



NORWEGIAN MINISTRY
OF FOREIGN AFFAIRS

Guidelines

Norway's Efforts to Strengthen Support for Indigenous Peoples in Development Cooperation

A human rights-based approach





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1. INTRODUCTION

We are now in the final year of the International Decade of the World's Indigenous People (1995-2004). During this decade, a great deal of important progress has been made that has helped to improve the international framework conditions for indigenous peoples. Two of the most important moves were the establishment of the UN Permanent Forum on Indigenous Issues and the appointment of a Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous People.

In addition to the fact that Norway has played a proactive role in these international efforts, for many years Norway has also supported projects and programmes to promote the rights of indigenous peoples and improve the living conditions of indigenous peoples at country level. This includes the assistance provided through Norwegian non-governmental organisations, Norwegian indigenous organisations, international organisations, Norwegian embassies, UN agencies and multilateral organisations. An important part of Norway's assistance to promote the rights of indigenous peoples is also channelled directly to indigenous organisations in Latin America.

These guidelines have been drawn up to ensure that there is a clear connection between normative work on indigenous issues and practical cooperation with and on behalf of indigenous peoples. In the field of development cooperation there is a desire for stronger and more coherent focus on indigenous peoples and on strengthening the human rights perspective in these activities. Norway wishes to promote a coherent approach in Norway's efforts for indigenous peoples and, to a greater extent, to promote the integration of indigenous issues into other areas of Norway's development cooperation.

These guidelines are based on the Ministry of Foreign Affairs' *Follow-up Plan for Development Cooperation with Indigenous Peoples* (endorsed on 12 September 1999), which has so far provided the guidelines for Norway's support for indigenous peoples in development cooperation. It has set the parameters for Norway's activities alongside Report No. 21 to the Storting (1999-2000): Focus on Human Dignity. A Plan of Action for Human Rights, the Ministry of Foreign Affairs/Norad guidelines of November 2001 concerning support for civil society: *Grant schemes for Norwegian and international voluntary actors' humanitarian development cooperation collaboration* and the principles laid down annually in propositions to the Storting and letters of allocation. Support for indigenous peoples is also broadly discussed in Report No. 35 (2003-2004) to the Storting: Fighting Poverty Together. A Coherent Policy for Development.

These guidelines are largely based on the content and recommendations in the report *Norad's Efforts to Strengthen Development Cooperation with Indigenous Peoples* (final draft 11 April 2002), which was prepared by a working group at the Norwegian Agency for Development Cooperation (Norad). This report presents recommendations as to how Norad should strengthen its support for indigenous peoples in development cooperation. Since then, Norwegian development cooperation has been comprehensively reorganised and these guidelines take the new framework conditions for and organisation of development cooperation into account.

Saami groups and Norwegian and international organisations contributed important inputs at an early stage in the preparation of these guidelines, and these actors will continue to be important partners and advisers on mat-

ters relating to Norway's support for indigenous peoples in the South. At the same time, it is a clear goal to ensure that Norwegian foreign missions and UN agencies and multilateral financial institutions to a greater extent take indigenous peoples and the rights of indigenous peoples into account in their activities.

Norad will continue to play a crucial role in efforts to promote the rights of indigenous peoples in future, and will be responsible for coordinating Norway's support for indigenous peoples. At the same time, we wish to ensure that the activities of other ministries in this area are viewed in an overall context.

Summary:

Norway will:

- continue to include and strengthen the human rights perspective in Norway's efforts to support indigenous peoples
- ensure that there is a connection between norm-related work on indigenous issues and projects to support indigenous peoples in development cooperation
- ensure coherent, coordinated administration of support for indigenous peoples
- intensify efforts to support indigenous peoples, particularly in Africa and Asia
- raise awareness of the work being done to support indigenous peoples
- include representatives of Norway's indigenous peoples in relevant areas of activity relating to indigenous peoples
- ensure that there is focus on indigenous issues in the work that is being done on biological diversity in tropical rainforests, in accordance with the commitments made in the Johannesburg Declaration on Sustainable Development.

2. WHO ARE INDIGENOUS PEOPLES?

There is no general, internationally accepted definition of the term “indigenous peoples”. Typical characteristics of indigenous peoples are that they are not the dominant group in the larger community of which they are a part, even if they are the group that first inhabited the region. They usually also have a unique culture based on natural resources, and they have a culture that is socially, culturally and/or linguistically different from that of the dominant population.

ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries is the only international convention that directly concerns the protection of indigenous peoples.¹

Article 1 of the ILO Convention No. 169 defines indigenous peoples as follows:

This Convention applies to:

- (a) *tribal peoples in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations;*
- (b) *peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.*

2. *Self-identification as indigenous or tribal shall be regarded as a fundamental criterion for determining the groups to which the provisions of this Convention apply.*

On the basis of these criteria, indigenous peoples consist of approximately 350 million people living in 70 different countries. Indigenous peoples are usually in the minority in a country, but this does not always apply. In several countries in Latin America, indigenous peoples account for a large majority of the population. Some of the largest indigenous groups, such as the Aymara and Quechua Indians in the Andes mountains, consist of more than one million individuals, while other groups, such as those living in various tropical rainforests, are so small that they are in danger of dying out within a couple of generations.

After many years of effort, Norway’s indigenous people, the Saami people, have achieved recognition of their cultural and political rights. The situation of indigenous peoples varies significantly according to the part of the world in which they live, the natural and environmental conditions in which they live, and the political, social and economic framework conditions provided by various nation states for their indigenous populations. The life situation of many indigenous groups is characterised by economic and social marginalisation and problems relating to a lack of clarification of their right to natural resources and territories. The vast majority of indigenous peoples are among the very poorest people in their respective countries. Indigenous women are often the poorest and most marginalised of all.

¹ Conventions are legally binding on the countries that have ratified them. Declarations and plans of action are not legally binding instruments, but they represent political/moral obligations in international and national policy

3. INTERNATIONAL EFFORTS TO PROMOTE THE RIGHTS OF INDIGENOUS PEOPLES AT THE UN

The first time there was specific focus on the human rights of indigenous peoples was at the beginning of the 1980s. Before then, the dominant thinking on human rights issues in the UN system was based on the classical approach to universal, individual rights laid down in the Universal Declaration of Human Rights (1948) and the two UN human rights conventions (1966). It was believed that this new international system would guarantee the rights of all people on an equal basis, regardless of gender, nationality, religion or ethnicity. However, Article 27 of the International Covenant on Civil and Political Rights gives rights to members of minority groups, and these are individual rights. This is a crucial provision in international law aimed at protecting minorities. The Norwegian authorities recognise that the Saami people have rights pursuant to this provision.

