



Evaluation Summary



International
Labour
Office

Evaluation Unit

Promoting the rights and reducing poverty of indigenous and tribal peoples

Quick Facts

Countries: *Global*

Mid-Term Evaluation: *Sept 2009*

Mode of Evaluation: *Independent*

Technical Area: *Fundamental Principles
Rights at Work*

Evaluation Management: *NORMES.
EMP/ENTERPRISE*

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Project Code: *ex: INT/08/57/DAN*

Donor: *Denmark*

provided opportunity to link them with other ILO Conventions such as Conventions Nos. 111, 107 and others. It builds on the ILO's unique mandate and long-term experience with regards to promoting and implementing indigenous peoples' right. The programme is a continuation of the previous partnership between the government of Denmark and the ILO. The programme takes a multi-disciplinary and rights-based approach and operates with two complementary components: the Programme to Promote ILO Convention No. 169 (PRO 169) and the Indigenous Peoples and Local Economic Development (IP/LED).

Extracted from the Executive Summary of the Report

The external evaluation of the Programme "Promoting the Rights and Reducing Poverty of Indigenous and Tribal Peoples" (INT/08/57M/DAN) - that is being implemented by the International Labour Standards Department of the ILO - was carried out between 15 August and 15 September 2009. Three indigenous experts, based in Africa, Asia and Latin America, respectively, comprised the evaluation team. A representative from the technical advisory services of the Danish Ministry of Foreign Affairs participated for 2 days in the team's discussion in Geneva with ILO staff, and had the opportunity to participate in the team's discussion regarding the preliminary findings. The programme is based on ILO Convention No. 169, although along the process of promoting indigenous peoples' rights, it has

Main Findings & Conclusions

The programme operates through 6 main areas of work:

1. Contribution to international processes.

The team values that the areas selected for coordination with and contribution to international processes were very strategic, given that they addressed areas through which there could be promotion of the implementation of ILO Convention No. 169 along with the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). The coordination with other UN Agencies, through the Inter-Agency Support Group (IASG) provided the opportunity to work on Guidelines and monitoring efforts for the broader UN system. Interaction between ILO, through PRO 169, the Special Rapporteur, the UNPFII and the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) has

been very beneficial because they complement each other's work and mandates.

2. Contribution to ILO technical cooperation policies and programmes (mainstreaming)

Three countries ratified ILO Convention No. 169 during the period evaluated: Spain (15/02/2007), Nepal (14/09/2007) and Chile (15/09/2008). Indigenous organizations have multiplied the use of the mechanisms of supervision established by ILO to monitor its implementation, especially in cases of exploration and exploitation of natural resources on lands traditionally occupied by indigenous peoples.

The Committee has repeatedly urged ratifying countries to take the necessary measures to bring national law and practice into line with Convention No. 169. This poses a challenge for ILO staff in country offices, as the need for assistance is evident in most countries that have ratified the Convention and has to apply it. However, this is also the case in countries that are discussing constitutional reforms or considering the possibilities of ratification of Convention No. 169. The team observes that the ILO supervisory mechanisms increasingly address issues related to Convention No. 169 and country staff will need to increase their capacity to be able to provide technical assistance to policy makers, governments, trade unions and employers at that level. The programme is faced with the challenge to define the countries in which to focus and respond to strategic needs and opportunities without spreading resources too thinly. Because of the limited resources available, the programme could have lost some opportunities.

There is also an increased use of ILO mechanisms to address discrimination faced by indigenous peoples under other Conventions, such as Convention No. 111. The complaints are related to discrimination based on the prevalence of strong negative stereotypes and discrimination of indigenous peoples' traditional livelihoods, cultures, languages etc. from other sectors of the population.

An aspect worth emphasizing is the fact that PRO 169 and the Equality Team (undertaking the supervision of ILO Conventions Nos. 107, 111 and 169) have developed a series of activities, seminars, and publications which, together, clearly illustrate the complementarity of the supervision and technical cooperation. One of the areas in which the program has made substantial contribution has been the production of education materials on the application of ILO standards and the rights of indigenous peoples.

3. Dissemination of information about ILO activities on indigenous peoples

The team values the combination of information dissemination, skills development and the use of various entry points to address indigenous peoples' issues used by PRO 169. The information resources about ILO standards and activities on indigenous and tribal peoples in terms of packaging and dissemination have been very strategic and useful because they can be replicated and adapted in different contexts and translated into different languages. In the same way, the program has produced a series of materials applicable to the different regions and has promoted regional workshops to document and disseminate lessons and experiences.

