at different levels will also be advisable in this country, to examine the implications of self-identification as indigenous. The scope for disaggregation by ethnicity should also be examined in population censuses and household surveys.

Of the four countries, ethnic classifications are most advanced in Viet Nam. This has permitted some

comprehensive analysis of poverty trends in ethnic minorities. It provides a useful basis for poverty targeting. However, the project's national workshop recognized deficiencies in the existing classifications. It has pointed to a more exact identification of Viet Nam's ethnic composition as an important priority in the immediate future, and as an urgent need for policymakers and development practitioners. The country study has recommended conducting this study not only at the national level, but also in provinces and communes at the local level.

In each country, therefore, there is a need for major initiatives to identify indigenous peoples and ethnic minority populations. Each government could designate a research institute to assume principal responsibility for these studies and set time-bound targets for carrying out these activities.

International Action and the Role of ADB

These national efforts will require international support. A bilateral donor may wish to support the research activities. Moreover, technical support would be useful to assist governments of the region to capture indigenous and ethnic minority characteristics in their census, household surveys, and other statistical data gathering. Such assistance could be provided either by one of the UN agencies or by ADB.

ADB has been required under its Policy on Indigenous Peoples to address issues of indigenous identity in its country operations. So far this has been done mainly at the project level, in the context of social assessment and the preparation of indigenous peoples' development plans. The experience has sometimes presented difficulties, both because of possible ambiguities over the criteria for definition, and also because of uncertainty over the practical implications of such definition for project operations.

ADB would benefit from a clear understanding with the governments of the region, concerning the ethnic groups to be covered by its Policy on Indigenous Peoples. The issues are best addressed in country strategies and programs and in overall policy dialogue. Moreover, profiles of indigenous peoples and ethnic minorities need to cover not only their numbers,

geographical location, and ethnic grouping. They should also cover their patterns of land use and forms of representation, among other things.

OVERALL LAW AND POLICY FRAMEWORK

Challenges

The overall policy framework is of obvious importance in promoting and safeguarding the rights of indigenous peoples and ethnic minorities in the development process. As the Policy on Indigenous Peoples stresses, ADB supports government efforts through assistance in formulating policies, strategies, laws, regulations, and other specific actions responsible for indigenous peoples.

In the project countries, the law and policy framework is still evolving, with the possible exception of the Philippines where the main challenges are those of policy implementation. The national workshops generally emphasized the need for more coherent policies and for participation by indigenous peoples and ethnic minority representatives in policy formulation. In Indonesia, for example, the national action plan calls for a review of policies, with participation by *adat* communities; for a revision of laws and other implementing regulations (including local and regional regulations) that can have a negative impact on *adat* communities; for ratification of international law instruments related to *adat* communities; and for public consultation in the process of revising laws and policies. In Viet Nam, the national workshop recommended the adoption of a comprehensive policy, with a common understanding of guiding principles for development work, based on scientific research as well as knowledge of real situations.

At the regional workshop, some participants stressed the need to harmonize policy approaches of different government agencies. There might be an excellent overall policy concerning indigenous peoples or ethnic minorities, but this might not be applied by different government line agencies. Examples were policies concerning shifting cultivation.

National Action

Each country can set itself the goal of adopting an integrated policy concerning poverty reduction and development for indigenous peoples and ethnic minorities. The policy can be informed by international standards. Governments should make efforts to disseminate these standards—including the ILO's Indigenous and Tribal Peoples Convention No. 169 and other pertinent instruments of the UN system—among key policymakers and the legislature. However, it is equally important that policies be influenced by national realities and by the perceptions and aspirations of the indigenous and ethnic minority groups themselves.

Moreover, governments could establish policy review commissions to review other sectoral policies and guidelines (including overall socioeconomic planning, land and forestry, health and education, credit and financial services, marketing and infrastructure, local government, and regional autonomy or decentralization) by reference to the concerns of indigenous peoples and ethnic minorities. Consistent with the recommendations of this project and its regional workshop, such an approach would serve to mainstream these concerns and ensure that there is some understanding of indigenous/ethnic minority aspirations in all poverty-oriented policies and programs. Moreover, adequate involvement of indigenous and ethnic minority representatives in such an exercise would provide important capacity building for them, as well as building awareness of their needs in the rest of society.

To prevent such a policy review exercise from being too ambitious, it is recommended that each country commence with a small number of important issues. They could be selected by the pertinent government agency in consultation with indigenous and ethnic minority representatives. A particular focus might be given, for example, to regional autonomy and decentralization policies in Indonesia; or to land and resource management policies in the Philippines.