In the 1970s, discussions on minority issues had also begun in the *Sub-Commission on Prevention of Discrimination and Protection of Minorities*², a sub-commission under the UN Commission on Human Rights, and in conjunction with the attention focused on the right of all people to self-determination, this paved the way for discussions on rights that are not universal but apply to special groups and special historical situations. At the end of the 1970s, the *Sub-Commission* started work on a study of the situation of indigenous peoples in general. This study was extremely important because it contained suggestions for definitions of “indigenous peoples” and because it discussed the special types of protection that should be provided for indigenous peoples in addition to the protection provided

under the existing Universal Declaration of Human Rights. With the establishment of the *Working Group on Indigenous Populations* (WGIP) in 1982, the UN began its first formal work on indigenous peoples. A great deal of progress has been made on indigenous issues at the international level since then. This is due, not least, to the active participation of indigenous peoples in various international forums and the proactive role of individual member states, including Norway and the other Nordic countries, in establishing a new framework for the rights of indigenous peoples within the UN system.

3.1 ILO Convention No. 169

As mentioned above, ILO Convention No. 169 was the first and so far the only international legal instrument to directly concern the rights of indigenous peoples. It was completed in 1989 and constituted a major revision of ILO Convention 107/69. In 1990, Norway was the first country to ratify ILO Convention No. 169 and as of today it has been ratified by seventeen countries.³

According to ILO Convention No. 169:

- indigenous peoples have the right to maintain and develop their own culture and language. The Convention contains provisions concerning the right to natural resources, traditional lands and territories, etc.
- indigenous peoples have the right to take part in decision-making processes relating to issues that concern them
- the authorities have an obligation to support this work

2 In 1999, the *Sub-Commission* changed its name to the *Sub-Commission on the Promotion and Protection of Human Rights*.

3 The 17 countries are: Argentina, Bolivia, Brazil, Colombia, Costa Rica, Denmark, the Dominican Republic, Ecuador, Fiji, Guatemala, Honduras, Mexico, the Netherlands, Norway, Paraguay, Peru and Venezuela.

A prerequisite for ratification of ILO Convention No. 169 is that countries must adjust their legal framework so that it corresponds with the content of the Convention. However, even in cases where a particular state has not ratified the ILO Convention or other relevant international conventions, they are important instruments to which the indigenous peoples in that state can refer in their efforts to achieve their rights.

Indigenous peoples are also mentioned in many other international conventions, declarations and plans of action which, *in toto*, form the international framework for the rights of indigenous peoples. A list of the conventions and declarations relating to indigenous peoples may be found in Appendix II.

3.2 The International Decade of the World's Indigenous People

The UN General Assembly decided that 1993 was to be the *International Year of the World's Indigenous People* (Resolution 45/165). Two years later, it was decided that the period 1995-2004 was to be the *International Decade of the World's Indigenous People* (Resolution 48/163). The goal of the decade was to strengthen international cooperation with a view to solving the problems faced by the world's indigenous peoples in areas such as human rights, the environment, development, education and health. The two most important specific goals of the International Decade of the World's Indigenous Peoples were to adopt a Declaration on the Rights of Indigenous Peoples and to establish a Permanent Forum on Indigenous Issues in the UN system.

3.3 The UN Declaration on the Rights of Indigenous Peoples

Since the establishment of the *Working Group on Indigenous Populations* in 1982, the working group's most important task has been to develop international standards for the rights of indigenous peoples and to discuss the situation of indigenous peoples in various countries. The working group's *Draft Declaration on the Rights of Indigenous Peoples* was completed in 1993. The draft contains a number of

provisions (45 articles) on the rights of indigenous peoples relating to language, religion, culture, education and land. The Sub-Commission adopted the draft declaration in 1994 and passed it on for further processing at the UN Commission on Human Rights. Since then the draft has been the subject of negotiations between states in a new working group, the *Working Group on the Draft Declaration on the Rights of Indigenous Peoples*, where representatives of indigenous peoples have observer status. The working group has made little progress and very few of the articles have been adopted so far. One of the especially difficult issues concerns the right of indigenous peoples to self-determination, and what is meant by this term. Norway has given high priority to work on the Declaration. In the negotiations, Norway has been represented by the Ministry of Foreign Affairs, the Ministry of Local Government and Regional Development and the Saami Parliament. The Declaration on the Rights of Indigenous Peoples is not expected to be adopted by the end of the International Decade of the World's Indigenous People as had been hoped.

3.4 The UN Permanent Forum on Indigenous Issues

The most important thing that has happened in the International Decade of the World's Indigenous People has been the establishment of a *Permanent Forum on Indigenous Issues* at the UN. Through the Ministry of Foreign Affairs, and in close cooperation with the Saami Parliament, Norway participated actively in the establishment of this new UN body. In 2001, a decision was made to establish the forum as an advisory body under the UN Economic and Social Council (ECOSOC) and it held its first session in May 2002. With this forum, governmental and non-governmental representatives have for the first time been given equal participatory status in a permanent representative body within the UN system. The Forum comprises 16 members, eight of whom are nominated by governments and eight nominated by the President of ECOSOC after broad-based consultations with indigenous organisations.⁴ The Forum is primarily an advisory and coordinating body

4 The eight representatives of indigenous peoples are elected from the Arctic regions/Europe, Africa, Asia, North America, Central/South America and the Caribbean, the Pacific region, the former Soviet Union and Eastern Europe.

for indigenous issues at the UN and in its first period it is chaired by the former president of the Saami Parliament, Ole Henrik Magga. With this forum, indigenous peoples have an institutional mechanism and a meeting place within the UN system to promote their rights.

The third session was held in May 2004 and the rights of indigenous women was the main topic. It was attended by more than 2,000 delegates from various indigenous organisations, member states and UN agencies. The recommendations which the Forum presents in its report on the session will be followed up by various relevant UN organisations.

3.5 The Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous People

In 2001, the UN Commission on Human Rights appointed Rodolfo Stavenhagen as the first Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous People. The Special Rapporteur's mandate is to collect, request, receive and exchange information on contraventions of the rights of indigenous peoples. He also has a mandate to present recommendations and proposals for measures and activities that will help to protect the rights of indigenous peoples. The Special Rapporteur presents general reports to the Commission on Human Rights each year, and prepares reports on specific topics relating to indigenous peoples. The Special Rapporteur also visits various countries and presents reports on the situation of indigenous peoples at country level.⁵

⁵ Reports have so far been published on the situation of indigenous peoples in Mexico, Chile, Guatemala and the Philippines.

4. THE EFFORTS OF OTHER DONORS

The focus on indigenous peoples as an explicit target group for international development cooperation has increased in the past decade, in step with the strengthening of the international framework for the rights of indigenous peoples. Some donors have drawn up special strategies for indigenous peoples in development cooperation and guidelines for participation in projects/programmes that may entail interference in the traditional ways of life of indigenous peoples. The following summary concerns some of the development cooperation actors that have explicitly focused on indigenous people as a target group. The summary is not intended to give a complete picture of the efforts of all donors in the indigenous sphere.

4.1 Denmark

In 1994, the Danish authorities drew up a coherent strategy for Danish support for indigenous peoples. The objective of such support, as outlined in the strategy, is to “help to give (indigenous peoples) genuine opportunities for development on their own terms, based on their own culture and often on their feeling of belonging to their own territory”. The strategy is coherent and includes international political dialogue, economic and trade issues, development policy dialogue and practical cooperation through support for measures specifically aimed at indigenous peoples, and the integration of consideration for indigenous peoples into bilateral as well as

multilateral programme cooperation.

