



## Review Report

Joint Review of IWGIA's Framework Agreements  
with the Danish Ministry of Foreign Affairs  
and Norad, including selected initiatives in  
Ethiopia, Kenya, Thailand and Cambodia

January 2009


Norwegian Agency for Development Cooperation

P.O. Box 8034 Dep, NO-0030 OSLO  
Ruseløkkveien 26, Oslo, Norway  
Phone: +47 22 24 20 30  
Fax: +47 22 24 20 31

ISBN 978-82-7548-391-9  
ISSN 1502-2528

Responsibility for the contents and presentation of findings and recommendations rests with the study team.  
The views and opinions expressed in the report do not necessarily correspond with those of Norad.

**Norad and Ministry of Foreign Affairs, Norway  
Danida, Ministry of Foreign Affairs, Denmark**

**Review Report  
Joint Review of  
IWGIA's Framework Agreements with the Danish Ministry of Foreign Affairs  
and Norad, including selected initiatives in Ethiopia, Kenya, Thailand and  
Cambodia**

Norad Ref. no.  
Danida Ref. no. 104.N.453.a

January 2009

## List of Contents

	Page
<b>EXECUTIVE SUMMARY</b>	i
<b>INTRODUCTION</b>	1
<b>1. BACKGROUND</b>	<b>2</b>
1.1 International development regarding indigenous peoples' rights	2
1.2 Indigenous peoples' rights developments in Africa region	2
1.3 Indigenous peoples' rights developments in Asia region	3
<b>2. IWGIA AND ITS PROGRAMMES</b>	<b>3</b>
2.1 IWGIA in general	3
2.2 Information and documentation	4
2.3 Partnership and networking approach	4
2.4 International strategy and activities	4
2.5 Africa strategy and activities	4
2.6 Asia strategy and activities	5
<b>3. IWGIA'S ACHIEVEMENTS AND IMPACTS</b>	<b>5</b>
3.1 Overall strategic focus on indigenous peoples' rights	5
3.2 Networking and linkages with UN mechanisms	5
3.3 African strategy and implementation progress	6
3.4 Asian strategy and implementation progress	7
3.5 Collaboration with regional organisations	8
3.6 Participation of indigenous peoples in regional and international processes	9
3.7 Inter-relationships and balance of IWGIA's work	9
3.8 Capacity building, self-organising and empowerment	10
3.9 Self-determination and constructive agreements with states	11
3.10 Land and resource rights activities	11
3.11 Livelihood security, resource management and conservation	12
3.12 Project replication and communication	12
3.13 Interpretation of rights and concepts in relation to indigenous peoples	13
<b>4 PUBLICATION AND INFORMATION ACTIVITIES</b>	<b>13</b>
4.1 Strategic use of information material	13
4.2 Use of different media and platforms	14
4.3 Future developments in publication and information material	14
<b>5 MANAGEMENT, CAPACITY AND ORGANISATIONAL DEVELOPMENTS</b>	<b>14</b>
5.1 Management of international programme	14
5.2 Coordination and management of regional programmes	15
5.3 Regional representation, visibility, offices and coverage	15
5.4 Capacities compared to mandate and organisational development initiatives	16
5.5 Membership and partner support to IWGIA's programme	16
5.6 Staffing, recruitment and employment structures	16
5.7 Meeting and communication structures in IWGIA	16
5.8 Management tools and organisation capacity	17
5.9 Administrative and financial management capacity	17

<b>6</b>	<b>CONSIDERATION OF POVERTY &amp; CROSS-CUTTING ISSUES</b>	<b>18</b>
<b>7</b>	<b>FOLLOW UP ON PREVIOUS REVIEW RECOMMENDATIONS</b>	<b>18</b>
<b>8</b>	<b>RECOMMENDATIONS</b>	<b>19</b>

**Annexes**

Annex 1	Terms of Reference	
Annex 2	Capacity Analysis (separate volume)	
Annex 3	Feedback session note on Kenya/Africa programme (separate volume)	
Annex 4	Review note African Commission on Human and Peoples' Rights (separate volume)	
Annex 5	Feedback session note on Thailand/Asia programme (separate volume)	
	Other annexes (including if need be more detailed analyses as input to the work of IWGIA (separate volume)	

## EXECUTIVE SUMMARY

**Introduction.** This review has as its objectives the assessment of IWGIA's present partnerships and other activities within the existing framework agreements with Danida, Denmark and Norad, Norway. The review was carried out between September 2008 and January 2009, and it includes the assessment of internal organisational and capacity development, project implementation, networking and partnerships as well as publication and information activities. The review team has visited Kenya and assessed projects there as well as key aspects of IWGIA's Africa programme; Ethiopia to assess the work with African Commission on Human and Peoples' Rights; and Thailand and Cambodia to assess projects in those countries as well as the Asia Programme. IWGIAs work at the international level has been assessed through meetings with the Secretariat and participation in international forums. An organisational and management capacity analysis of IWGIA has also been undertaken. A summary of the main findings and recommendations related to the work of IWGIA can be found below.

### Central Conclusions

IWGIA is in general a well managed organisation that follows clearly structured and thought through strategies. IWGIA works with dedication and competence at the global, regional and local levels. IWGIA works *through* Indigenous organisations and supports the mobilisation of its partners and beneficiaries as social and political actors. Its partnerships are solidly established as a result of their efforts to built these relationships over many years. IWGIA enjoys great credibility amongst its partners, and these partnership relations are taken seriously on both sides. *On the basis of our review of IWGLA's internal workings and capacities to manage current projects the review team recommends that the core funding to IWGLA from Norad and Danida is continued. The review team also recommends that that the framework agreement amounts are increased. The team also encourages other donors to consider granting IWGLA core funding.*

**Overall strategic focus on indigenous peoples' rights.** IWGIA has played an important role in the international work on indigenous peoples' rights. IWGIA has facilitated, co-organised and organised a series of key international meetings. They have furthermore supported international processes by their information and publication activities. IWGIA is seen as an esteemed partner by many international organisations at the international level. IWGIA has focused mostly on international human rights processes and less so on international processes related to biodiversity and Reduced Emission from Deforestation and Degradation (REDD). *The team recommends that IWGLA utilises its experience and competence from human rights work to further engage in Climate Change issues that are important for indigenous peoples. There should be a particular emphasis on the possibilities to modify REDD initiatives in selected countries and on a campaign for a rights based approach to the REDD agenda in general.*

**Networking and linkages with United Nations mechanisms.** IWGIA has undertaken a great deal of important work at the international level, particularly in connection with the three specialized UN mechanisms established to address indigenous peoples' issues. The Review strongly supports the continuation of IWGIA's excellent work on networking and linkages with United Nations mechanisms.

**African strategy and implementation progress.** IWGIA works with indigenous organisations in a number of African countries, but the focus of their work in the region is in Kenya. The focus on Kenya is well defined, and in general the assessment of the team of IWGIA's work in Kenya is very positive. IWGIA's focus on indigenous peoples' rights, land rights and self-determination clearly meets the needs and interests of indigenous peoples at the grassroots' level. The review team finds that the further development of partnerships, which do not include project funding could be beneficial. We also suggest that the number of organisations supported with core-funding be expanded. IWGIA has supported various pastoralist and hunter gatherers groups in Kenya. There has historically been a focus on collaboration with *Maa*-speaking pastoralist organisations. In the future the team sees a need for expanding the scope of the work within Kenya and in the region. *It is thus recommended that IWGLA actively seeks in the coming years to expand its collaboration and outreach to cover more indigenous peoples' groups in the Northern part of Kenya and in other countries in the region. It is proposed that IWGLA furthermore develop a strategy*

*for enlarging its network in Africa to encompass more indigenous ethnic groups and include the collaboration of organisations and interest groups that are not necessarily defined along ethnic lines. The team also supports the idea of a further update of the Africa regional strategy.*

**Asian strategy and implementation progress.** The team finds that IWGIA has been successful in the implementation of its Asia Programme. The portfolio of projects in the region covers a wide and relevant range of partners and thematic issues and the work is supported by a strong Strategy. The selection of partners and ratio between project and core funding is well balanced. The presence of the regional coordinator in the region has contributed to a well monitored programme that demonstrates a close working relationship with partners. A number of the partners are long-term partners and IWGIA has been able to enter new partnerships where necessary in quick responses to changing situations. However, no specific guidelines for the selection of partners are used. This could become a weakness if changes in the staff working with the Asia desk were to occur.