To ensure adequate follow-up to the project, some policy reviews should be commenced by the end of 2002. An initial regional consultation could then be organized early in 2003, to compare findings and learn lessons for future policy formulation.

International Action and the Role of ADB

International agencies could support such a policy review exercise in accordance with their mandates and expertise. Of the UN specialized agencies, the Food and Agriculture Organization, IFAD, ILO, the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, and the World Health Organization might all support certain aspects and host national or international meetings as relevant.

As suggested at the regional workshop, UNDP might play a particular role in this area. In accordance with its new policy paper on indigenous peoples' issues, UNDP aims to focus on effective participation in policymaking. Indigenous peoples have been identified as one of the areas for future collaboration between ADB and UNDP. UNDP might usefully sponsor the above-mentioned consultation in early 2003, to learn the appropriate lessons.

ADB could provide financial or technical support for such a comparative policy review. Alternatively, it might provide technical support to governments and indigenous organizations. The regional workshop specifically recommended that ADB should invest in programs for indigenous peoples' capacity building, enabling them to participate in the process of law and policy reform, sponsoring seminars or workshops for this purpose. To follow up this recommendation, ADB resident missions could sponsor at least one such workshop in each participating country by mid-2003 at the latest.

POLICY COORDINATION AND CONSULTATIVE MECHANISMS

Challenges

For policies to be effective, they need to be coordinated carefully among the various agencies of government, and consultative mechanisms need to be established at different levels. During the project, the regional workshop and some of the national workshops

detected some failures to translate broad policy principles into effective action at the local level. This point was emphasized for the Philippines and Viet Nam, the two countries that have the strongest policy framework at the national level. The Viet Nam country study, for example, pointed to inadequate linkages and consistency between policies, basic laws, programs, and projects, leading to some overlap and confusion between programs and projects.

Key issues include determining which government agency should have the principal responsibility for policy coordination; how policy should best be coordinated between national, provincial, and local levels; and how the representatives of indigenous peoples and ethnic minorities can be represented most effectively at all levels on consultative and policy bodies.

The regional workshop made a number of important recommendations, some directed at national governments, others at international actors including ADB. The following elements of an action plan are based largely on these recommendations.

National Action

Each country should identify a lead agency of government, with responsibility for coordinating policies for indigenous and ethnic minority development, in consultation with representatives of these peoples. This agency may have some role in implementing projects and programs. Policy coordination should nevertheless be its main function, together with the monitoring and evaluation of projects and programs that affect these peoples and their livelihood.

Consultation mechanisms need to be adapted to the national context. Different approaches have been suggested in the national action plans. The Philippines proposed convening a national consultative body on an annual basis, to facilitate identification of leaders. Indonesia proposed increasing the representation of *adat* communities in peoples' representative bodies, as well as strengthening the role of *adat* institutions in policymaking by regional governments. Viet Nam stressed the need to increase the number of ethnic minority personnel involved in development programs. Cambodia proposed the establishment of local councils of ethnic minorities, to advise on development and investment policies and programs. An important

condition is that governments should establish time-bound targets for establishing consultative mechanisms at different levels, ensuring wherever possible that these build on existing organizational structures and are not artificially imposed on the peoples concerned. Extensive capacity building will then be required to enable indigenous peoples and ethnic minority representatives to participate effectively in decision taking.

International Action and the Role of ADB

International agencies including ADB have the opportunity to improve policy coordination and to strengthen mechanisms for the improved participation by indigenous peoples and ethnic minorities in poverty reduction policies and programs. For ADB, the structural mechanisms are already in place, such as the poverty partnership agreements at the country level and the indigenous peoples' development plans at the project level. A challenge is to move beyond purely project-based or local approaches, toward one that can first assess the impact of general antipoverty policies and programs on indigenous peoples and ethnic minorities and second, permit these peoples greater participation in development planning and processes at the national level.

As recommended at the regional workshop, international support could consist of the following activities.

- A review of policies in all areas to identify gaps or conflicts on indigenous peoples' issues.
- Assistance in preparing national action plans on indigenous peoples.
- Funding of pilot projects for capacity building for indigenous peoples and government officials from the provincial to the national level; when a new department has been created to address the development and poverty concerns of indigenous peoples, as in the case of Cambodia, assistance could seek to strengthen its capacity.
- Organization and facilitation of national and regional discussions on poverty reduction and

indigenous peoples, with the participation of all stakeholders including governments, indigenous peoples, NGOs, and, where relevant, private enterprise.