Denmark’s efforts were evaluated in 2001.⁶ The evaluation showed that the strategy has facilitated close links between international political and economic cooperation, multilateral activities and bilateral cooperation. The evaluation particularly focuses on support for indigenous peoples in Danish programme countries that have a substantial proportion of indigenous people. It emphasises the need for direct consultation with indigenous organisations, among other things in order to reach agreement on Denmark’s obligations pursuant to the ILO Convention, but also the limitations to which Denmark is subject, especially as regards “politically sensitive” issues. The report also discusses mechanisms for cooperation within larger sector programmes and points to the need for dialogue with the authorities on taking indigenous people into account in a sectoral context, combined with specific activities that directly target indigenous groups. As a follow-up to this report, Denmark has prepared a set of instruments to ensure that indigenous peoples are taken into account in sector programmes.⁷

4.2 The EU

In 1998, the EU drew up a working document on support for indigenous peoples in development cooperation, which had a clearly defined human rights perspective.⁸ The document summarises the lessons learned from previous cooperation on indigenous peoples in

6 Cf. *Strategy for Danish Support to Indigenous People*. Danish Ministry of Foreign Affairs/Danida and *Review Report. Strategy for Danish Support to Indigenous People*, September 2001.

7 *Best practices for including indigenous peoples in sector programme support*. Danish Ministry of Foreign Affairs/Danida (Draft February 2004). This draft has currently been distributed for consultation.

8 Cf. *Support for Indigenous Peoples. Working Document of the Commission on support for indigenous peoples in the development cooperation of the Community and the Member States*, May 1998, approved by Council Resolution 30.11.98.

development cooperation and stresses the importance of involving indigenous peoples at all stages of such cooperation. In cooperation with indigenous peoples, the EU has focused on the need for defined roles and partnership. This applies both when assistance is channelled through non-governmental organisations and when it is a matter of direct cooperation with government donors. On the other hand, the EU's financial support for indigenous peoples is very limited.

4.3 Canada

The Canadian authorities have engaged in broad-based and well-coordinated efforts for indigenous peoples, both in Canada and in South and Central America. In 2001, the *Canadian Agency for Development Cooperation* (CIDA) established an *Indigenous Peoples Partnership Programme in the Americas*, whereby assistance is channelled through Canadian indigenous organisations to indigenous organisations in Latin America. The Canadian authorities have also been especially far advanced in focusing on private sector development and ICT-based education and information programmes for indigenous peoples.

4.4 The United Nations Development Programme (UNDP)

The UNDP plays an important role in coordinating international development efforts that target indigenous peoples. This UN agency has played a particularly crucial role in integrating the interests of indigenous peoples into national and international development processes, in facilitating dialogue between authorities and indigenous groups, and in promoting the participation of indigenous groups in national consultation processes. Among other things, the UNDP has established an *Indigenous Knowledge Programme*, and the

organisation also supports indigenous groups directly through the *Small Grants Programme*. One example at country level is the UNDP's role in Guatemala, where the UN agency plays a key role in coordinating support for indigenous and civil society organisations at country level.

4.5 The World Bank

With its extensive project activities and its key proactive role in connection with national poverty reduction strategies, the World Bank plays a vital role in many countries that have indigenous populations. The World Bank finances a large number of major development projects that directly affect the everyday and traditional ways of life of indigenous peoples. Since 1991, the World Bank has had a special set of guidelines (*Operational Directive 4.20*) aimed at ensuring that the development projects it finances do not have negative social or environmental consequences for indigenous peoples. This is the World Bank's do not harm policy. In 2003 the World Bank initiated a *Grants Facility for Indigenous Peoples*, a programme to provide direct support for small development projects run by indigenous organisations.

4.6 The Inter-American Development Bank (IDB)

In 2004, the *Inter-American Development Bank* (IDB) is nearing the completion of a new strategy for its work with indigenous peoples. Through a number of studies, supported by Norway, of the situation of indigenous peoples, especially in relation to social and economic exclusion, the IDB has helped to put this issue on the agenda in several Latin-American countries. The data from these studies are also used in national statistics and in connection with policy formulation in several countries.

5. NORWAY'S EFFORTS TO PROMOTE THE RIGHTS OF INDIGENOUS PEOPLES IN DEVELOPMENT COOPERATION

– Modalities and channels

5.1 Human rights-based support for indigenous peoples

The human rights-based approach is based on the premise that *development* and *human rights* are inextricably linked. Poverty entails the absence of choice and opportunity. This is the greatest human rights challenge of our time. Human rights-based development entails breaking this circle by ensuring that the rights of individuals or groups that live in poverty and social isolation are fulfilled.⁹ Indigenous peoples are widely exposed to human rights violations, while at the same time they are often the poorest of the poor in their respective countries.

In simplified form, a human rights-based approach means that human rights norms provide the basis for identifying and defining the objectives for development. Human rights norms mean the rights that are laid down in international conventions, which regulate the relationship between the State and the individual. They contain norms that the State has committed itself to conform to and rights that individuals can demand be fulfilled. A human rights-based approach entails a conscious choice of partners, and support for civil society organisations must be evaluated on the basis of their possibilities for social mobilisation and for playing a proactive role vis-à-vis the State.

Norway's efforts to support indigenous peoples in development cooperation were for many years based on various international human rights conventions, which implicitly included indigenous peoples. Since Norway, as the first country to do so, ratified ILO Convention No. 169 in 1990, Norway's efforts

for indigenous peoples have largely been based on the latter Convention. As mentioned above, the ILO Convention was the first and so far the only binding international legal document that focuses specifically on the rights of indigenous peoples.

The key concepts in a human rights-based approach are the responsibility of the State, the empowerment and participation of individuals/groups, non-discrimination of individuals and focus on vulnerable groups.

5.2 Specific and integrated support for indigenous peoples

It may be difficult to determine the extent to which a project is primarily human rights-based or wholly or partially motivated by other considerations. In these guidelines, we have nevertheless chosen to distinguish between specific support for indigenous peoples and integrated support for indigenous peoples.

If a project or programme is to be classified as specific support for indigenous peoples, it must:

- have clear, identifiable targets relating to the improvement of the target group's situation in defined areas of the project design, and
- involve the indigenous group(s) in the formulation of the goals of and methods used in the project or programme.

This applies both in cases where indigenous people are the main target group and in cases where indigenous people are a subsidiary target group. This means that whether it is a

9 Cf. *Memorandum on human rights-based development cooperation*, NORAD 30 September 1999, and *Handbook in Human Rights Assessment*, NORAD, February 2001. A discussion on the absence of choice and opportunity is also prominent in the *Norwegian Government's Action Plan for Combating Poverty in the South towards 2015*, which was presented on 4 March 2002.

matter of health, education, culture, economic or policy-related projects, assistance must take special account of the culture and special educational needs of indigenous groups, and the priorities of the indigenous peoples themselves.

In cases where indigenous peoples are the main or subsidiary target group, but the project is not explicitly based on ILO Convention No. 169 and the traditional culture and way of life of indigenous peoples in terms of the project design and implementation, the project is described as *integrated* support for indigenous peoples.

