

## PROMOTING DECENT WORK FOR INDIGENOUS AND TRIBAL PEOPLE THROUGH EMPLOYMENT AND INVESTMENT PROGRAMS

This policy brief provides insights into the various construction projects supervised by the Employment Intensive Investment Program of the International Labour Organization in favour of Indigenous and Tribal People.

Indigenous and Tribal People account for 5% of the population but 15% of the World's poor. Despite dedicated policies framework, and development programs they continue to belong to the most vulnerable and marginalized groups in rural areas.

The Employment Intensive Investment Program (EIIP) of the International Labour Organization (ILO) advocates for integrated infrastructure development program promoting employment that can benefit Indigenous and Tribal People.

### WHY IS ACTION NEEDED?

There are an estimated 370 million women and men belonging to Indigenous and Tribal Peoples (ITPs) living in more than 70 countries across the globe. ITPs are immensely diverse, but share a unique relationship with their traditional lands and natural resources, which in turn, plays a crucial role in their cultures and traditions.

Indigenous and Tribal People have historically suffered injustices. Persisting discrimination against them continues to be an underlying factor in their exclusion from economic activities. Their traditional livelihoods have come under pressure due to various factors, including overexploitation and loss of their lands, military conflicts and climate change. Unable to maintain their traditional ways of life they have to engage in often precarious hazardous and informal alternative economic activities, such as work on farms, plantations or in mines. An additional serious threat to ITPs is the loss of institutions, cultures and erosion of traditional knowledge among youth.

Although major development projects and programmes are located in rural areas, it is the EIIP's experience that ITPs often do not adequately benefit from the enhanced opportunities they bring. This is partly linked to social discrimination, land tenure insecurity and conflict, disregard for their rights, but also poor access to institutions and little consultation during project design and implementation phases. To address these issues, dedicated policies and interventions need to be enforced.

#### Box 1. ILO framework for ITPs

The ILO has been at the forefront of both addressing the issues that indigenous peoples face in the rural economy and securing their rights. It holds the institutional responsibility for Conventions Nos. 169 and 107, the only binding treaties specifically dedicated to Indigenous and Tribal Peoples.

The ILO Indigenous and Tribal Populations Convention, 1957 (No. 107) was the first ILO instrument on the issue. Although no longer open to ratification, it remains in force for several countries. The Indigenous and Tribal Peoples Convention, 1989 (No. 169) offered an updated framework for promoting decent work for ITPs in the rural economy. It reaffirms that ITP's rights are not 'special', but that they are entitled to the same human rights and fundamental freedoms as of all other human beings and should be allowed to exercise control over their own development and participate in decision-making processes that affect their lives.

Convention 169 serves as guiding tool for the EIIP for the design and implementation of all development projects targeting ITPs. The ILO offers technical assistance and capacity building, including in-country assistance on the enforcement of the convention at State level to Indigenous rights respected.

## POLICY RECOMMENDATIONS

### Promoting Public Works for job creation

Public investment programmes and public works represent key government policy instruments to promote productive employment opportunities and pro-poor growth. A large proportion of the workers in the construction industry are unskilled and, for many, including women, youth and people living with disability. It can serve as a bridge from the informal to the formal economy and the opportunity to develop skills.

EIIP has consistently demonstrated that labour-based infrastructure investments constitute a «win-win» strategy that not only boosts overall economic productivity and job creation but also has significant economic, social and environmental impact. Whilst labour-based construction activities result in short-term employment, the improved infrastructure they produce contribute to increasing economic performance in other sectors, generating multiplier effects on employment and income throughout the economy.

This is especially true for ITPs which often live in remote rural areas where the lack of access to water, energy, land, health services, education, transport services and markets is often one of the main underlying factors of poverty.

#### Box 2. Employment Intensive Investment Program (EIIP)

EIIP supports ILO member States in the design, formulation, implementation and evaluation of policies and programmes aiming to address unemployment and underemployment through public investment, typically in infrastructure development and maintenance.

EIIP is part of the ILO's Employment Policy Department and has evolved over the past 40 years from a series of labour-intensive infrastructure programmes to a comprehensive and integrated package of interventions which contributes to both the provision of improved and climate resilient infrastructure, and the creation of decent jobs. EIIP influences public investments to become more employment-oriented through knowledge development, capacity building, and technical advisory services at policy, institutional and operational levels.