MONITORING POVERTY TRENDS AND CHARACTERISTICS

Challenges

Poverty monitoring for indigenous peoples and ethnic minorities is required for two major purposes: first, using the more conventional poverty indicators, to assess whether or not these peoples are disproportionately affected by material poverty, and also whether or not these trends have been worsening; and second, through careful fieldwork, to help policymakers understand better the meaning of poverty and wealth for these peoples, and their own priorities. The present project aimed to do both of these things. Because of the general lack of data disaggregated by ethnicity, with the exception of Viet Nam, it could only shed limited light on the first issue. On the second issue, the findings were very mixed. Indigenous peoples and ethnic minorities may have particular perceptions of poverty and wealth, but in other aspects, their concerns and aspirations are very similar to those of other population groups.

National Action

In household survey and other baseline data used for poverty indicators and measurement, particular attention could be paid to indigenous, ethnic minority, and *adat* communities. Other countries might follow the example of Viet Nam, whose national action plan proposes official regulations on compulsory use of indicators and data from ethnic minority areas in official statistical publications, both central and local. Where possible, statistical surveys should be combined with qualitative sample assessments that pay attention to indigenous perceptions of wealth and poverty. Representatives of these groups need to be trained in survey techniques and indicators in order to participate effectively in poverty monitoring and poverty trend analysis.

International Action and the Role of ADB

Initiatives such as that led by UNDP in Viet Nam's Poverty Task Force, identifying mechanisms for monitoring poverty targets for ethnic minorities, could usefully be replicated in other countries of the region. This study proposed longitudinal studies in sample provinces and for select ethnic groups until 2010. UNDP might promote similar approaches elsewhere in collaboration with ADB and other international agencies.

ADB could address these concerns in the framework of its poverty partnership agreements with the governments of the region. This could also provide the appropriate mechanism for devising projects or programs in accordance with the aspirations voiced by indigenous communities. In the early stages of drafting such an agreement, a consultative meeting could be held with representative organizations of indigenous peoples and ethnic minorities, identifying their own concerns and priorities, and the means by which performance in this regard could be monitored. A start could be made immediately, identifying the appropriate procedures for such an exercise.

LAND RIGHTS AND RESOURCE MANAGEMENT

Challenges

The project's national workshops and regional workshop placed major emphasis on lands and natural resources. The nature of the challenges and the appropriate policy and program response clearly vary by country. In Indonesia, some *adat* communities are making demands for the restitution of lands previously occupied by them. In the Philippines, indigenous peoples and their support groups now seek to register their claims to ancestral domains. Similarly, in Cambodia, the emphasis is on demarcating and titling traditional indigenous land areas. In Viet Nam, there is need for significant law and policy reform before ethnic minorities can make any legal claim to traditional land areas.

Policy approaches on key aspects of land use and ownership remain diverse. There are differing views as to whether or how much indigenous land should be protected from market forces, with restrictions on

mortgaging and alienation to outsiders. And there are mixed approaches to indigenous patterns of land use, including the longstanding debates over traditional forms of shifting cultivation. There is a particularly difficult balance between the promotion of efficient and environmentally sound agricultural practices and respect for indigenous culture. However, indigenous cultures are not static, and it would appear that most indigenous and ethnic minority communities wish to modernize their land tenure to make their agricultural practices more sustainable and to benefit from market opportunities without excessively prejudicing their traditional land security. And most importantly, loss of their land security is widely perceived by indigenous peoples as the main cause of their material poverty or impoverishment.

When special land rights for indigenous peoples are recognized, there can be considerable complexities in their implementation, in reconciling these special rights with other aspects of the national legal system, and in solving potential conflicts between indigenous peoples and outsiders. These issues have become most problematic in the Philippines, which has the most ambitious legislation on ancestral land rights and domain. However, the same challenges may in future be replicated in other Southeast Asian countries. As stressed by a legal expert from the Philippines during the workshop, a number of questions arise. Who will benefit from these special tenurial instruments? Can tribal councils, councils of elders, clans, or tribes be proper beneficiaries of such tenurial instruments? What will be the permissible extent of resource use, for example, over waters, minerals, and other subsurface resources within ancestral domain areas? And how can conflicting claims between mining, forestry, public landownership, and other various forms of claims be resolved?

National Action

Different strategies need to be pursued, depending on whether or not a law and policy framework for adjudicating indigenous land rights are in place.