Specific support for indigenous peoples is the primary focus of this document. This means that certain activities that are implemented in regions/countries with a significant presence of indigenous peoples are not covered by the enclosed overviews. They may include development projects relating to social and economic development that benefit indigenous peoples but do not specifically take indigenous peoples into account, as outlined above. The Norwegian Guidelines are therefore primarily based on specific cooperation with indigenous peoples, even if the recommendations are also linked to other efforts that are relevant in an indigenous context.

5.3 The scope and modalities of Norway's support for indigenous peoples

Specific assistance for indigenous peoples is channelled, directly and indirectly, through the actors and channels that appear to be the most appropriate and effective in each context. This includes assistance channelled through Norwegian non-governmental organisations, Norwegian indigenous organisations, international organisations, Norwegian embassies, UN agencies and multilateral organisations. An important part of Norway's assistance to promote the rights of indigenous peoples is also channelled directly to indigenous organisations in Latin America.

Norwegian governmental assistance for development projects where indigenous peoples were the main target group amounted to approximately NOK 250 million in 2003,

equivalent to 5.4 % of all Norwegian bilateral assistance (compared with 4.8 % in 2002). However, these figures include both specific and integrated assistance for indigenous peoples, and due to the statistical method that is used it is difficult to estimate the percentages for each category.

Most of Norway's support for indigenous peoples has traditionally been concentrated on cooperation in Latin America. This applies to both assistance channelled through Norwegian non-governmental organisations and embassies and Norad's direct support for indigenous peoples (the former Norwegian Programme for Indigenous Peoples). The scope of assistance for indigenous groups in Africa and Asia has been more limited, but the proportion of total assistance for indigenous peoples channelled to these two continents has been increasing in recent years.

Norway's broad-based efforts for indigenous peoples in Latin America must be regarded as a result of the large number of relatively clearly definable indigenous groups on that continent, plus the fact that national framework conditions for cooperating with indigenous groups have improved because many Latin American countries have ratified ILO Convention No. 169. In Africa and Asia it has been far more difficult to define indigenous peoples, and the political conditions have often made it more difficult to work with indigenous peoples on these continents. The proportion of Norway's assistance for indigenous peoples that has been channelled to the least developed countries (LDCs) has therefore been relatively modest. Cooperation has largely been concentrated on low-income and lower middle-income countries. In terms of priorities, Norway's support for indigenous peoples in development cooperation has in many cases been focused on indigenous peoples' own organisations, institution-building and human resource development in various areas.

5.4 Cooperation through Norwegian non-governmental organisations

Most of Norway's specific assistance for indigenous peoples is channelled through Norwegian non-governmental organisations.

In 2003 more than half of all Norwegian assistance for indigenous peoples in development cooperation was channelled through Norwegian NGOs. The working methods and areas of focus of the various organisations vary significantly, and not all assistance channelled through Norwegian NGOs can be classified as specific support for indigenous peoples. Nevertheless, the common denominator for most of these actors is that, over a long period of time, they have established important cooperative relationships with local indigenous organisations and have acquired valuable knowledge of countries and regions.

One example of a Norwegian NGO that has been working systematically for many years to promote the rights of indigenous peoples is the Rainforest Foundation. Through its cooperation with local indigenous organisations in Brazil, this organisation has been highly successful in promoting the rights of indigenous peoples, protecting traditional ways of life and reducing deforestation. The Rainforest Foundation's experience from Brazil and its clear focus on the rights of indigenous peoples and the conservation of biological diversity are highly applicable to similar problems on other continents. As a result of this, in the past decade, this organisation has expanded its geographical focus to include countries in Asia, and in the last couple of years in Central Africa as well.

Norwegian Church Aid has also had a human rights-based approach to its efforts to improve living conditions for indigenous peoples for many years. Norwegian Church Aid has both specific and integrated indigenous projects in several countries, exemplified by the organisation's long cooperation with the San people in Botswana. Save the Children Norway and Norwegian People's Aid are two other examples of Norwegian non-governmental organisations that have a human rights-based approach to their cooperation with indigenous organisations. Both organisations have for many years been important channels for Norway's assistance to promote the rights of indigenous peoples in Latin America. One example is Norwegian People's Aid's cooperation with the *Confederación de Nacionalidades y Pueblos Indígenas de Ecuador* (CONAIE) in Ecuador, where they

have supported a project to help prepare inputs for an Act on indigenous peoples' right to land. Save the Children Norway's efforts for the Mayan Indians in Guatemala include providing bilingual education for Mayan children.

5.5 Cooperation through international organisations

Norway has been supporting and cooperating with the *International Work Group for Indigenous Affairs* (IWGIA) for several years. The IWGIA, which is based in Copenhagen, is an international human rights organisation that mainly focuses on indigenous peoples. The organisation's overarching goal is to help promote the rights of indigenous peoples – the right to self-determination, the right to land and resources, the right to their own cultural identity and the right to development. The IWGIA is currently one of the most prominent international organisations that specifically focuses in indigenous peoples. It is involved in direct cooperation with indigenous organisations and their project activities. Documentation is another important part of its work. The IWGIA is responsible for a large number of publications in many languages, particularly the highly respected magazine *Indigenous Affairs*, which is published quarterly, and the comprehensive yearbook *The Indigenous World*, which presents updated evaluations of the situation for the world's indigenous peoples. The IWGIA also plays an important role in many of the international and regional processes that affect the situation of indigenous peoples. One example is the IWGIA's cooperation with the *African Commission on Human and Peoples' Rights* (ACHPR).

Norad's support for the IWGIA includes both project activities and core contributions. Cooperation on projects focuses, among other things, on the situation of indigenous peoples in Africa and the situation of indigenous women in general.

5.6 Direct support for indigenous organisations

The Norwegian Programme for Indigenous Peoples was established by the Ministry of Foreign Affairs in 1983 and, in an internation-

al context, was the first governmental programme aimed at providing *direct* support for local indigenous organisations in the South. The first phase of the programme comprised support for local indigenous organisations in five countries in Latin America, namely Guatemala, Chile, Peru, Paraguay and Brazil. The programme was acclaimed internationally, in Norway's partner countries and in Norway.

One example of highly successful cooperation supported through the Norwegian Programme for Indigenous Peoples is the cooperation with Tierraviva in Paraguay. Long-term support and close follow-up by Norway has helped to make Tierraviva one of the leading actors in efforts to ensure that indigenous peoples have the right to land that they are entitled to pursuant to ILO Convention No. 169. After long legal processes, in both the Paraguayan courts and the Inter-American Court of Human Rights, several indigenous groups in the Chaco district have seen concrete results of the work done by Tierraviva, in the form of legal title to land.

In the initial years, the Norwegian Programme for Indigenous Peoples was directly administered by Norad, but in 1991 the administration and follow-up was transferred to the Norwegian Institute for Applied Social Science (FAFO). The programme was evaluated in 1998. This evaluation praised much of the work that had been done at project level and described the programme as being flexible and relevant in relation to the existing needs of indigenous peoples in the respective countries. However, the evaluation report pointed out that the Norwegian Programme for Indigenous Peoples had, to too great an extent, operated in isolation from other Norwegian efforts for indigenous peoples and that it had made little contribution towards building expertise in other Norwegian organisations. As a result of these criticisms, and the desire to incorporate support for indigenous peoples more closely into Norad's other activities, in 1999 the Ministry of Foreign Affairs decided to transfer the Norwegian Programme for Indigenous Peoples back to Norad.