**Collaboration with regional organisations.** In Asia, IWGIA is working closely with the Asian Indigenous Peoples Pact (AIPP), the most important pan-Asian indigenous peoples' network organisation. IWGIA has worked with AIPP since its formation and IWGIA has been highly instrumental in facilitating the development of AIPP. IWGIA provides core support to AIPP. The review team supports the continuance of IWGIA's close partnership with AIPP including the continuation of core funding. Considerations should also be made of the possibilities to further facilitate the ongoing technical advice from the IWGIA Asia coordinator to AIPP. This technical advice should be made under the conditions set by AIPP. In Africa, the Working Group on Indigenous Peoples under the African Commission on Human and Peoples Rights has succeeded in the course of its short history to generate debates, provide opportunities for meetings and sharing of information and experience that have transformed and continue to transform national policy making governing the rights and development possibilities of indigenous peoples. IWGIA has supported and played a visible, crucial and proactive role in the process. The conditions for working with the Commission are changing and the safeguarding of the Working Group achievements would be best promoted by further strengthening the national processes. The team proposes that whilst continuing their support of the Working Group on Indigenous Peoples, IWGIA also considers adjusting its long terms strategies for work in the region by heightening their emphasis on supporting advocacy and institutional capacity building work among indigenous organisations at the national and local levels and further linking national processes to the indigenous peoples work at the regional level under the African Commission.

**Participation of indigenous peoples in regional and international processes.** A considerable number of indigenous delegates, 577 in Asia and 238 in Africa, have been supported by IWGIA funds to participate in regional and international meetings since the year 2000. In general, indigenous peoples representatives from different countries provide indispensable civil society input to the processes in which they participate. The support is therefore essential to the successful outcome of these international processes. In Asia, AIPP plays a key role in selecting, preparing, discussing the mandate and reporting back from international meetings. In Africa, where no regional network organisations exist there is limited room for the preparatory and feedback processes. *It is therefore recommended that in Africa IWGIA seeks to develop more structured ways of preparing and identifying the participants they support to take part in the regional and international processes, and to provide training to participants so that they provide effective input in these processes. Sub-regional meetings of partners could be facilitated on an annual basis, where the choice of issues is agreed and where representatives are prepared and provide feedback from the processes they have been participating in.*

**Inter-relationships and balance of IWGIA's work.** IWGIAs holistic approach to work at different levels and with different modalities of support is demanding, but implemented well in its programmes. Working with partners and addressing indigenous peoples' rights at all these levels is clearly significant to ensure that advocacy is informed by experiences at these various levels. Creating strategic alliances with other interest groups is important in all regions. Sharing of experiences among partners and levels is crucial and the team supports further discussions on how experiences can be shared between various

levels (especially in Africa where the lack of regional indigenous peoples' organisations makes the exchange of experiences more difficult to achieve). This could be furthered through developing simple guidelines for preparing reports or the minutes of meetings by participants working at the various levels.

**Capacity building, self-organising and empowerment.** This is a core aspect of IWGIA's work with its partners in the various countries of both Asia and Africa. The team finds that the partners have been effective in utilising IWGIA's support in asserting themselves and claiming their rights. At the regional level in Asia, AIPP's implementation of the ICOLT programme is an important regional attempt to strengthen local indigenous peoples' self organisation and empowerment through training of community organisers and leaders and providing support to a new phase of ICOLT could form valuable support to the horizontal exchange of experience, training, self-organising and empowerment at the regional level.

**Self-determination and constructive agreements with states.** IWGIA and its partners have achieved a lot in terms of "constructive agreements with states". However, in both Asia and Africa, there are limited possibilities to campaign openly for self-determination as it could be perceived as a threat to the legitimacy of the nation-state, and as an anti-state activity. The team supports IWGIA in its attempts to expand its work in both Africa and Asia to support indigenous rights organisations to inform and sensitize government departments and officials about indigenous rights. Prioritising initiatives such as those in Chittagong hill tracts and Nepal that feed directly into processes of political change, and constructive engagement with partners in North-East India if sustainable ways to collaborate can be identified are also supported.

**Land and resource rights activities.** Land and resource rights are given high priority in the work of IWGIA and the team concludes that the work is addressed in a strategically sound manner. The focus of IWGIA's project work in Kenya and in other countries in Africa on land rights is appropriate and responds to a very real need. The team supports that such work continues and is widened to include support to legal aid schemes specialising in land claims. In Asia, land and resource rights are also key areas of support. A key focus of the Asia portfolio has been support to land and resource-rights related projects in the Philippines and the team supports that IWGIA seek cooperation with other organisations to provide support to the development of management plans for a number of key ancestral domains in the Philippines, and at the same time provide support to the dissemination of these experiences.

**Livelihood security, resource management and conservation.** According to the Asia and African strategies IWGIA's support to livelihood security, resource management and conservation has a low priority. Given that both Asia and Africa more and more protected areas are being established on indigenous peoples' land, and there is a growing risk for large areas to be placed under protection within major REDD initiatives, the review team suggests that IWGIA review the priority given to the component Livelihood Security, Management and Conservation and seek possibilities for allocating additional resources to this area.

**Project replicability and communication.** The sharing of lessons learned from supported projects is a fundamental aspect of IWGIA's strategy. IWGIA does this difficult job much better than most other organisations, although challenges always remain. Many of the IWGIA supported projects have a pilot character. The team supports that IWGIA continues to seek ways to include even more practical national and regional dissemination activities into the specific pilot projects. Moreover, documentation work conducted by the Working Group on Indigenous Peoples under the African Commission constitutes an important venue for communication on indigenous peoples issues and the review encourages this work to be continued.

**Interpretation of rights, concepts, conceptualisation in relation to indigenous peoples.** IWGIA promotes reflection over the differing requirements and possibilities for working with indigenous peoples' rights and indigenous development in different countries of the regions. Various initiatives have made important contributions to the conceptualisation of indigenous peoples' rights. This work is important and the team encourages its continuance. In the future work improvements might include (i) reflections on different aspects of indigenous development, taking especially into consideration how the search for donor funding promotes adaptation to modalities and concepts of mainstream development that might not be conducive to indigenous peoples' own development agendas. (ii) Further study of the complex and shifting situations and identities of indigenous peoples. This will further promote the process of adapting the indigenous rights activities to the changing situations of indigenous peoples.

**Strategic use of information material, media and platforms.** Publications are part and parcel of many project activities. Publications are also important mechanisms for the systematization of experiences and identification of lessons-learned. Each publication is carefully planned and implemented in respect to the overall publication program and the team supports further planning of individual publications in order to better reach the target groups. Ideas of expanding indigenous rights monitoring (similar to human rights observatories in Latin America) are supported by the team. In recent years IWGIA has expanded beyond traditional print media into photo books, CDs, video, and web based platforms. Much work has been put into web development. The team sees possibilities for further improving the present IWGIA web platform. A new communication strategy from 2008 sets the overall strategies for the publication and communication efforts. With the many new communication activities to be implemented, *the team recommends that IWGLA should hire a full-time communication coordinator with relevant expertise in electronic publishing.*

**Management of international programme.** The International Human Rights Advocacy Program (IHRAP) program has been managed well. A number of new opportunities have now arisen with the forthcoming implementation of the UN Declaration on Indigenous Peoples' Rights and the emergence of the IHRAP program and its associated possible reallocation of resources.

**Coordination and management of regional programmes.** In general, the regional programmes are well managed and implemented at a highly professional level. The regional programmes are managed in different ways with the Asia programme being managed by a coordinator based in Thailand and the others being managed from Copenhagen. The presence of the regional coordinators in their respective regions varies considerably. This presence is seen to be important and the review team finds that there is a need to increase the presence the IWGIA coordinator in the African region. Out-stationing of the Asia coordinator in Asia functions well, but the team also finds that out-stationing of the coordinator can potentially create difficulties. *The review team recognises the importance of out-stationing of coordinators and therefore recommends that IWGLA seriously assesses the possibility of out-stationing in all regions. In addition, it is recommended that the regional coordinators have a presence of at least 75 days working with partners, networking and supporting projects in their respective region. The coordinator's other responsibilities will have to be arranged according to this priority.*

**Regional representation, visibility, offices and coverage.** In general IWGIA operates by working through indigenous peoples' organisations, and does not in general promote its own visibility. The review team finds that IWGIA should continue to decide on the balance between visibility and working behind the scenes in accordance to context, and that IWGIA should further consider developing strategic alliances with local consultants/indigenous peoples experts to expand its regional coverage.