4. Capacity-building for indigenous, government and social partners

As regards the capacity building for indigenous, government and social partners, the team values the internship programme, using the strategy of mentoring the interns and giving them responsibilities. It has been very encouraging and helpful for the development of indigenous youth as well as the indigenous organizations. Although it is difficult to see the long-term impact of regional trainings, such occasions open up for dialogue and better understanding between the government and the civil society. Although we see the value of the training programme in Turin: (a) bringing together policy makers and indigenous leaders as an opportunity for dialogue on indigenous peoples' issues; (b) inter-regional experience exchange; and, (c) it make the ILO staff have better understanding on indigenous issues and

Convention 169; we consider the need to revisit that strategy to analyse cost efficiency, accessibility and monitoring of results on the ground.

The team values that when trainings are skills-oriented, regional and national, and long term they produce better results. Consequently, there should be more efforts in this aspect.

5. Support to regional initiatives (South Asia, Africa)

The team values the strategic collaboration and engagement of the ILO in regional processes (such as the collaboration with the African Commission on Human and Peoples' Rights) because they set the base for long-term strategies. The Programme also opens opportunity for South - South relationships, building upon lessons learned. The coherent, multifaceted and multi-level strategy creates strong synergies between the various activities and ensures that international instruments and processes are translated into concrete actions at the national and local levels.

PRO 169 is in the process of strengthening its presence in Latin America through a new regional programme, coordinated from Lima and Guatemala.

6. National level efforts to promote the rights and improve the socio-economic situation of indigenous peoples

During the period under evaluation, the ILO offered technical assistance services especially in countries that have ratified Convention 169. The programme also implements national projects that allow for long-term involvement and building of partnerships in the following countries: Bangladesh, Cambodia, Cameroon, India, Indonesia, Kenya, Namibia and Nepal. Funds under the Danish partnership have served as "seed funds" to initiate project activities but the programme has been successful in achieving complementary donor support.

Implementation strategy

One challenge is that the programme is working on sensitive issues such as rights to land and resources and political representation and participation, often in politically unstable

and difficult contexts. However, the programme strategy is designed to overcome these difficulties by following a flexible implementation strategy with a wide variety of entry points and implementing partners, both from government and indigenous people's side. The programme has developed strong partnerships with indigenous organizations and networks at national and regional levels, which serves to ensure the relevance of the activities for the target groups.

Another challenge has been the incorporation of a gender focus, which respects the visions of women and indigenous peoples. There have been advances in the formulation of a study on indigenous women in the world of work, based on case studies from Bangladesh, Nepal and Latin America.

The biggest challenge is that the implementation strategy is very demanding on the human resources available for the programme. This is due to the large number of differentiated and small-scale activities that together constitute the programme - as well as the considerable increase in activities. Staff cost is thus a relatively big amount of the overall budget as the Danida framework is crucial as core funding for key international staff. The experts funded under such framework agreement provide crucial technical advice and supervision of all ILO activities regarding indigenous peoples and mainstreaming of these issues in the ILO. The importance of articulating technical assistance with supervision in the implementation of ILO Convention 169 is obvious and the main comparative advantage of the ILO. This has also played an important role in the mobilization of additional funding. At the end of the period, the overall funding portfolio of the programme is close to U\$ 10 million globally. We can conclude that the program has a high capacity to mobilize resources and a high level of accomplishment of intended results in relation to other programs.

Recommendations

1. We recommend the ILO to specifically mention where activities related to indigenous

peoples' rights and ILO Convention No. 169 will be included under the 19 outcomes in the overall ILO 2010-11 Programme and Budget, including specific benchmarks and indicators to measure the progress in ILOs continued work on Convention No. 169.

2. In line with Article 42 of the UNDRIP, ILO should institutionalize indigenous peoples' rights and define the ILO strategy for strengthening the implementation of these rights in order to strengthen the work of the country and regional offices in this regard.

3. Donors should be ready to support efforts needed to make the results achieved over the last 20 years sustainable, i.e. insist on a clear focus from the ILO on promoting Convention No. 169 in the context of future funding agreements.

4. We recommend that funds saved due to vacancies be utilized for short-term expertise (before December 2009) to support activities on indigenous peoples' issues at country level as well as regional initiatives.

5. We recommend the ILO to continue efforts to mobilize additional funding and expand its activities on indigenous peoples.

6. There should be an enforcement mechanism, established with monitoring mechanisms to ensure that indigenous peoples' rights are included in all the departments of ILO.

7. Given the prejudices and discriminatory attitude towards indigenous cultures and traditions, in order to raise public awareness of indigenous peoples' rights and situation, support should be given to training to indigenous journalists, media campaigns and education materials at the national level.