To achieve a more coherent approach in relation to other Norwegian support for indigenous peoples in Guatemala, in 2002 the authorities decided that the project portfolio in Guatemala was to be administered by the Norwegian embassy. In the same year, the Norwegian embassy in Brazil took over administrative responsibility for the programme's portfolio in Brazil. Since the embassy in Brazil is not otherwise involved in development cooperation, however, Norad retained the decision-making authority for these projects. As of 2004, Norad/Oslo still has direct administrative responsibility for the project portfolios in Peru, Paraguay and Chile.

As a result of the transfer of the project portfolios in Guatemala and Brazil, and the fact that direct support for indigenous organisations in Latin America is only one of several channels for Norway's total assistance for indigenous peoples, it no longer seems appropriate to use the name "Norwegian Programme for Indigenous Peoples" only in connection with direct support from Norad for indigenous organisations in Latin America. "The Norwegian Programme for Indigenous Peoples" will hereafter be used as a title that covers all Norway's technical and financial support for indigenous peoples.

5.7 Assistance channelled through Norwegian embassies

Norwegian embassies also administer other support for indigenous peoples, apart from the above-named projects in Guatemala and Brazil that were formerly part of the Norwegian Programme for Indigenous Peoples. Nevertheless, the proportion of Norwegian assistance for indigenous peoples channelled through Norwegian embassies is relatively limited.

In this context, Guatemala is different, however. Norwegian development cooperation in Guatemala is concentrated on three key obligations contained in the 1996 Peace Accords: strengthening the constitutional state, support for the democratisation process and promotion of the rights of indigenous peoples. Assistance for indigenous peoples is therefore explicitly mentioned as a priority area for

Norway's efforts in Guatemala. Norway's support for the Mayan Indians in Guatemala comprises both assistance as a component in national programmes and direct support for indigenous organisations. A more detailed presentation of the coherent approach upon which Norway's activities in Guatemala are based may be found in [Appendix 1c](#).

In 2001, Norway and Indonesia signed a five-year agreement on cooperation in the environmental sector, which is based on the UN Convention on Biological Diversity (CBD). Among other things, the programme focuses on sustainable management of the tropical rainforest in Sumatra, in a way that protects the livelihood and rights of the population groups that still live in and from the rainforest. This cooperation also includes strengthening the legal framework and its enforcement in order to prevent illegal logging and trade in tropical timber and wood products. This cooperation is a direct follow-up to the Johannesburg Summit on Sustainable Development in August 2002.

Cooperation in the education sector in Vietnam also includes provinces with a significant proportion of ethnic minorities. Although this cooperation is not defined as specifically targeting indigenous peoples, it must take account of the special needs of minorities.

5.8 Cooperation with indigenous groups in Norway

The Saami population possesses valuable experience and knowledge which are an important resource for Norway in its efforts to support indigenous peoples in development cooperation. At the international level, Saami organisations and institutions, and the long-term efforts that were made prior to their establishment, are regarded as being important models for other indigenous groups. For many years, Saami organisations and individuals have also played a vital role in the development of international legislation and international institutions that promote the rights of indigenous peoples.

The Saami Parliament (Samediggi) has been an important adviser in connection with the drawing up of an overarching strategy for

Norway's support for indigenous peoples in development cooperation. The Saami Parliament has also been consulted in connection with the process upon which this document is based.

Saami communities in Norway have a broad network of international contacts. The Saami Council in particular has carried out several cooperative projects with indigenous groups in developing countries over a period of many years. Since 2001, Norad has been supporting projects between indigenous peoples under the auspices of the Saami Council. They initially consisted of relatively short-term human rights courses for indigenous peoples in Asia and Africa, but since 2002 have also included projects focusing on organisational development for the San people in Botswana and the Masai people in Tanzania.

5.9 The Forum for Development Cooperation with Indigenous Peoples

In 1999 the Ministry of Foreign Affairs decided to establish a round table conference to provide a professional meeting place for non-governmental organisations, indigenous groups, research institutions and the parts of the public administration that were involved in Norwegian efforts for indigenous peoples in developing countries. The Centre for Saami Studies at the University of Tromsø was asked to arrange the conference. The Forum is headed by a council of six members representing research institutions, NGOs and Saami groups.

The first conference of the Forum for Development Cooperation with Indigenous Peoples was arranged in Tromsø in autumn 2000. The fourth conference, which focused on indigenous peoples and the UN system in general and indigenous peoples in Asia in particular, was arranged in autumn 2003. The Forum is also responsible for its own website which, in addition to providing information about the conference, publishes other information relevant to indigenous peoples. The Forum has played a key role as an arena for information, the exchange of experience and technical discussion for relevant groups.

Apart from arranging the Forum conference, the University of Tromsø is also involved in research cooperation that is relevant to indigenous peoples with the San Carlos University in Guatemala City (*Maya Competence Building*) and the universities in Botswana (*Collaborative Programme for San – Basarwa – Research and Capacity Building*). This research cooperation is financed through the Norwegian Council for Higher Education's Programme for Development Research and Education (NUFU).

5.10 Assistance channelled through multilateral organisations

Norway has actively supported the World Bank in drawing up guidelines for indigenous peoples. Norway has also made efforts to ensure that the World Bank takes account of the environment and sustainable development in its operations, and has contributed to the establishment of a Trust Fund for Environmentally and Socially Sustainable Development (TFESSD). The Fund covers a wide range of activities, including the development of analysis tools that are used to find out how various reforms will affect poor and vulnerable population groups, including indigenous peoples, and proposes measures to ensure that such reforms do not have a negative impact on them. The Fund also directly supports projects for indigenous peoples in areas such as the environment, social development and poverty reduction. For the World Bank, the Fund has become an important instrument for implementing the recommendations from the Johannesburg Summit on Sustainable Development. Norway contributed NOK 80 million to the Fund in 2003.

In Norway's ongoing dialogue with the Inter-American Development Bank (IDB) and in its

general work on the Board, Norway urges the IDB to assume a more active role in promoting social equality and consideration for marginalised groups on the regional agenda, and to raise this issue in its dialogue with borrower countries. To strengthen these efforts, the IDB has established a multi-donor Social Inclusion fund to which Norway is one of the contributors. The purpose of the fund is to promote the integration of the social equality perspective in the Bank's work and in the policies and programmes of the authorities in Latin America and the Caribbean. The target group for the Fund comprises a number of marginalised groups, including indigenous peoples. Norway has also promoted a human rights-based approach in connection with the formulation of the IDB's strategy for indigenous peoples.