**Membership and partner support to IWGIAs programme.** IWGIA is widely considered a credible organization promoting a highly important agenda. Actual membership in IWGIA in the traditional sense is relatively small. The membership base is augmented by an extensive global network that includes more than 1400 major indigenous peoples' organizations in addition to NGOs, research institutions, indigenous peoples experts and individuals. This extensive network provides real evidence

of the popular support to the agenda of IWGIA. The review team suggests that IWGIA further utilise the opportunities of using this extensive network to support its programmes.

**Staffing, recruitment and employment structures.** IWGIA staff is generally highly professional and manages to implement complex activities with a high level of quality. As expected, the needs, priorities, opportunities and funding associated with the indigenous people work of IWGIA are constantly changing and there is a need to respond to such changes and challenges when they appear. *The review team recommends that IWGLA utilises, in combination with permanently employed staff, more time bound contracts and local consultancy agreements focused on delivery of specific outputs. It is also suggested that IWGLA undertake a process of defining more clearly the outputs and attached delivery mechanisms that are central to the work of the staff of IWGLA.*

**Management tools and organisation capacity.** IWGIA is in general a well-managed organization with good capacity. IWGIA possesses the capability to adhere to all its mandates. IWGIA has upgraded its capacity as a response to previous reviews and capacity assessments. Procedures and guidelines have been elaborated and existing ones have been revised. There is clearly willingness to change and external ‘impulses’ are dealt with actively. The current Director has been in place since June 2007. She has initiated different activities to further develop the organizational structure and management procedures. IWGIA provides good management support to its various programmes and it ensures that the various framework contracts and agreements are implemented according to plans. The financial management of IWGIA shows a high level of professionalism. Manuals and procedures are in place, but these could benefit from being updated. Regional strategies are developed in very different ways. *The review team recommends that the project manual be updated, that the role of external reviewers of project proposals be strengthened, and that a more standardised format for strategies be developed.* IWGIA has the management capacity to meet future demands in terms of organisational changes and developments, but the review team believes this could be further strengthened by supporting the management functions in IWGIA. *Accordingly, the team recommends that IWGLA utilises the service of an external process change consultant to provide input to an organisational development process and as a support function to the current director position.* The process could also include an exploration of future management options such as the creation of a vice-director position with responsibilities for staff management and other management issues.

**Poverty & cross-cutting issues.** IWGIA’s work on indigenous rights, empowerment and self-determination is clearly an important contribution to current global efforts for poverty alleviation. Strong policy and practise with regards to gender rights are demonstrated in most of the work of IWGIA and its partners. In some of the projects there is still room for improvement at the level of project implementation and in terms of understanding of local expression of gender. *It is therefore recommended that IWGLA work with its regional and local partners to develop clearer understandings of local expressions of gender, their relationship to international gender rights and where possible identify where gender injustices exist and work towards their solution.*

## INTRODUCTION

The International Work Group for Indigenous Affairs (IWGIA) was established as an international human rights organisation in 1968. In the last few years IWGIA has received core-funding from Denmark and Norway. The contributions have been negotiated every second, third or fourth year. The present core funding agreement between IWGIA and Norad is for the period 2007-2008, with an annual contribution of NOK 2.5 million a year. The Danish core funding is 15 million DKK per year under a three year framework agreement for 2008-10. Furthermore, a Danish contribution of approximately 1.6 mill. DKK annually has been made for the support of the African Commission of Human and Peoples' Rights. Following the finalisation of these negotiations IWGIA decided on the use of these funds according to its own strategies. Apart from Norwegian and Danish funding, IWGIA also receives funds for project and programme activities from the Swedish, Finnish and Spanish governments as well as from the EU.

The present review has as its objectives the assessment of IWGIA's present partnerships and other activities within the existing framework agreements with Danida, Denmark and Norad, Norway. Hopefully this will assist IWGIA in the further development of its activities within its framework agreements. The review includes the assessment of internal organisational and capacity development, project implementation, networking and partnerships as well as publication and information activities. The review team has visited various countries to assess the work of IWGIA. In Kenya the review team assessed projects and the key aspects of IWGIA's Africa programme; in Ethiopia the work with African Commission on Human and Peoples' Rights (ACHPR) was reviewed; in Thailand and Cambodia both local projects as well as the Asia Programme were assessed. IWGIA's work for international indigenous peoples' rights have been assessed through meetings with the Secretariat and through participation in international forums. An organisational and management capacity analysis of IWGIA has also been undertaken. The review will provide an input to the next round of negotiations of framework negotiations with Norad and Danida. The TOR for the review is attached as Annex 1.

The review was carried out between September 2008 and January 2009, with field visits in Kenya in September, at the African Commission on Human and Peoples' Rights (ACHPR) in Addis Abeba in October and in Thailand in November. These visits resulted in discussion notes, and the notes from Kenya and Thailand were discussed with the local partners and IWGIA. The notes have been used in the preparation of the present report. Finally, a separate capacity assessment was also undertaken. It stands alone, but it has also been used in preparing section 4 and 5. The programme for the visits in Kenya and Thailand is attached as Annex 2. The final report has been prepared after extensive discussion and consultations with selected IWGIA staff and board members.

The review team consists of: Mr. Anders Baltzer Jørgensen, Team leader Danida (Kenya, Thailand), Ms. Turid Arnegaard, Co-Team leader, Norad (Thailand), Mr. Martin Enghoff, External consultant to Danida (Kenya, Ethiopia, Thailand, Cambodia), Dr. John Andrew McNeish, External consultant to Norad (Kenya, Ethiopia, Thailand), Mr. Aage Jørgensen, External consultant to Danida (capacity analysis in Denmark), Dr. Michael Odhiambo, National consultant (Kenya), Dr. Chayan Vaddhanaphuti, National consultant (Thailand). Countries in brackets show where the team member participated in field visits. Resource persons: Lola Garcia-Alix, Director, IWGIA, Marianne Jensen, Programme Coordinator for Africa, IWGIA, Christian Erni, Programme Coordinator for Asia, IWGIA.

The team would like to thank all involved for their support and active participation in the review process. The findings and recommendations of the team do not necessarily reflect the opinions of the Governments of Norway and Denmark.

## **1. BACKGROUND**

### **1.1 International development regarding indigenous peoples' rights**

In the course of the last two decades, a common normative understanding regarding the content of the rights of indigenous peoples has gradually appeared. This understanding has been promoted by international and regional standard-setting processes; by discrete diplomacy and strong political advocacy by the indigenous peoples themselves; by the practice of international human rights bodies, mechanisms, specialized agencies and NGOs like IWGIA; and by a significant number of international conferences and expert meetings. The Declaration on the Rights of Indigenous Peoples is the most important of these global developments. It recognises a wide range of basic human rights and fundamental freedoms to indigenous peoples.

At the international level, three important UN institutions have evolved. The UN Permanent Forum on Indigenous Issues is an advisory body to the Economic and Social Council, with a mandate to discuss indigenous issues; A United Nations Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous Peoples; and finally an expert mechanism on the Rights of Indigenous Peoples has been formed to provide the Council with “thematic expertise” on the rights of indigenous peoples.

The rights of indigenous peoples are also noteworthy in the context of the ILO Convention No. 169 concerning Indigenous and Tribal Peoples, adopted in 1989 Recognising the aspirations of indigenous peoples to exercise control over their own institutions, ways of life and economic development within the framework of the States in which they live, the Convention on Biological Diversity (1992), which recognizes some rights in principle but leaves much unresolved as to the extent of those rights in practice. Furthermore, Agenda 21 from the same year recognises the sensitive relationship between global environmental change and the rights of indigenous populations.

At present the major challenge is to put the Declaration, the conventions and the Agenda into practice. There is still a long way to go to achieve this goal. Numerous examples show that states and industries do not prioritise the principle of free, prior and informed consent when proceeding with development projects on indigenous lands, or even consulting the people living on and from the land that they will affect. Many indigenous peoples are relocated, resettled or pushed off their land by mining activities, hydroelectric dams, fossil fuel development, logging, plantations and the creation of protected areas.

Climate change has recently come in the forefront and many indigenous peoples are witness to local manifestations of this global phenomenon. However, indigenous peoples remain marginalised in many scientific assessments and public policy processes. To indigenous peoples, climate change is not simply a matter of physical changes to the environments in which they live. It also brings additional vulnerabilities and adds significantly to existing challenges i.e. political and economic marginalization, land and resource encroachment, human rights violations and discrimination. The international arena lags behind in including indigenous voices in the discussions on climate change.