Where they are in place, as in the Philippines and to a lesser extent in Cambodia, practical and rapid measures are required in order to avert further land dispossession, demonstrating progress each year in improving land security. A useful model is the commitment by President Gloria Macapagal-Arroyo of

the Philippines to award ancestral domain titles to 100 indigenous peoples' communities every year during 2002–2004. Such time-bound targets are important, measured both as the number of titles to be awarded each year and as the physical land area to be regularized.

In all cases, indigenous communities need to be involved in the mapping of the lands traditionally used by them. These communities have the best knowledge of their own patterns of land use and of their boundaries. Land specialists from government organizations need to work in close collaboration with local communities, providing training in the necessary mapping and surveying techniques.

Once the land areas have been demarcated and titled in the appropriate legal entity, it is important to assist indigenous communities in land use and management. This may be a longer-term objective, given that the titling process is only now commencing. But it is important to demonstrate that indigenous communities can manage their land in an economically effective and environmentally sound manner, given an appropriate policy environment and technical support. Some pilot programs could be usefully developed during 2004–2005.

International Action and the Role of ADB

The process of land regularization will require much international support, both technical and financial. Southeast Asian countries could learn useful lessons of best practice from other countries that have carried out extensive land titling and regularization programs for indigenous peoples, for example, in Latin America. Bilateral donor agencies such as the Danish International Development Agency, which has considerable experience supporting such programs in Latin America, might consider the extension of such a program to Southeast Asia. An important role can also be played by such international NGOs as the IWGIA, which has experience in participatory land mapping and titling that could usefully be adapted to the Asian region. An organization like the ILO, which has already addressed sustainable development plans for ancestral domain in the Philippines, might usefully extend the scope of this work to other countries of the region. Or UNDP, with its new emphasis on indigenous peoples' issues, might usefully develop a regional program for the sustainable development of indigenous and ethnic minority lands.

Some ADB projects already have components for the titling of indigenous lands. Examples are its agricultural development and poverty reduction projects in the Philippine Cordillera region (CHARM) and a rainfed agriculture development project in Central Sulawesi, Indonesia. Implementation of these components has not been strong and has possibly been hampered by lack of technical competence concerning these vital issues within ADB itself.

A follow-up ADB program of activities on indigenous land policy and management is clearly warranted by the circumstances. The project's national and regional workshops drew attention to the need for different forms of policy advice, for law reform, for regulating existing laws, for technical aspects of surveying and titling, and for conflict resolution. Land issues are likely to surface frequently in the context of ADB's own poverty reduction projects in indigenous and ethnic minority areas. This suggests a need to increase comprehension among ADB technical staff of land rights concerns and of the appropriate policy response.

These concerns would be best addressed through a new 2-year (2003–2004) regional technical assistance with two sets of objectives. The first is to assist participating governments to refine their law and policy framework and implementing mechanisms; to establish particular targets for issuing land titles; to strengthen government machinery responsible for coordinating land adjudication; and to strengthen consultative mechanisms with indigenous peoples' organizations. The second is to strengthen ADB's internal capacity for addressing indigenous and ethnic minority land concerns in future project interventions; and develop a database and training manuals for ADB project and program staff.

INDIGENOUS AND ETHNIC MINORITY CONCERNS IN BASIC SOCIAL SERVICES

Challenges

A major concern is the inadequate delivery of basic social services to often remote areas where these groups are located. Another is that health and education services are ill adapted to indigenous cultures, and take no

account of their traditional knowledge and practices. This is linked to the wider issues of discrimination that can pervade relations between indigenous and mainstream ethnic groups. A third concern is that credit and financial services cannot adapt to the many indigenous land and resource management systems based on communal tenure. There are many other aspects. Language barriers can prevent ethnic and linguistic minorities from access to all kinds of services, judicial or administrative. This can add to a spiral of discrimination and enduring poverty.

National Action

A key issue is to mainstream indigenous and ethnic minority concerns in all government programs for the delivery of social services. The issue was addressed in the Philippine national workshop under this project, in which a series of different line agencies were invited to explain their programs on behalf of indigenous peoples. This exercise could usefully be repeated in all countries. It requires adequate policy coordination and consultative mechanisms (see below).

International Action and the Role of ADB

Many international organizations, both government and nongovernment, are now concerned with indigenous knowledge systems and practices. The World Bank and ILO, among others, have addressed this area. One task is to disseminate the information and lessons learned, seeking to incorporate them within the programs of government line agencies.