5.11 Norway's international efforts

As the first country to ratify ILO Convention No. 169, Norway has long been emphasising the importance of basing support for indigenous peoples on this binding, international legal document. Norway has played a proactive role in the UN *Working Group on Indigenous Populations* and the UN *Working Group on the Draft Declaration on the Rights of Indigenous Peoples* and other UN forums where the rights of indigenous peoples are discussed. Norway has clearly supported the establishment and operation of the UN Permanent Forum for Indigenous Issues. Norway has also provided travel grants to help representatives of indigenous peoples attend the annual conference. Furthermore, Norway supports the UN Voluntary Fund for Indigenous Populations, the purpose of which is to enable representatives of indigenous populations to participate in the meetings of the Working Group.

6. INSTRUMENTS TO BE USED IN NORWAY'S FUTURE EFFORTS

These guidelines for all Norway's support for indigenous peoples are based on a desire to ensure that there is a clear connection and coordination between normative work on indigenous issues and project and programme-based cooperation with and for indigenous peoples. The guidelines are based on the goal of ensuring that there is more, and more coordinated focus on indigenous peoples in development cooperation.

Work on indigenous issues in development cooperation is based on a holistic perspective at country level. This means that the various instruments used to support indigenous peoples in development cooperation must be coordinated at country level. At the same time, there are plans for the establishment of structures that will primarily focus on indigenous peoples and drive Norway's efforts, as well as further developing contacts with indigenous groups outside Norway.

Norway will strengthen its support for indigenous peoples in development cooperation at two levels:

- At the *overarching level*, indigenous peoples must be taken into account in relevant national and international strategic processes, in dialogue with authorities and in work on specific sectors. This includes more systematic dialogue with the Saami Parliament.
- At the *operational level*, Norway will focus its efforts by providing specific support for indigenous peoples and will support areas of cooperation that are particularly relevant in a human rights perspective. Norway will also ensure that indigenous peoples are taken into account in other types of cooperation where indigenous peoples are a target group or are affected by such cooperation.

6.1 Basing activities on human rights

Norway intends to further strengthen the human rights perspective in its support for indigenous peoples. The human rights-based approach to development cooperation will be based on ILO Convention No. 169. In other words, Norway's activities must promote recognition of the fundamental rights of indigenous peoples and strengthen their possibilities and ability to promote their own interests and administer their own affairs.

6.2 A coherent, targeted approach

Norway wishes to ensure that there is a close connection between normative work and practical cooperation on indigenous issues. A coherent approach to cooperation on indigenous issues will require the various types of Norwegian activities to be more closely coordinated.

The Regional Department at the Ministry of Foreign Affairs and the Norwegian embassies are responsible for overall planning and support for indigenous peoples at country level. The Department for International Development Policy will be responsible for ensuring that the political guidelines are followed up through Norad and through its work on indigenous issues vis à vis the international financial institutions. The Department for Global Affairs will be responsible for work on indigenous issues in the UN system. With the Department for Legal Affairs, the above-named departments will be responsible for work on international conventions and regulations.

Through its Department of Rights, Agents of Change and Civil Society, the Norwegian Agency for Development Cooperation (Norad) will have the main responsibility for cooperation with Norwegian, Saami and international non-governmental organisations

working on indigenous issues in development cooperation. This department will have overall technical responsibility in the sphere of indigenous affairs, which includes providing advice for the Ministry of Foreign Affairs, the embassies and other technical departments at Norad. The department will also administer direct assistance for development projects targeting indigenous peoples in countries where the embassy does not have sufficient competence/capacity to assume this responsibility.

Further work will be based on the following main principles:

Norway will:

- **establish a thematic group on indigenous issues.**

The thematic group will consist of representatives of relevant departments at Norad and the Ministry of Foreign Affairs. The group will be responsible for coordination, awareness-raising and reporting on indigenous issues. It will also be responsible for internal human resource development, raising awareness of indigenous peoples in development cooperation and strengthening dialogue with external indigenous groups. Representatives of the Saami Parliament, indigenous organisations in Norway, the Ministry of Local Government and Regional Development and other ministries may be invited to meetings of the thematic group when this is relevant with a view to mutual exchange of information on overarching political processes and operational activities. In cases where this is appropriate, embassies may be included in telephone and video conferences. The thematic group will be chaired by Norad.

- **strengthen the focus on indigenous peoples at relevant Norwegian foreign service missions.**

There are plans for more dialogue with Norwegian foreign service missions with respect to reporting on the situation of indigenous peoples at country level and possible efforts to promote the rights of indigenous peoples.

- **ensure coherent, coordinated administration** through Norad's *Department of*

Rights, Agents of Change and Civil Society.

- **strengthen Norad's role as a dialogue partner** for Norwegian non-governmental organisations working to promote the rights of indigenous peoples. Continue and strengthen dialogue and cooperation with the Saami Parliament and other indigenous actors in Norway.
- **ensure active Norwegian participation in the work of multilateral organisations relating to indigenous peoples,** and ensure that there is a connection between operational experience, in Norway and abroad, and international activities.
- **ensure that work at the UN on international processes relating to indigenous peoples is followed up.** This will particularly apply to the work of the UN High Commissioner for Human Rights, the Permanent Forum on Indigenous Issues and efforts to promote progress on the UN Declaration on the Rights of Indigenous Peoples.

6.3 Channels

Norway will strengthen its efforts for indigenous peoples through:

- **support for indigenous peoples through Norwegian non-governmental organisations.** These organisations have acquired a great deal of expertise and experience relating to the rights of indigenous peoples and indigenous organisations in various countries. A large proportion of Norway's support to promote the rights of indigenous peoples will continue to be channelled through Norwegian NGOs and their local partners in future. There will be special emphasis on the contribution this cooperation makes towards strengthening indigenous peoples' own organisations. In this respect there should also be closer interaction between Norwegian organisations and other bilateral efforts to support indigenous peoples.
- **direct support for indigenous organisations in South and Central America.** The extent to which it is appropriate for

the project portfolio in Peru and Paraguay to be administered from Norad/Oslo will be assessed on a continuous basis.

- **cooperation between indigenous peoples.** In 2004, the Saami Council receives assistance for project activities in Africa and Asia.
- **support for the International Work Group on Indigenous Affairs (IWGIA)** through core support and support for individual projects.
- **stronger focus on the rights of indigenous peoples in government-to-government cooperation.**
At country level, it will be appropriate in several countries to address the situation of indigenous peoples through various channels and approaches. In relevant countries, embassies should include the indigenous perspective, both in dialogue with the authorities and in sector and programme cooperation. In work on country strategies, the situation of indigenous peoples should be raised both as part of the poverty orientation of development cooperation and as part of efforts to promote human rights. As a donor, Norway should be proactive in ensuring that indigenous peoples are included and taken into account in the formulation and implementation of national poverty reduction strategies, and that, if necessary, measures are implemented that specifically target indigenous peoples.
- **helping to ensure that indigenous peoples are taken into account in the work of the development banks.**
Norway also supports development projects through the development banks which affect the situation of indigenous peoples. Norway will participate actively in the formulation of the development banks' various strategy documents relating to indigenous peoples. It will also be a priority task to help ensure that the strategies adopted by the development banks are followed up in the banks' operational activities.