### **1.2 Indigenous peoples' rights developments in Africa region**

The legal acceptance and political recognition of the rights of indigenous peoples at the level of the AU has been firmly established during the last 7-8 years as a result of the work of the Working Group for Indigenous Peoples (WGIP) under the ACHPR. Although indigenous peoples continue to face serious threats to their existence all over the continent national policy making governing the rights and development possibilities of indigenous peoples are slowly being transformed. This is a major achievement in a Continent where it was impossible to even discuss indigenous peoples' rights a decade ago. In September 2007 the vast majority of African states voted in favour of the UN Declaration of Rights of Indigenous Peoples.

In *Kenya*, advocacy for indigenous peoples' rights has become part of the national advocacy agenda both generally and within the context of ongoing reforms in governance, human rights and land and natural resource management. Provisions in the draft constitution on rights of minorities and in the draft national land policy on pastoral land rights and the land rights of minorities are cases in point. Similarly, the establishment of a Working Group on Minorities at the Kenya National Commission on Human Rights with representation from indigenous communities is a significant development and the profile of indigenous peoples has been raised at the national level partly as a result of the visit of the Special Rapporteur to Kenya in December 2006 and court decisions in favour of indigenous peoples on such issues as representation and right to access and use of natural resources. At the local level, and especially among the Maasai pastoralists, there is increased awareness about land rights and other human rights of both men and women and of the need to protect and secure these rights.

### **1.3 Indigenous peoples' rights developments in Asia region**

Only five states within the region recognise indigenous peoples, yet the United Nation's Declaration on the Rights of Indigenous Peoples has opened new avenues for the advocacy of indigenous peoples' rights in other countries. Nepal is the only state that has ratified the ILO Convention 169 (2007). Indigenous peoples in the majority of Asian states are still facing problems from formal and informal discrimination, cultural chauvinism and at times exploitation and violence. The responses to state-sponsored efforts of assimilation by indigenous peoples have taken different paths and have different levels of development. In some countries in the region, such as the Philippines, legal reforms have meant that campaigns for indigenous rights and territory can operate openly. While in other countries such as Burma or China the discourse of indigenous peoples and of rights are not at all accepted by national governments. The protection and enhancement of indigenous cultures in Asia are inextricably linked to land rights and sustainable farming. Controversies over natural resources between state and indigenous peoples take many forms, but are frequently linked to the creation of protected areas, infrastructure development and the state enclosure of forests as well as logging and oil palm plantations.

In *Thailand*, the term "indigenous people" does not exist in Thai official classifications of minority populations living in the country. The term "hill tribe" has mainly been used to define non-Thai ethnic groups that have been living in the hill areas in Northern and Western Thailand since the 1960s. Ten "traditional hill tribe peoples", have been recognised and many of these possess Thai citizenship. However there are still many hundred thousands of "hill tribe peoples" without citizenship, many of them having recently migrated to Thailand from violent conflicts in Burma. Until the 1980's there was little participation of the "hill tribe peoples" in mainstream efforts and projects, but through the development of a stronger civil society including indigenous peoples' organisations and NGOs this has gradually changed. During the 1980s there was an emphasis on community-based approaches to development and a close interaction between indigenous peoples, farmer leaders and academics began – especially in Northern Thailand. The development of a broader indigenous movement also occurred as a response to the expansion of protected areas, and within the 1990s the level of conflicts over forests escalated considerably.

## **2. IWGIA AND ITS PROGRAMMES**

### **2.1 IWGIA in general**

The overall major policy decisions in IWGIA are made by the Board, which is elected by its members for a three-year period. The board meets four times a year, and one of the meetings is held in connection with the Annual Forum, which is the general assembly where all members are invited.

The International Secretariat is the executive body of the organization and is based in Copenhagen. The secretariat is responsible for the administration and coordination of IWGIA's activities. The work is organized in six major programs: Three regional (Latin America, Africa and Asia), one country programme (Russia), a crosscutting programme (International Advocacy and Human Rights), and a Communication and Publications programme. There are two internal committees, a project committee, which decides upon project proposals and a publication committee, which decides upon publications. The total staff of the secretariat is 17 employees, including several part-time employees. The Programme Coordinator for Asia is permanently based in Chiang Mai, Thailand.

IWGIA became a membership organization in the year 2000 and at the present the organization has 150 individual members plus another 1.400 persons in the network, which consist of indigenous organizations and individuals, non-indigenous NGOs and experts. IWGIA has 6 local member groups. These groups are based in Denmark (Copenhagen), Sweden (Lund and Gothenburg), Switzerland (Zurich), France (Paris) and Norway (Oslo). They work on a voluntary basis in the areas of lobbying, publications, film festivals and education on indigenous issues.

## **2.2 Information and documentation**

IWGIA began its work in 1968 with publication and information activities. This area of work continues today as a cornerstone in the organization. The organization has a large publication program that includes magazines, yearbook, handbooks and thematic books. The publication output is between 15 and 25 titles annually.

## **2.3 Partnership and networking approach**

IWGIA works through a number of partner organisations. Foremost are indigenous peoples' organizations, which include two types of organizations – the relatively large national, or regional (international) indigenous umbrella organizations and the smaller more grass-roots-oriented organizations. International and local, non-indigenous NGOs and public institutions are also partners. Partnerships and networking are crucial aspects of IWGIA's strategy for addressing indigenous peoples' rights. Building long-term relationships with a focused number of partners is key strategy of IWGIA, and these partners are frequently supported by IWGIA in their participation in regional and international forums. IWGIA has also built linkages with UN organisations and various human rights institutions and NGOs around the world.

## **2.4 International strategy and activities**

IWGIA supports indigenous peoples at the global level i.e. within the Permanent Forum of Indigenous Issues under the ECOSOC, the UN Special Rapporteur of the rights of the indigenous peoples and in relation to the newly established expert group. During the past decade considerable support was provided to the UN Working Group on the Draft Declaration on the rights of indigenous peoples. A strategy for the Second UN Decade<sup>1</sup> on the World's Indigenous People has recently been formulated and is under implementation. Some of IWGIA's activities include active participation in meetings, special publications, and promotion and the organisation of the participation of indigenous representatives in the Permanent Forum.

## **2.5 Africa strategy and activities**

IWGIA's Strategy for the Africa Programme (2004) states that the key elements of their work in the region are human rights and land. A key element of the Africa Programme is the support given to the WGIP under ACHPR and the processes associated with the meetings and work of the WGIP. This includes the publication of reports on the situation of indigenous peoples in selected African countries. The programme in Africa is largely focused on Kenya, where most of the projects are taking place. The

---

<sup>1</sup> First Decade on Indigenous Peoples 1995-2004

work of IWGIA in Kenya revolves around support to advocacy for the human rights of indigenous peoples generally and their land rights in particular. IWGIA provides support to groups that work on indigenous peoples' rights at three different levels, local, national and global. At the local level, IWGIA partners are involved in both livelihood development and advocacy concerns. At the national level, they are engaged in human rights work as well as governance and sectoral policy reform processes. IWGIA also support activities with indigenous peoples' organisations in Botswana, Burundi, Rwanda, Congo Brazzaville, and Tanzania.

## **2.6 Asia strategy and activities**

The present Asia Strategy from 2006 has been developed in cooperation with its partners. It addresses the complexity of the Indigenous Peoples concept, which has been translated into five programme components: (I) Self organisation and empowerment; (II) Self-determination and Constructive Agreements with the State; (III) Land and Resource Rights; (IV) Livelihood security, Management and Conservation; (V) Culture, Traditional Institutions and Intergenerational Knowledge Transfer. IWGIA has 32 ongoing or newly ended projects in Asia. The regional partners are spread throughout most of South and South-East Asia and there are country based partners from nine countries. A number of the regional indigenous peoples' networks/organisations are based in Chiang Mai, Thailand. IWGIA support is primarily focused on the Asia Indigenous Peoples' Pact (AIPP), the main Asian network of indigenous peoples. AIPP works with other regional networks, coordinates indigenous representation in regional and international processes, the organisation of conferences, strategy development, the preparation and dissemination of information. Through ICOLT it also provides leadership training and community organisation support.

## **3. IWGIA'S ACHIEVEMENTS AND IMPACTS**

### **3.1 Overall strategic focus on indigenous peoples' rights**

IWGIA has played an important role in the international work on indigenous peoples' issues. IWGIA has facilitated, co-organised and organised international meetings. They have furthermore supported international processes through their information and publication activities. IWGIA is seen as an esteemed partner by many international organisations at the international level, their inputs are valued and their strategy of supporting the participation and views of indigenous peoples instead of placing themselves in the foreground is highly respected. Their engagement has been useful for encouraging the participation of indigenous peoples at the international level and the development of international processes regarding indigenous peoples' rights.