The role of ADB will be enhanced considerably, if it can find the means to enhance expertise on indigenous and ethnic minority concerns in its operational work. Mainstreaming ethnic concerns in sectoral programs requires paying attention to them at an early stage of project formulation. This is the opposite of the "safeguard" approach, which tends to examine the potentially adverse impact of an intervention, rather than to examine ways in which indigenous groups can participate in, and hopefully benefit from, sectoral programs of national application. As the findings of this project indicate, an effective strategy for reducing the poverty of these vulnerable groups tends often to require the latter approach.

ANNEX 1

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ANNEX II

WORKSHOP PROGRAM

25 OCTOBER 2001

08:15 – 09:00	REGISTRATION
09:00 – 09:30	OPENING WELCOME ADDRESSES Tadao Chino , President, Asian Development Bank Ambassador Howard Dee , Presidential Advisor for Indigenous Peoples Affairs, Republic of the Philippines
09:30 – 09:50	COFFEE BREAK AND GROUP PHOTO
09:50 – 10:00	INTRODUCTORY REMARKS Rolf Zelius Chief, Office of Environment and Social Development, ADB
10:00 – 11:00	SESSION I Opening Statements by Government Representatives: Policies and Programs for Poverty Reduction for Indigenous Peoples and Ethnic Minorities Chair: K.H. Moinuddin , Director Infrastructure, Energy & Financial Sector Department, ADB <ul style="list-style-type: none">- Yusril Ihza Mahendra, Minister of Justice and Human Rights, Indonesia- Ly Thuch, Minister of Rural Development, Cambodia- Tran Luu Hai, Vice Chairman, Commission for Ethnic Minorities and Mountainous Areas (CEMMA), Viet Nam- Evelyn Dunuan, Chair, National Commission on Indigenous Peoples (NCIP), Philippines
11:00 – 12:00	SESSION II Opening Statements by Indigenous Peoples Representatives Civil Society: Policies and Programs for Poverty Reduction for Indigenous Peoples and Ethnic Minorities Chair: S. Nishimoto Director, Strategy and Policy Department, ADB <ul style="list-style-type: none">- Phoy Bun Nyok, Cambodia

	<ul style="list-style-type: none"> - Abdon Nababan/Den Rombelayuk, Indonesia - Victoria Tauli-Corpuz, Philippines
12:00 – 13:30	LUNCH BREAK
13:30 – 13:40	INTRODUCTION TO SESSIONS III – VII Indira Simbolon , Social Development Specialist, ADB
13:40 – 15:30	SESSION III ADB Regional Technical Assistance (RETA) for Capacity Building for Indigenous Peoples/Ethnic Minority Issues and Poverty Reduction Presentation of the Main Findings Chair: Rolf Zelius Chief, Office of Environment and Social Development, ADB Presentation by Roger Plant, ADB RETA Consultant Team Leader and Consultant Team Members Open discussion
15:30 – 16:00	COFFEE BREAK
16:00 – 17:30	SESSION IV Plenary Discussion on Thematic Concerns Chair: Jana Grace P. Ricasio United Nations Development Programme, Manila Lead discussants will introduce the themes <ul style="list-style-type: none"> - Land Rights and Natural Resource Management - Basic Social Services, Income Generation and Livelihood - Policy Coordination and Consultative Mechanisms - Law and Policy Framework Open Discussion
17:30	COCKTAILS/RECEPTION

26 OCTOBER 2001

08:30 – 09:50	SESSION V Panel Discussion: Indigenous Peoples and Poverty Reduction: The Role of International Assistance Chair: Anita Kelles-Viitanen Manager, Social Development Division, ADB
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Panelists:

- **Svend Jensby**, World Bank
- **Terence Jones**, United Nations Development Programme
- **Herminia Degawan**, International Labour Organization
- **Vanda Altarelli**, International Fund for Agricultural Development
- **Soren Hvalkof**, International Work Group for Indigenous Affairs

Open Discussion

09:50 – 10:00	INTRODUCTION TO THE ACTION PLAN Roger Plant , ADB RETA Consultant Team Leader
10:00 – 10:15	COFFEE BREAK
10:15 – 12:15	SESSION VI Elements of the Action Plan: Small Discussion Groups
12:15 – 13:45	LUNCH BREAK
13:45 – 16:00	SESSION VII Presentation of the Action Plan: Plenary Discussion Concerning the Broad Principles of a Regional Action Plan, its Specific Proposals and the Operational Implications Chair. Roger Plant , ADB RETA Consultant Team leader
16:00 – 16:20	COFFEE BREAK
16:20	CLOSURE Chair: Rolf Zelius , Chief, Office of Environment and Social Development, ADB