### Promoting local resource-based approach and Employment-intensive technologies for construction

The local resource-based approach uses a cost-effective mix of labour, materials and equipment that gives priority to labour, supplementing it with appropriate equipment only where necessary for reasons of quality or cost. The result is the creation of job opportunities and stimulation of local markets, entrepreneurship and industry and the optimization of the social and economic impact of investments. This approach has been successfully used by the EIIP for construction, improvement and maintenance works, in a wide variety of countries and contexts without increasing costs or compromising quality.

#### Box 3. The Philippines Case Study

In December 2012, the Typhoon Bopha devastated the eastern Mindanao regions in the Philippines and brought massive amounts of debris into coastal areas/villages causing immediate deaths and widespread devastation. In early 2013, the ILO was granted US\$ 597,060 to implement the project: 'Local Resource-based Employment Generation Approach'. The aim was to create short-term clean-up activities in four municipalities in Baganga. The project successfully contributed to an enabling environment for rehabilitating local livelihoods, reconstructing agricultural infrastructure and developing local technical capacities.

The choice of the technology is critical in maximizing the project's impact. Given the relative scarcity of capital and skilled labour, and the relative abundance of unskilled labour in rural areas, pro-poor growth can be achieved by applying employment-friendly technologies in as many infrastructure sectors as possible.

EIIP's local resource-based approach recognizes and promotes indigenous knowledge, values and traditions, and explores local skills and technologies to increase vulnerable groups' participation in society, and develop local assets and skills. In particular, as part of the training for construction work ITPs can receive formal certification expanding on their empirical knowledge of construction methods and materials. This approach has proven effective for strengthening the self-esteem and institutions of marginalised ITPs as well as contradict any local prejudices against their work capacity. Furthermore, the training and experience received during the projects can boost ITPs employability after the project.

## Promoting a participatory approach in projects and policies design

It is the EIIP's experience that adopting a participatory approach since the start of any interventions is key to enable the empowerment and the ownership of programmes projects by local communities and state agencies Participatory approaches also foster dialogue between project's stakeholders as well as accountability and transparency.

### Box 4. Community Contracting

Community contracting is a development approach in which the community manages and executes projects. Community contracting requires strong technical and management support combined with tailor-made training and mentorship throughout the entire project. In contrast to conventional contracting, both local authorities and contractors retain experience and skills relating to managing infrastructure works through community contracting. Furthermore, as community contracting ensures inclusive participation of the community, a strong sense of ownership is created.

This approach can be effective in remote areas where there is limited private sector and where the conditions don't make it economically interesting.

One of the major problem facing ITPs is that often they limited say in the design and implementation of projects which will have a direct effect on their lives. The participatory approach entails developing, with the participation of ITPs, policies that aim to address their particular social and economic vulnerabilities and create opportunities for them to pursue their own development priorities.

## Recognizing rights and promoting gender equality

Securing the rights of indigenous people is dependent on strong mechanisms for consultation and participation, to ensure meaningful impact at all levels of decision-making, including with regard to national development plans.

Labour-based employment programme/projects have constituted spaces to implement labour standards, which hold upon principles of the rights-based approach, such as: fair recruitment procedures, equal remuneration, freedom of association, no discrimination

(by gender and/or ethnicity), social and health security, and personal protective equipment for women, youth, and disadvantaged groups, such as people with HIV/AIDS, migrants, etc.

This is especially important for Indigenous women as they often play a crucial role in traditional livelihood practices and income generation but are exposed to discrimination from within and outside their communities and consequently face additional socio-economic vulnerabilities.

## RECOMMENDATIONS FOR EMPOWERING ITPS IN DEVELOPMENT PROJECTS

Empowering ITPs requires a specific approach ideally based on anthropological studies. In particular; close attention should be paid to:

- Identifying internal power relations and political decision-making structure/levels to allow inclusive participation, social dialogue and negotiation. It is especially important to understand the social structure and the position and role of women, elders, youth and people with disabilities within the community and their relationship with access, management and control over economic and natural resources;
- Taking into account local perception of time, meaning that project implementers and indigenous leaders might have different perspective of understanding of the projects. It is crucial to make sure that the purpose of the project is clear and aligned with people's needs and interests. Two or three meetings may be required to reach a common understanding;
- Identifying traditional practices, biological indicators related to natural resources management and infrastructure development and promoting Local knowledge and appropriate traditional technologies and expertise;
- Locating sacred places and recording rituals associated with the object of the project i.e. roads, sources of water;
- Promoting social audits.