IWGIA has focused its international work on Human Rights processes, and has been able to influence these processes. As a consequence they have given little focus to the Convention on Biodiversity (CBD) and REDD related issues. IWGIA has only recently engaged in the international agenda on climate change and forest related issues and in particular REDD mechanisms (Reducing Emissions from Deforestation and Degradation). IWGIA does, however, recognise the importance of engaging in these processes. *It is **recommended** that IWGLA utilise its experience and competence from human rights work to further engage in Climate Change issues that are important for indigenous peoples. There should be a particular emphasis on the possibilities to modify REDD initiatives in selected countries and on a campaign for a rights based approach to the REDD agenda in general.*

### **3.2 Networking and linkages with UN mechanisms**

IWGIA has undertaken a great deal of important work at the international level, particularly in connection with the three specialized UN mechanisms established to address indigenous peoples' issues. It continues to facilitate and support indigenous peoples' participation in meetings at UN Permanent Forum and the UN Expert Mechanism. It also coordinates preparatory meetings at the regional level.

IWGIA has supported the Special Rapporteur's work during his country visits. This has included the facilitation of meetings between the Rapporteur and the indigenous peoples' representatives. IWGIA is also involved in various efforts to coordinate the three specialized UN mechanisms addressing indigenous peoples' issues.

Finally IWGIA provides expert input on thematically appropriate issues in international processes. IWGIA has played an important role in the process of developing the UN Declaration on the Rights of Indigenous Peoples. *The Review strongly supports the continuation of IWGIA's excellent work on networking and linkages with UN mechanisms.*

### **3.3 African strategy and implementation progress**

The regional outreach of IWGIA has improved significantly through their support for the work of the African Commission for Human and Peoples' Rights (ACHPR). The main focus of IWGIA's African network includes various groups of pygmies in a number of central African countries, the Maasai in Kenya, and to a lesser extent with San in southern Africa; the Touareg and Mbororo; and the Peul in West and Ogiek in Kenya. IWGIA supports few indigenous peoples' organisations or networks in Western or Northern Africa.

IWGIA's focus on **Kenya** in its work in Africa is well defined, and in general the assessment of the team of IWGIA's work in Kenya is very positive. The focus on indigenous peoples' rights, land rights and self-determination clearly meets the needs and interests of indigenous peoples at the grassroots' level. In all reviewed cases it appears that IWGIA has placed its support at an appropriate level in relation to the amount of funds made available. IWGIA's has supported tangible projects with considerable results at the local level. The selection of partners has been carefully made and it has been sensitive and discreet in its formation of partnerships. IWGIA supports the mobilisation of its partners and beneficiaries as social and political actors, and the partnerships are well founded as a result of their efforts at communication and formation of solid commitments and objectives over many years. IWGIA therefore enjoys great credibility amongst its partners, and these relations are taken seriously in their follow up. IWGIA's role in linking Kenyan indigenous individuals and organisations internationally and enabling them to learn from each other is highly appreciated by its partners. IWGIA has been swift to react to specific needs that have unexpectedly turned up in the course of project periods e.g. need for support of the visit of the UN Special Rapporteur.

In some cases partner relations are not based on project funding and the review team finds that further development of partnerships, which do not include project funding could be beneficial. Some existing partnerships could continue to play an important role without major funding being attached. Working through non-indigenous organisations that have direct contacts to indigenous peoples' community based organisations seems to be an important strategy. It would be useful to develop further mechanisms for maintaining such partnerships.

IWGIA has supported various pastoralist and hunter gatherers groups in Kenya. There has historically been a focus on collaboration with *Maa*-speaking pastoralist organisations. The review team understands that this has been a natural and logical focus for the work of IWGIA. In the future the team sees a need for expanding the scope of the work to cover other indigenous peoples especially in Northern Kenya. IWGIA has already started to expand its support to cover pastoralist groups in Northern Kenya, and the review team encourages the further development of this work. Given that resources are limited this will entail some prioritisation by IWGIA within their work in Kenya.

IWGIA has only to a limited extent supported networking activities among pastoral and hunter gatherers' civil society organisations (CSOs), mainly due to the non-existence or very fluctuating nature

of such networks. IWGIA has to the extent possible supported various networks of indigenous peoples in Africa although these networks have tended not to be long-lived or strong in outreach. Networking with organisations has mainly been informal and in relation to specific actions, and more continuous and sustained networking has so far not been developed. In the future IWGIA needs to expand its support to networking and capacity-building activities aimed at bringing indigenous peoples' rights further into government policy and mainstream development.

Many indigenous peoples' organisations live a precarious life due to the fact that they generally are supported by short term project funding. The Team, therefore, *suggests that IWGIA expand the number of institutions that are provided with core-funding*

*It is thus **recommended** that IWGIA actively seeks in the coming years to expand its collaboration and outreach to cover more indigenous peoples' groups in the Northern part of Kenya and in other countries in the region. It is proposed that IWGIA furthermore develop a strategy for enlarging its network in Africa to encompass more indigenous ethnic groups and include the collaboration of organisations and interest groups that are not necessarily defined along ethnic lines.*

### **3.4 Asian strategy and implementation progress**

The team finds that IWGIA has been successful in the implementation of its Asia Programme. The portfolio of projects in the region covers a wide and relevant range of partners and thematic issues. The selection of partners and ratio between project and core funding is well balanced. The presence of the regional coordinator in the region has contributed to a well monitored programme that demonstrates a close working relationship with partners. The technical advice provided by IWGIA is valued and IWGIA is praised for its ability to work as a partner, and not just a donor. The work of IWGIA in the region is well thought-out and includes good strategic thinking. The impact of projects is assessed to be both strategically important and to be creating real impacts in relation to the specific sites and initiatives.

IWGIA states that the most important element in its regional strategy is the combination of horizontal and vertical integration. The review team also considers this a good approach. The team finds that the Asia Strategy is an appropriate tool to engage in dialogue with partners about how project cooperation and broader partnerships can develop and how the support can have a broader political impact

The selection of thematic issues in the Region is seen to be in line with the regional strategy. Self-organisation and empowerment forms the basis for the work within several components of the Strategy. Land rights and resource rights are crucial in the Region and this is well reflected in the thematic selection in the project portfolio. The issue of self-determination and agreement with the state is a very difficult issue to work with in most countries and accordingly it is only to a limited extent represented in the portfolio. *Recognising the international significance of this issue, the team encourage that more focus to be given to this issue where and when possible.*

In Asia IWGIA is able to maintain close partnerships with a relatively wide range of partners including networks, indigenous peoples' organisations and community based organisations as well as a few non-indigenous organisations. The review team sees this broad range of partnerships as a strength and as crucial in the outreach of IWGIA in the region. A good number of the partners are considered representative of their constituency and both horizontal and vertical links are promoted. A number of the partners are long-term partners and IWGIA has been able to enter new partnerships where necessary in quick responses to changing situations. However, no specific guidelines for the selection of partners are used. This could become a weakness if changes in the staff working with the Asia desk were to occur. There is a good understanding of indigenous peoples' organisations and their needs. Importantly, IWGIA is seen more as a partner than a donor. IWGIA provides valuable advice and input to the working strategies of various partners. This is an important achievement.

In its Asia strategy IWGIA has stated their intent to enter consultations with government donor agencies. It seems that very little has been done in this regard outside of Bangladesh and Nepal. The review team observes that there are good opportunities for contacting developing agencies in the region especially those of Denmark and Norway. Through the establishment of further dialogue with donors IWGIA and its partners could ensure that some donor funding is directed towards further implementations and the replication of achievements made in the various pilot projects. The ICSO project in Cambodia demonstrates the viability of this. In Nepal there is a large potential for cooperation with a wider range of donors addressing aspects of governance and law.

### **3.5 Collaboration with regional organisations**

In *Asia*, AIPP is the most important pan-Asian indigenous peoples' network organisation. The review team recognises AIPP's solid representation in the region. AIPP works to improve the capacity of its members, undertake advocacy, share information, and organise various aspects of participation from Asia in UN processes. The continued function, relevance and provision of valuable services of AIPP are major achievements. Members of AIPP include national indigenous peoples' organisations in Nepal, Malaysia, Indonesia and Thailand as well as some 20 other different local indigenous peoples' organisations in the region. AIPP recognises the central importance of having a close connection and interaction with the local level. The outreach of AIPP is not only to membership organisations, but to a range of other indigenous peoples' organisations. IWGIA has worked with AIPP since its formation and IWGIA has been highly instrumental in facilitating the development of AIPP. IWGIA is providing core support to AIPP. *The review team supports the continuance of IWGLA's close partnership with AIPP including the continuation of core funding. Considerations and strategic assessment should also be made of the possibilities to further facilitate the ongoing technical advice from the IWGLA Asia coordinator to AIPP. This technical advice should be made under the conditions set by AIPP.*

IWGIA has recently sponsored AIPP to engage with the human rights processes in ASEAN (Association of Southeast Asian Nations) with a view to furthering indigenous peoples' rights. The review team finds that the support to this process is important and that engagement with the ASEAN human rights process has the potential to bring more attention to the situation facing indigenous peoples in respective ASEAN countries. AIPP is well placed to lead this process, and IWGIA can contribute to this by sharing its experiences from work with the ACHPR.

