

## BACKGROUND

The **European Commission Working Document** of May 1998 entitled “On support for indigenous peoples in the development co-operation of the Community and Member States” establishes the objectives of supporting indigenous peoples’ rights and integrating the concern for indigenous peoples as a cross-cutting aspect of human empowerment and development co-operation. It advocates for the full and free participation of indigenous peoples in all stages of the project cycle and that their participation in development activities should include elements such as prior consultation, their consent to envisaged activities, their control over activities affecting their lives and land, and the identification of their own priorities for development.

The ensuing **November 1998 Council Resolution** of Development Ministers of the European Union Member States welcomes the Working Document and recognises that “cooperation with and support for the establishment of partnerships with indigenous peoples is essential for the objectives of poverty elimination, sustainable development of natural resources, the observance of human rights and the development of democracy”. The Council further acknowledges that development cooperation should contribute to enhancing the right and capacity of indigenous peoples to their “self-development”. It equally confirms that this includes the right to object to projects, in particular in indigenous peoples’ traditional areas, and compensation where projects negatively affect the livelihoods of indigenous peoples.

In **November 2002, Council Conclusions** recalls the 1998 Council Resolution commitments and invites the European Union to pursue their implementation. The Commission and Member States were invited to ensure coherence, including through the establishment of dedicated focal points in the Commission and Member States, and coordination in multilateral fora as well as training of personnel on issues related to human rights and democratisation in general and to indigenous peoples in particular. Indigenous peoples’ issues were to be mainstreamed into the EU policies, practise and work methods. This includes a call for the inclusion of an analysis of their political, social, economic and cultural situation within partner countries in Country Strategy Papers and for impact assessments of EU development co-operation policies, programmes and projects on indigenous peoples. It further states that indigenous peoples should be able to fully and effectively participate at all stages of the project cycle (programming, identification, planning, implementation and evaluation) and provides for capacity building of organisations representing indigenous peoples. The Council also decides to integrate the concerns of indigenous peoples in political dialogues with partner countries as an integral part of the human rights clauses of the different co-operation and association agreements.

The **2005 European Consensus for Development** offers a common development vision for the EU with an enhanced focus on poverty reduction, the achievement of the Millennium Development Goals and Aid effectiveness. The Consensus defines the realisation of indigenous peoples’ rights as a crosscutting issue as well as being an objective in itself and a vital factor in strengthening the impact and sustainability of cooperation. Under the heading of “Democracy, Good Governance, Human Rights, the rights of children and indigenous peoples”, the Consensus defines that the “key principle for safeguarding indigenous peoples’ rights in development cooperation is to ensure their **full participation and the free and prior informed consent of the communities concerned**” (its paragraph 103).