## Box 5. Paraguay Case Study

In 2007, the World Bank asked the ILO to provide technical assistance to the Ministry of Public Works and Communications of Paraguay for the improvement, management, and maintenance of roads in a context of strong social and cultural differences. Special attention was given to the establishment of indigenous microenterprises.

In 2011 six microenterprises were created, one of them composed by indigenous Mbyá Guarani. The fact that the training was developed in their own village, and in their own local language, encouraged other members of the community to participate in these training and to work in the road maintenance through a rotating system within the enterprise.

**In conclusion, the EIIP provides a strong approach to support the livelihoods and decent work of ITPs.**

EIIP strengthens the livelihoods of ITPs through ensuring that they are included in development activities by proper legal and governance mechanisms. Cultural identity is important for ITPs and they are often neglected by central authorities. Therefore, the highly participatory approach taken by EIIP ensures that ITP priorities are kept central to programme design, implementation and distribution of benefits. The inclusion of multiple anti-discriminatory approaches helped to focus project interventions on marginalised groups.

## Key ILO resources

1. Understanding the Indigenous and Tribal People Convention, 1989 (No. 169)  
[http://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/indigenous-and-tribal-peoples/WCMS\\_205225/lang--en/index.htm](http://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/indigenous-and-tribal-peoples/WCMS_205225/lang--en/index.htm)
2. ILO 2010 Local resource-based approaches to infrastructure investment, Source book, Sub regional Office for Southern Africa 2010  
<http://www.ilo.org/dyn/asist/docs/F1132677515/022%20-%20200491.pdf>
3. Oakely, P. (2001). Organization, negotiation and contracting in development programmes and projects – A study of current practice at the community level. ILO.  
[http://www.ilo.org/public/english/employment/recon/eiip/download/org\\_contr\\_negot.pdf](http://www.ilo.org/public/english/employment/recon/eiip/download/org_contr_negot.pdf)
4. UN Water; Water for sustainable development From Vision to Action  
[http://www.un.org/waterforlifedecade/waterandsustainabledevelopment2015/pdf/MTeresa\\_Gutierrez\\_CaseGDG.pdf](http://www.un.org/waterforlifedecade/waterandsustainabledevelopment2015/pdf/MTeresa_Gutierrez_CaseGDG.pdf)
5. Series: Guides for Integrated Rural Access Planning and Community Contracting in the Water and Sanitation sector  
[http://www.ilo.org/global/topics/employment-intensive-investment/publications/WCMS\\_544488/lang--en/index.htm](http://www.ilo.org/global/topics/employment-intensive-investment/publications/WCMS_544488/lang--en/index.htm)
  - a. Guide No. 1: Conceptual Guide for an Integrated Rural Access Planning and Community Contracting in the Water and Sanitation Sector.
  - b. Guide No. 2: Development of integrated rural access planning processes in the water and sanitation sector.
  - c. Guide No. 3: Community contracting to execute public works and manage services.
6. Serie: Guías para el desarrollo de procesos de planificación integrada del acceso rural en el sector de agua y saneamiento (Spanish)  
[http://www.ilo.org/global/topics/employment-intensive-investment/publications/WCMS\\_472270/lang--es/index.htm](http://www.ilo.org/global/topics/employment-intensive-investment/publications/WCMS_472270/lang--es/index.htm)
7. Lazarte, A. 2017 Understanding the drivers of rural vulnerability: Towards building resilience, promoting socio-economic empowerment and enhancing the socio-economic inclusion of vulnerable, disadvantaged and marginalized populations for an effective promotion of Decent Work in rural economies. EMPLOYMENT Working Paper No. 214

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[www.ilo.org/global/topics/employment-intensive-investment](http://www.ilo.org/global/topics/employment-intensive-investment)