In *Africa*, the WGIP (ACHPR) has succeeded in the course of its short history to generate debates and information that have transformed and continue to transform national policy making governing the rights and development possibilities of indigenous peoples. The team recognises that this is a major achievement in a continent where it was impossible to even discuss indigenous peoples' rights a decade ago. There is widespread recognition by the WGIP and indigenous peoples' organisations that this success would not have been achieved without the financial and technical support provided by IWGIA. IWGIA has played a visible, crucial and proactive role in the process. The WGIP is the only existing regional platform for addressing and discussing indigenous peoples' rights and the WGIP is among the efficient and active working groups under the ACHPR. At semi-annual sessions and at other regional meetings indigenous peoples' issues are discussed and draw considerable attention. This is to a large extent because there are a number of active indigenous peoples' organisations involved in the civil society sessions undertaken before the sessions. The meetings and sessions create important fora and possibilities for networking with likeminded organisations and provide opportunities for meeting and discussing with government representatives from their own countries in a way that would not be possible in domestic settings. IWGIA has been a central player in the planning and funding of these meetings. Although the work of the WGIP has given a strong boost to the work with indigenous peoples' rights and issues at the legal and policy level in the region and in selected countries, it is also

recognised that there is a long way to go before the concept of indigenous peoples is more widely accepted by the African states.

Until 2007, the WGIP at the ACHPR received all of its funding and technical support from IWGIA. As a result of an internal policy changes within the AU the ACHPR has been requested to demonstrate its ownership of the WGIP and funding has been provided to continue its activities under regional control. Indeed IWGIA's supportive role to ACHPR might in the future be challenged and the commitments of the new leadership of the secretariat of the ACHPR to indigenous rights work are not guaranteed. In addition, new procedures for external funding make it more complicated for external donors to fund the activities of the ACHPR. This is likely to result in reduced funding to WGIP and other special mechanisms under ACHRP and reduced activity level of WGIP. Representatives (at the ACHPR meeting) of individual AU member states were of opinions that the focus on indigenous peoples was conceptually unclear and a threat to wider considerations of minority rights and goals of poverty reduction in Africa. *It is therefore proposed that whilst continuing their support of the WGIP, IWGIA consider adjusting its long terms strategies for work in the region, heightening their emphasis on supporting advocacy and institutional capacity building work at the national and local levels and of linking national processes to the work at the regional level in ACHRP.*

### **3.6 Participation of indigenous peoples in regional and international processes**

A considerable number, totalling 577 Asian and 238 African representatives have been supported by IWGIA funds to participate in regional and international meetings since 2000. In general the indigenous peoples representatives from different countries provide very important and indispensable civil society input to the process in which they participate, and thus the support is therefore essential for the positive outcome from these international processes. The work undertaken at the national and international level is extremely important, and is of reportedly good quality and it provides good opportunities for networking and capacity building. However the review team has observed, at a meeting of the ACHRP, that some inputs or statements from indigenous peoples' representatives still demonstrate considerable room for improvement in terms of their clarity and formulation.

In Asia, AIPP plays a key role in selecting and preparing the representatives from Asia for participation in UN processes, and especially in other regional and international meetings. Most members participation in UN processes are selected by IWGIA in cooperation with AIPP and other Asian partners. The team recognises that AIPP and IWGIA aim to ensure a balance between the competences of selected participants to articulate relevant input in international meetings. Furthermore, AIPP is facilitates the feed- back of information and insights from the various international processes and meetings.

In Africa IWGIA assists the selection process based on a number of clearly-defined criteria. However, there is limited participation in the selection process by indigenous organisations in the region and 37% of this support has gone to Kenyan representatives (In comparison, in Asia 31% of the support to UN meetings have gone to representatives from the Philippines). Structured mechanisms for reporting back to indigenous communities after attendance at the forums are not yet in place. The team acknowledges how complicated it is to organise representativeness and secure a mandate in the present context. Nonetheless, the team feels that more structured moves towards the organisation of representativeness need to be taken. *It is therefore **recommended** that IWGIA in Africa seeks to develop more structured ways of preparing and identifying the participants they support to take part in the regional and international processes, and to provide training to participants so that they provide effective input in these processes. Sub-regional meetings of partners could be facilitated on an annual basis, where the choice of issues is agreed upon and where representatives are prepared and provide feedback from the processes they have been participating in.*

### **3.7 Inter-relationships and balance of IWGIA's work**

IWGIA's holistic approach to work at different levels and with different modalities of support is demanding, but implemented well in its programmes. In **Asia**, IWGIA has formed a series of significant and strategically valid partnerships with a series of indigenous peoples' networks and organisations at the regional, national and local level. Also in **Kenya**, partnerships have been formed with organisations working at these different levels. Working with partners and addressing indigenous peoples' rights at all these levels is clearly important to ensure that advocacy is informed by experiences at these various levels. The partners that IWGIA work with are frequently supported to partake in regional or international processes. This is a useful strategy, which ensures linkages and cross-fertilisation of experiences between different levels. *However, further structuring of how experiences are shared between the various levels would be beneficial in the future, especially in Africa where the lack of regional indigenous peoples' organisations makes the exchange of experiences more difficult to achieve. This could be furthered through developing simple guidelines for preparing reports or the minutes of meetings by participants working at the various levels.*

In addition, IWGIA has also made alliances with broader civil society networks and NGOs in **Asia**. Through these linkages indigenous peoples and their organisations establish connections to similarly marginalised peoples and are able to form common political platforms focused on wider minority interests such as land rights. The review team considers these kinds of connections as highly important and particularly so in relation to **Kenya/Africa**. Accordingly, *the team suggests that IWGIA in Africa further facilitates that partners create strategic alliances with other interest groups in order to mainstream the agenda for indigenous peoples' rights with other governance, human rights and land and natural resource advocacy initiatives.*

### **3.8 Capacity building, self-organising and empowerment**

This is a core aspect of IWGIA's work with its partners. The team finds that the partners have been effective in utilising IWGIA's support in asserting themselves and claiming their rights. It is especially the case with AIPPs' implementation of the ICOLT programme. This is a regional attempt to strengthen local indigenous peoples' self-organisation and empowerment through training of community organisers and leaders. The training seems to be highly relevant and leaders are ready to manage and represent their own rights. Experience from the various participating countries is generally positive and shows how regional experience can be shared. It is, however, a complex programme with plans to establish regional training and resource centres as well as some funding problems. *The review team suggests that the partners (in light of the programme funding situation) carefully assess the various components of the programme. A new phase of ICOLT could form valuable support to the horizontal exchange of experience, training, self-organising and empowerment at the regional level.*

In **Thailand**, IWGIA provides core support to IMPECT, the major NGO working for highland indigenous and ethnic communities in the North. IMPECT also plays an important role in supporting the development of other organisations. The review team finds that core funding to IMPECT has been justified recognising the key role they have played in the self-organisation and empowerment which has taken place among highland peoples in Northern Thailand. However, the team also finds that in recent years the organisation has over diversified in order to satisfy a range of donors. The further establishment of the Network of Indigenous Peoples in Thailand (NIPT) also demonstrates that indigenous peoples' organisations in the country are strongly engaged in political advocacy. The team considers NIPT relevant and suggests IWGIA to support its further development in addition to the support to IMPECT.

In the **Philippines**, IWGIA has, since 1999, been providing core funding to Cordillera Peoples' Alliance (CPA). The core funding has assisted the advocacy work of CPA and its member organisations in order to increase the capacity of indigenous peoples' organisations and communities in the Cordillera to defend their ancestral land and resources. CPA is an old partner of IWGIA and the present core

funding support is reported to be useful, given its impact on capacity building and empowerment of communities to defend ancestral lands.