- **helping to ensure that various UN organisations develop good policies and practices in matters that concern indigenous peoples.**

Norway should help ensure that indigenous peoples are taken into account in international framework conditions, including those relating to trade, the protection of biodiversity and the property rights linked especially to genetic resources. Norway should also help to ensure that relevant UN organisations follow up the recommendations of the *Permanent Forum on Indigenous Issues*.

- **helping to ensure that indigenous peoples are represented in international forums** that concern their situation and development.

6.4 The geographical modalities of support for indigenous peoples

As large a proportion of development assistance funds as possible must be channelled to the least developed countries (LDCs). In the case of projects targeting indigenous peoples and other especially vulnerable groups, however, it is permitted to deviate from this policy. Indigenous peoples often comprise pockets of poverty in their respective countries, including countries that are not classified as LDCs. Consequently, project activities in connection with Norway's support for indigenous peoples will not be limited to LDCs. There will be emphasis on indigenous policy considerations when new projects are assessed. Activities will also be assessed in relation to the nature of the project, synergies with other types of development assistance and the extent to which cooperation strategically targets key processes that concern indigenous peoples.

Norway will:

- **continue to support indigenous peoples in Latin America.**
Norway's efforts to promote the rights of indigenous peoples in development cooperation have traditionally largely been focused on Latin America. Norway will continue to support indigenous peoples in Latin America, especially Guatemala.

- **strengthen support for indigenous peoples in Africa and Asia.**

There are plans to strengthen support for indigenous peoples in Africa and Asia, continents where there has previously been relatively little emphasis on indigenous peoples in Norway's development cooperation. The strengthening of support in Asia will focus especially on South and South-East Asia.

- **increase the focus on regional processes.**

Norway should monitor regional processes relating to indigenous peoples. This particularly applies to the work of the *Organization of American States* (OAS) on a declaration on the rights of indigenous peoples in Latin America, and the work on indigenous issues at the *African Commission on Human and People's Rights* (ACHPR).

6.5 The thematic modalities of support for indigenous peoples

Norway will:

- **seek to ensure that the modalities of various Norwegian efforts coincide with the needs and priorities of the indigenous peoples themselves.**
- **help to strengthen indigenous peoples' own organisations.**
In accordance with the *Guidelines for Support for Norwegian and International Organisations* (2001), the goal of this cooperation will to a greater extent be aimed at helping to strengthen the role of civil society in development processes. In the indigenous sphere, this will mean helping to strengthen the indigenous peoples' own organisations as driving forces and potential agents for change.
- **focus on capacity-building.**
To strengthen support for indigenous peoples in development cooperation, it is important to ensure that there is focus on capacity-building in all areas.
- **ensure that there is strong focus on indigenous issues in work on biological**

cal diversity in tropical rainforests.

In accordance with the obligations relating to sustainable development in the declaration from the Johannesburg Summit, there must be strong focus on indigenous issues in work on biological diversity, especially in tropical rainforests. In this connection, there must be emphasis on, and priority must be given to safeguarding the livelihoods and rights of indigenous peoples. In this area, efforts in Indonesia and Central America will be particularly important. The possibilities of similar involvement in Central Africa will also be considered.

- **ensure that the gender issue and the situation of women are on the agenda in Norway's efforts to support indigenous peoples.**

In several indigenous communities, women do not traditionally participate in governing bodies and women's views are not traditionally taken into account. Many indigenous women therefore face "double discrimination", both as women in the indigenous community and as indigenous people in the community at large. In accordance with the recommendations from the third session of the UN Permanent Forum on Indigenous Issues, Norway will emphasise that indigenous women must be allowed to play an active role in initiatives supported by Norway.

6.6 Raising awareness of Norway's support for indigenous peoples

Norway will:

- **increase Norway's human rights-based activities.**
- **strengthen information activities relating to support for indigenous peoples.**
The establishment of the *thematic group on indigenous issues* will contribute to this.
- **strengthen dialogue and provide a meeting place.**
Norad will, to a greater extent than before, assume the role of dialogue partner on indigenous issues and provide a meeting place for non-governmental organisations, research institutions, indigenous groups in

Norway and others who are interested in indigenous issues.

- **continue to support the Forum for Development Cooperation with Indigenous Peoples.**

The Forum, which was established in 2000, is already an important meeting place and coordinating arena for various groups in Norway that are working on indigenous issues. The appropriateness of expanding the mandate and area of responsibility of the Forum will be assessed on a continuous basis.

- **strengthen technical dialogue on information and documentation with the Resource Centre for the Rights of Indigenous Peoples** in Kautokeino, which was established by the Government to increase knowledge about and understanding of the rights of indigenous peoples, nationally and internationally.

The Rainforest Foundation Norway: fighting for land rights and natural resources in Sarawak, Malaysia

Norad supports the cooperation of the Rainforest Foundation Norway with the Borneo Resources Institute (BRIMAS) to promote indigenous rights to land in Sarawak, Malaysia. Indigenous groups have won several cases in the courts of law.

The indigenous peoples of Sarawak, Malaysia, are totally dependent on territories in the region to lead the traditional lifestyle that they wish to perpetuate. On paper, Sarawak's indigenous peoples are guaranteed the right to forest and land, but in practice the timber companies are destroying Sarawak's rainforests. The resource base in the traditional indigenous territories is rapidly disappearing.

The Borneo Resources Institute (BRIMAS) was established in 1993 at the initiative of the indigenous leaders of a number of ethnic groups in Sarawak. The organisation is working to strengthen indigenous communities in their struggle to achieve legal recognition of and protection for their traditional territories. This will ensure sustainable utilisation of the territories, and at the same time safeguard and protect the resources that provide the basis for the survival of indigenous peoples. BRIMAS also monitors the authorities' appropriation of land for commercial activities, especially in cases where territory traditionally used by indigenous groups is involved.

BRIMAS works closely with indigenous groups to halt further destruction of the rainforests and prevent the establishment of plantations in the traditional indigenous territories. Many members of the target group have become apathetic after many years of repression, and BRIMAS is therefore also working to re-establish the self-confidence of the indigenous population. They are being taught how to identify their problems and define their needs. Efforts to give the indigenous peoples insights into fundamental legal rights are an important part of this cooperation.

BRIMAS also collaborates with organised groups in civil society, local and national non-governmental organisations and human rights organisations. BRIMAS has a research and documentation programme that provides a basis for wide-ranging information activities. The organisation's staff monitors newspapers, magazines and official documents to stay up-to-date on matters that need to be pursued. BRIMAS disseminates information through newsletters in local languages and bulletins to local, national and international NGOs, and also publishes information on the Internet. The Rainforest Foundation Norway is one of BRIMAS' most important supporters and provides a link to relevant international organisations.

BRIMAS has established a legal resource centre with a full-time lawyer who provides legal assistance for indigenous peoples in Sarawak. Cooperation has also been entered into with nine lawyers who deal with cases concerning land rights and provide legal representation in court for indigenous individuals who have been arrested for protecting their territories from illegal logging and plantation activities.

Several cases against private and official bodies are currently in progress. In 2001, indigenous groups won a case against private companies, and the agreement between the companies and the authorities concerning the use of one of the traditional indigenous territories was declared null and void. The verdict applied to cultivated land as well as forest areas, rivers and streams within half a day's radius from their homes, with the exception of neighbouring villages.

