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of the  
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**Agenda Item No. 6 :  
Economic and Social Development**

**Statement by Raja Devasish Roy  
Taungya  
Chittagong Hill Tracts, Bangladesh**

Mr. Chairman, representatives of indigenous peoples, representatives of member states, representatives of specialised UN agencies, ladies and gentlemen,

This afternoon, the representative of the World Bank has informed us about the World Bank's involvement in projects in territories inhabited by indigenous peoples and about the Bank's ongoing revision of its policy on indigenous peoples, generally known as Operational Directive 4.20 (OP 4.20). However, indigenous peoples in different parts of the world have expressed serious concerns about this revision process, in formal consultations, as well as through other methods. Many have asked that the adoption of the new policy be delayed, because new policy, if adopted in its current form, may actually weaken, rather than strengthen the safeguard provisions on indigenous peoples as contained in the current policy. I hope that the representative of the World Bank would enlighten us about its views on the matter.

The process of revision of the existing policy – OD 4.20 – includes two separate developments. One is the evaluation of the existing policy's impact on indigenous peoples. This is being done by the Operations Evaluation Department (OED) of the Bank and is scheduled to be completed by December, 2002. I believe that until now, this evaluation is being done through internal processes of the Bank, and does not include indigenous peoples. The second process is the Bank's consultation with indigenous peoples regarding its new draft policy, contained in two documents, known as Operational Policy 4.10 (OP 4.10) and Bank Procedure 4.10 (BP 4.10).

Between July 2001 to February 2002, 32 formal consultations were held in 35 countries, including with what the World Bank called "stakeholders", indigenous peoples. A consultation was also held in Dhaka, Bangladesh. In Bangladesh, we have raised a number of concerns regarding the revision process, both with regard to the contents of the new draft policy (OP/BP 4.10) and regarding the

process of consultations. Similar views have been expressed in the Philippines, India and other countries.

Regarding some essential elements, we find that the new policy is actually weaker than the old policy, especially with regard to land and resource rights of indigenous peoples, and with regard to the scope of the policy's application to indigenous peoples.

Firstly, the new policy is even weaker on land rights of indigenous peoples, because its emphasis is clearly on user rights, rather than ownership rights. Secondly, the new policy mentions many nice things about the land and resource rights of indigenous peoples, but many of these matters are included not in the mandatory part, but on the non-mandatory part, which is dependent largely upon the goodwill of the government. And many governments, as we all know, have not been respectful of the rights of indigenous peoples. Unless these provisions are made mandatory, the borrower countries will not be obliged to respect our land and resource rights. In such an event, the old stories will be repeated, where large scale development projects cause irreparable harm, rather than doing benefit, to indigenous peoples.

As regards the process of revision, there have been complaints that adequate information had not been provided to indigenous peoples during the consultation process. But another matter that has troubled us is that indigenous peoples have had to offer their views on the new policy before they have had an opportunity of either being involved in the evaluation process, or of being able to inform themselves of the findings of the evaluation exercise of the Operations Evaluations Department of the Bank.

Logically, the revision process should have started *after* the current policy's strengths and weaknesses, and the application of the policy on the ground had been evaluated. And I need hardly mention that this evaluation process should be open, transparent and inclusive: so that indigenous peoples are substantively involved in the evaluation process. However, we understand that the new policy – whatever its substance is – may well be adopted before indigenous peoples are able to obtain the findings of the OED.

Another matter of concern is the scope of the new policy's application to indigenous peoples, and we have found it to be exclusive, rather than inclusive. The new policy states that the policy will not apply to indigenous people "who have left their communities of origin and moved to urban areas and/or migrated to obtain wage labour" (OP 4.10, para 6). This is likely to exclude large sections of indigenous populations for no fault of their own. If their lands and their resource bases are taken over, what can they do to make a living, but migrate to cities for meagre jobs as wage labourers. These migrants come from some of the marginalised sections of indigenous peoples, and they are even more in need of protection than those who have been able to continue to live in their ancestral

territories. We may also question what will be the case with indigenous peoples who have not left their ancestral territories, but their areas have been urbanised, and cities have sprung up. We have requested the Bank to amend this provision.

In Bangladesh, we have called upon the World Bank to delay the finalisation of its new policy until after an inclusive evaluation of the existing policy is completed and indigenous peoples are able to offer their revised opinion on the draft policy in the light of the findings of the OED. Similar views have been expressed in many other countries. There are many other matters that I have not mentioned here and I hope that they will be mentioned by other indigenous colleagues.

Given the scale of developmental programmes and projects that the World Bank is usually involved in, its activities can be severely detrimental to the rights and interests of indigenous peoples. On the other hand, with a policy that adequately accounts for the rights and needs of indigenous peoples, in consonance with the Draft Declaration on the Rights of Indigenous Peoples, the World Bank could start a new relationship with indigenous peoples, whereby indigenous peoples are an equal partner with the Bank.

Thank you, Mr. Chairman.