In **Kenya** IWGIA has supported a number of indigenous peoples' organisations to carry out a series of important capacity building exercises (rights awareness, leadership training, conflict resolution etc). It also provides support to indigenous peoples to litigate their cases in court. It is evident that this capacity building has resulted in successful training and some instances of clear empowerment, such as instances of women's caveats on land sales and land cases filed by communities. Through IWGIA's support partner organisations equip indigenous peoples with the skills needed to empower them to defend and promote their rights directly. The team finds, however that more has to be done to create more widespread empowerment. *The team proposes that the capacity building exercises carried out by Kenyan indigenous peoples' organisations be extended to follow-up on the active empowerment of communities.*

### 3.9 Self-determination and constructive agreements with states

IWGIA and its partners have achieved a lot concerning "constructive agreements with states". However, in both Asia and Africa, there are limited possibilities to campaign openly for self-determination as it could be perceived as a threat to the legitimacy of the nation-state, and as an anti-state activity.

AIPP works with self-determination, constructive agreements with states, and support to self-organisation and empowerment. However, there is no clear sign of self-determination in its current campaigns. There are many instances of constructive agreements with states. In **Thailand** it is specifically demonstrated in the activities of HPT related to land rights, citizenship, and human rights. HPT emphasises individual human rights more than indigenous peoples' collective rights, stating that this is the most effective way of assisting the communities in need. It is not clear for the review team how strategically the different rights agendas are used by HPT. In **Nepal**, the collaboration with ILO and the Lawyers' Association for Human Rights of Nepalese Indigenous Peoples to organise a Consultation Workshop on forming a Nepal Indigenous National Coalition Committee is seen as useful support activity with significant potential in the present context of Nepal. In **India**, IWGIA has previously supported various projects in the North-East. It was a tangible example of self-determination as this is the only place in the Region where indigenous people have been granted certain autonomy. Moreover, this is a location where it seems that self-determination for indigenous peoples can be furthered (and the peace process strengthened). In **Bangladesh**, IWGIA has had a key role in the revitalization of the Chittagong Hill Tracts Commission (CHTC) after it has been dormant for years. This demonstrates the persistence of IWGIA and its willingness to change strategies when changes take place. The continuing work of the expert group under ACHPR is, furthermore, likely to have a strong impact on the policy making affecting indigenous peoples in **Kenya** and other countries through its continued push for recognition of the human rights of indigenous populations in the region and the formation of constructive dialogue between the ACHPR and member states.

*The review team proposes that:*

- *More work should be done by IWGLA in both Africa and Asia to support indigenous rights organisations to inform and sensitize government departments and officials about indigenous rights.*
- *IWGLA should prioritise initiatives such as those in Chittagong hill tracts and Nepal that feed directly into the processes of political change.*
- *IWGLA should prioritise a constructive engagement with partners in North-East India, if sustainable ways to collaborate can be identified.*

### 3.10 Land and resource rights activities

Land and resource rights are given high priority in the work of IWGIA and the team concludes that the work is addressed in a strategically sound manner. The focus of IWGIA's project work in **Kenya** and in other countries in **Africa** on land rights is appropriate and responds to a very real and pressing need.

IWGIA support help its partners equip indigenous peoples with skills and empower them to defend and promote their rights to land directly. It also provides support to indigenous peoples to litigate their cases in court. *The team supports that such work continues and is widened to include support to legal aid schemes specialising in land claims.*

In **Asia** land and resource rights are also key areas of support. A key focus of the Asia portfolio has been to support land and resource-rights related projects in the **Philippines**. It has produced good results in terms of the establishment of ancestral domains for a number of communities. However, results in terms of actual management are so far limited. This calls for a support to good examples of actual management of the domains and *the team therefore supports that IWGLA seek cooperation with other organisations to provide support to the development of management plans for of a number of key ancestral domains in the Philippines, and at the same time provide support to the dissemination of these experiences.*

In **Sabah, Malaysia**, the land rights of indigenous peoples have through PACOS been brought into focus and several legal cases have been won. However, the fact that indigenous peoples are still losing land at an alarming rate demonstrates (as in other countries in the region) that more activist and advocacy approaches need to be heightened in addition to legal approaches are also needed. In **Thailand**, the HNCC in collaboration with many other non-indigenous peoples' organisations has been able to prevent relocation and obtain tenurial security in forest land. These achievements have been reached through following a number of different strategies including legal and more activist and advocacy approaches.

### **3.11 Livelihood security, resource management and conservation**

According to the Asia and African strategies IWGIA's support to livelihood security, resource management and conservation has low priority. However, in both Asia and Africa more and more protected areas are being established, and frequently encroach on indigenous peoples' land. There is a growing risk for large areas to be placed under protection within major REDD initiatives. As a result, we see the need for IWGIA to revise the low priority given to this component of its regional strategies. In Asia, the advisory support provided to the Collaborative Management Learning Network under AIPP, which deals with co-management of protected areas, is considered to be very valuable. In **Kenya**, IWGIA partners are involved in both livelihoods and advocacy concerns. By working at the local level it is ensured that livelihood concerns of indigenous peoples are addressed. *The review team suggests that IWGLA review the priority given to the component Livelihood Security, Management and Conservation and seek possibilities for allocating additional resources to this area. This would also fit with an added focus on issues related to climate change adaptation and mitigation.*

### **3.12 Project replicability and communication**

The sharing of lessons learned from supported projects is a fundamental aspect of IWGIAs strategy. IWGIA does this difficult job much better than most other organisations, although challenges always remain. As stated in the **Asia** Strategy, the project support granted by IWGIA needs to have a strong pilot character and it should be possible to replicate project results and disseminate "good practice" to a larger constituency of indigenous peoples' organisations in the region. Guidelines and workshops are not sufficient, it is necessary to continue to seek ways to include even more practical national and regional dissemination activities into specific pilot projects. This should include further efforts to collect project experience and distributing information through innovative means including the use of various media, regional journal on indigenous affairs and expanding indigenous rights monitoring more widely in the Region (the human rights observatories formed in Latin America provide relevant examples of how this might be done). *The team encourages IWGLA to make further efforts in this work.* At the regional level ICOLT represents a relevant example for more systematic sharing of these pilot experiences, *but it will need continued and possibly increased support in order to be able to play this role.*

In **Africa** the documentation of the existence, challenges and violation of the rights of African indigenous peoples has convincingly been carried out by the WGIP, through a series of activities funded and organised in concert with IWGIA. The “Report of the African Commission’s Working Group of Experts on Indigenous Populations” was adopted by the ACHPR in 2003 and was the very first IWGIA funded activity of the WGIP. It has proved itself to be an important instrument for advancing the recognition of indigenous peoples’ rights at both the level of the African Union and individual African states. The credibility of the work of the WGIP has been further established by their production of a series of in-depth country reports (Gabon, Burundi, Central African Republic, Republic of Congo, Niger and Botswana, Uganda and Libya). *The review encourages this work to be continued.*

### **3.13 Interpretation of rights, concepts, conceptualisation in relation to indigenous peoples**

IWGIA and its partner organisations in Africa and Asia have made significant efforts to monitor developments in international conventions and legal fora relevant to indigenous peoples. Reflection over the differing requirements and possibilities for working with indigenous peoples’ rights and indigenous development in different countries of the region has especially been undertaken in **Asia**, where an excellent book on the concept of indigenous peoples in Asia has recently been published by IWGIA. In Asia IWGIA’s regional partner organisations seriously support projects aimed at furthering indigenous peoples’ own knowledge and self-defined needs for leadership development, education and capacity development (e.g. AIPP’s ICOLT Programme, IKAP). In **Africa** the support to ACHPR has made important contributions to the conceptualisation of indigenous peoples’ rights in Africa. *This work is important and the team encourages its continuance. In the future work improvements might include: (i) reflections on different aspects of indigenous development taking especially into consideration how the search for donor funding promotes adaptation to modalities and concepts of mainstream development that might not be conducive to indigenous peoples’ own development agendas. (ii) Further study of the complex and shifting situations and identities of indigenous peoples. This will further promote the process of adapting the indigenous rights activities to the changing situations of indigenous peoples.*

IWGIA and its partners in **Asia** and **Africa** address different rights agendas in accordance with the political dynamic and possibilities of different contexts. This is clearly a very useful strategy, but the team observes that, at least in the case of **Kenya**, that whilst opening for recognition of the special nature of indigenous peoples and their rights there is a persisting tendency in the meeting between rights organisations, political entities and communities for individual human rights (individual citizenship rights) to be rhetorically emphasised over group or communal rights (indigenous peoples’ collective rights). *The team suggests that more work could be done to inform and sensitize government departments, donors, and officials at all levels on the special nature of indigenous rights.* In addition to emphasising individual human rights, further emphasis needs to be placed on the legal basis for indigenous communities’ communal and shared property rights. Further emphasis of this may also help to underline the fundamental importance of the right to free prior and informed consent. In general, it would be useful to further encourage discussions, documentation and information about the application of different rights agendas (indigenous, human, ethnic minorities) in different social and political contexts.