The example from Sarawak proves that it is possible to take a case through the judicial system and win. The indigenous groups won the right to preserve and further develop their culture, and the right to manage their natural resource base. Surveys also show that the indigenous community is better organised in the areas where BRIMAS operates. They thus have greater opportunities to present their needs and promote their rights.

Organisation-building among Indian groups in Médio Solimões in Brazil

With direct support from Norad for capacity-building and organisational development, the Union of Indigenous Nations of Tefé (UNI-Tefé), which was established in March 1993, has now been given responsibility for administering health projects in Brazilian Indian areas on behalf of the authorities.

UNI-Tefé's work consists of raising awareness among indigenous populations in the Médio Solimões region and encouraging and coordinating their organisation. The purpose is to strengthen their cultural, social and economic independence. Cooperation with Norad (which comes under the portfolio that was formerly called the Norwegian Programme for Indigenous Peoples) comprises support for courses and meetings for representatives from the various local communities organised by UNI-Tefé, the aim of which is to help preserve and promote knowledge of traditional medicine and Indian culture. Norwegian funding is also spent on training health workers, a women's movement, and economically sustainable local communities.

In 1988, Norad provided funding for office premises for UNI-Tefé and for the purchase of computer equipment. Cooperation also includes human resource development within UNI-Tefé in the field of project administration and accounting, and training in the use of basic computer software. This assistance has helped enable the organisation to administer substantial public health funds.

Until 1999, UNI-Tefé was supported solely by Norway. Since 1999, the organisation has been a member of a group of NGOs and indigenous organisations that were considered to be qualified for and accepted the offer of administering health support for indigenous peoples in Brazil on behalf of the National Health Foundation (Fundação Nacional de Saúde). Since 2001, the salaries of three of the organisation's staff have been paid through the national health project. In general, this health model is considered to be more effective than previous models and the quality of health services has improved considerably.

In addition to its work in the health sector, UNI-Tefé is responsible for monitoring and promoting the rights of indigenous peoples, among other things through weekly radio broadcasts, political mobilisation and awareness-raising campaigns.

UNI-Tefé is a relatively small, newly established organisation that represents Indians who are scattered over a large geographical area in the Amazon region. The Médio Solimões region and tributaries is a region where eleven different ethnic groups live in 25 different Indian territories, consisting of 48 villages and with a population of approximately 7,200 people. Compared with the Indians in other regions, this region has received relatively little attention. The Indians have been subjected to serious repression and demands for assimilation by the rest of the community, which has resulted in several groups now having relatively small territories. Approximately half of them have not yet achieved legal status. UNI-Tefé is doing an important job in exerting pressure on the Brazilian Directorate for Indian Affairs (FUNAI) to ensure that the legalisation processes move more rapidly and that traditional territories are not reduced to areas where it will be difficult for the Indians to survive.

UNI-Tefé is a vulnerable organisation that has existed for only a short period of time and has been given a great deal of responsibility, not least due to Norway's direct support. The organisation has so far proved worthy of Norway's trust, and is committed to growth and positive development. Norad has provided crucial support and technical advice for the development of this organisation.

Peace-building in Guatemala – a coherent approach to indigenous issues

Norway's activities in Guatemala are directed towards three key commitments set out in the Peace Accords: strengthening the constitutional state, support for the democratisation process and promotion of indigenous rights. The platform for Norway's efforts is found in the specific objectives and obligations laid down in the following four Accords: the Comprehensive Accord on Human Rights (1994), the Accord on Rights and Identity of Indigenous People (1995), the Accord on Strengthening Civilian Power and the Role of the Army in a Democratic Society (1996) and the Accord on Socioeconomic and Agrarian Issues (1996).

The Peace Accord signed in December 1996 brought an end to 36 years of one of the most brutal civil wars in Latin America. The Mayan people were the victims in 83 % of the human rights violations documented by the Commission for Historical Clarification (CEH). Peace-building in Guatemala is taking place in an extremely polarised society where there is a profound lack of trust between the state and civil society. At the same time, civil society is split along ethnic, ideological and geographical dividing lines. Thus, peace-building involves creating a new atmosphere of trust between polarised and fragmented groups. It involves strengthening democratic structures and institutions that can provide a foundation for broad participation in dialogues on specific development goals. The international community has an important role to play in facilitating this dialogue and in supporting traditionally marginalised groups so that they can enhance their expertise and exert genuine influence on decision-making and democratisation processes.

Most of Norway's support is channelled to the state and the civil society through the UN system in Guatemala. As coordinator for the UN system at country level, the UNDP in particular is a strategic actor in these efforts, helping to orchestrate much of the dialogue between civil society and the state. Norway supports the implementation of selected structural and institutional changes that are necessary to achieve respect for indigenous rights, and also has a special focus on the right of indigenous peoples to education.

Support through the UN system benefits the indigenous population directly and indirectly. The UNDP administers a programme aimed at strengthening civil society as an actor, for example in the follow-up of the CEH's recommendations for national and local reconciliation, and in relation to the promotion of human rights in general and legal reforms in particular. Half of the support from the programme, which has a budget of NOK 24 million over a three-year period, goes to Mayan organisations. Through the UN Verification Mission in Guatemala, MINUGUA, Norway supports the implementation of police reforms that will increase the recruitment of Mayans to the police force, and allow them to serve in their own regions as a means of enhancing confidence in police integrity, thereby strengthening the constitutional state. New educational material emphasises respect for human rights. NORAD also supports the establishment of two legal aid offices which provide Mayans with legal assistance in their own language, and where the processing of cases takes account of customary Mayan law. This is intended to ensure that the Mayan people have the same rights and receive the same treatment under the legal system as other Guatemalans. This will also generate greater confidence in the legal system, which is crucial to the progress of the peace-building process.

Norway's support for UNICEF's programme for bilingual education is instrumental in the implementation of the Accord on Rights and Identity of Indigenous People as well as ILO Convention No. 169. At the political level, the Norwegian embassy participates with other donors and the Guatemalan Ministry of Education in a regular forum for discussion and coordination of initiatives in the educational sector. Particular focus has been placed on the recent-

ly adopted educational reform, which is crucial for the Mayan people in that it, in principle, ensures good-quality schooling for all, including bilingual education. A research institution receives support for the preparation of standardised grammars and dictionaries in the most common Mayan languages. These efforts are linked to the efforts of the Ministry of Education to implement the new educational reform.

Conventions and declarations relevant to indigenous peoples:

ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries (1989)
 The UN Draft Declaration on the Rights of Indigenous Peoples (1994)
 The Universal Declaration of Human Rights (1948)
 The International Covenant on Economic, Social and Cultural Rights (1966)
 The International Covenant on Civil and Political Rights (1966)
 The Johannesburg Declaration on Sustainable Development (2002)
 The International Convention on the Elimination of All Forms of Racial Discrimination (1965)
 The Rio Declaration on Environment and Development /Agenda 21 (1992)
 The UN Convention on Biodiversity (1992)
 The UNESCO Universal Declaration on Cultural Diversity (2001)

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