## **4. PUBLICATION AND INFORMATION ACTIVITIES**

### **4.1 Strategic use of information material**

Publications are part and parcel of many project activities. Publications are also important mechanisms for the systematization of experiences and identification of lessons-learned. A first publication strategy was formulated in 2001 and this strategy was replaced by a new communication strategy in 2008. The new communication strategy lays out a comprehensive approach to support IWGIA’s overall mission. Each publication is carefully planned and implemented in respect to the overall publication program. There are different target groups for each publication depending on its contents. IWGIA recognizes, however, that in their new communication strategy that there is a need for further improvement of the planning of individual publications in order to better reach the target groups. Measures include an

increasing number of publications in local language editions, new media platforms, strategic alliances with other publishers, and decentralization of production and distribution.

In Asia, IWGIA has been developing a series of information and communication activities together with its regional and national partners in Asia. Notable work is being carried out by AIPP in the development of a virtual indigenous portal, and the collection and distribution of information within the region on the UNDRIP and other key international agreements and discussions. Many projects include support for information material targeted to the grassroots and their leaders. IWGIA are already considering differing ways in which to better further collect project experience and distribute information on best practices, possibly through the use of film, radio and other media. AIPP have also mentioned the idea of creating a journal on indigenous affairs in the region. These efforts include ideas of expanding indigenous rights monitoring (similar to human rights observatories in Latin America) more widely in the Region. *The team encourages these further efforts.* In Kenya, IWGIA has supported the production of radio programmes and information material related to indigenous peoples.

IWGIA publications are being used and appreciated by the various partner organisations in Kenya, who state that both the general and the specific are utilised by partners not only in building their own knowledge of rights but are fed into their own circuits of information and documentation. However, there is an expressed need for detailed documentation of the situation in Kenya and for more practical and technical information on how to campaign for and promote various indigenous peoples' issues.

#### **4.2 Use of different media and platforms**

In recent years IWGIA has expanded beyond traditional print media into photo books, CDs, video, and web based platforms. Although some of these initiatives are still at an experimental stage it is clear that electronic media will become a major venue for future distribution of both traditional information and publication products in addition to new types of productions such as music and video. A web shop has recently been introduced at the web page and while it is still in its early stages it opens for many new opportunities for both distribution of publications but also for fund raising and recruitment of new members. Much work has been put into this important web development. The team sees possibilities for further improving the present IWGIA web platform. The design itself could benefit from further development of the user friendliness of the interface. The webpage is about ten years old and appears to come in three different language versions, but in reality these are three different web pages with substantial differences in appearance and contents. The main page is the English language section and it contains major IWGIA strategy papers, which are not found in the Spanish or the French sections. Likewise, sections on indigenous issues and news are very different in the three sections. Only the French webpage has a special section on gender. IWGIA is in the process of further developing the different language versions and the team supports the harmonizing efforts so that language will not be an obstacle for accessing information.

#### **4.3 Future developments in publication and information material**

The overall assessment is that IWGIA now has a very good communication strategy in place, but there is a need for a full-time communication coordinator to oversee its implementation and lead further development and consolidation of the different media platforms on which IWGIA is now active. The new coordinator should also secure the necessary harmonization between language versions and update of the web page interface and contents. *Thus, the team **recommends** that IWGIA should hire a full-time communication coordinator with relevant expertise in electronic publishing.*

### **5. MANAGEMENT, CAPACITY AND ORGANISATIONAL DEVELOPMENTS**

#### **5.1 Management of international programme**

The International Human Rights Advocacy Program (IHRAP) program has been managed well. A number of new opportunities have now arisen with the forthcoming implementation of the UN Declaration on Indigenous Peoples' Rights and the emergence of the IHRAP program. Such opportunities could be further captured in the process of developing an updated IHRAP strategy, which would entail a careful analysis of how to link the IHRAP with IWGIA's regional programs in order to effectively link the work within international advocacy with regional, national and local activities and organisations. This could lead to an internal reallocation of responsibilities between various programmes giving IHRAP additional human resources and improving its regional linkages. *Accordingly, the further development of a special program strategy for IHRAP is suggested.*

## 5.2 Coordination and management of regional programmes

In general the regional programmes are well managed and implemented at a highly professional level. The regional programmes are managed in different ways. In the case of Latin America an extensive network has been established during more than 30 years of work in the region. The regional coordinator is based in Copenhagen and travels between 71 and 93 days a year in the region. The Asia program is currently managed by the coordinator based in Chiang Mai, Thailand. He travels between 50 and 72 days in addition to work in Thailand and direct collaboration with regional organizations present in Chiang Mai. This regional set-up contributes positively to regional program implementation and it has contributed to a well monitored programme with close working relationship with partners. The Africa program involves organizations in a relative limited number of countries with strong focus on Kenya. The coordinator is based in Copenhagen, and travels to the region between 35 and 54 days per year. The presence of the regional coordinator in Africa is therefore less than the two other coordinators in their respective regions. It is acknowledged that other staff than the programme coordinator is travelling in support of the regional programmes, but considering the importance of close contact between the coordinator and the partners, the review team finds that there is a need to increase the presence of IWGIA and the IWGIA coordinator in the African region. The fact that some larger projects are funded, but have never been visited by the coordinator underlines this situation.

In addition to the obvious advantages of the presence in the regions, the team recognises that the out-stationing of the coordinator can potentially create difficulties. In particular there is the danger of the coordinator becoming too closely associated with certain indigenous peoples' organisations and distant from communication and interaction with the Secretariat. The review team finds, however, that the benefits related to out-stationing outweigh the drawbacks and believes that some of the downsides could be addressed through further developing organisational structures for communication, sharing of experience and team work. Such structures could also benefit collaboration between those already based at HQ. Other organisations have such structures. Since there are pros and cons for each model it is recognised that IWGIA must identify its own strategies and structures to meet the demands of specific regions. *The review team recognises the importance of out-stationing of coordinators and therefore **recommends** that IWGIA seriously discusses and assesses the issues related to out-stationing in the various regions. In addition, as presence in the regions is important, it is **recommended** that the regional coordinators have a presence of at least 75 days working with partners, networking and supporting projects in their respective region. The coordinator's other responsibilities will have to be arranged according to this priority.*

Regional strategies for Latin America, Africa and Asia are very different in their stages of development, to what extent they are still valid and the number of years they are developed for. This has an impact on the possibilities of implementing and developing regional work following strategies that are shared and agreed by the organisation. *The team suggests that the Latin America and the Africa strategy are updated.*

## 5.3 Regional representation, visibility, offices and coverage

In general IWGIA operates by working through indigenous peoples' organisations and not promoting itself or speaking on behalf of the indigenous peoples. This is an important strategy to follow. However

as experienced in the Asia programme, the visibility of IWGIA has at times been useful and IWGIA seems to have been using this in a strategically important way. The review team finds that IWGIA should continue to decide on the balance between visibility and working behind the scenes in accordance to context. The regional programs have positive experiences using local consultants for review and monitoring. IWGIA should further consider developing strategic alliances with local consultancy companies or individual consultants/ indigenous peoples experts on a retainer basis so that IWGIA can expand its regional coverage. By increasing the use of consultants it could also be possible for IWGIA to cover language deficiencies, such as in the case of Asia and Africa where many people do not speak English.

#### **5.4 Capacities compared to mandate and organisational development initiatives**

An analysis of IWGIA's capacity to adhere to its mandates' seven main principles concluded that the organization generally possesses the capability to adhere to them all. IWGIA has upgraded its capacity as a response to reviews and capacity assessments over the past decade. Procedures and guidelines have been elaborated and existing ones have been revised. The assessment demonstrates IWGIA to have a positive organizational attitude towards emerging challenges. There is clearly willingness to change and external 'impulses' are dealt with actively (e.g. response to capacity assessments and response to changes in Global priorities such as Climate Change issues). IWGIA has a global reach and has been able to achieve many significant results through development of its modus operandi founded on working through indigenous peoples' organizations and supporting partnerships.

#### **5.5 Membership and partner support to IWGIAs programme**

IWGIA is widely considered a credible organization promoting a highly important agenda. Actual membership in IWGIA in the traditional sense is relatively small. This can to some extent be explained by the fact that membership structures have only existed for a short period of time and that the organization has not undertaken large recruitment initiatives. The organization also has a number of volunteer member groups in 5 countries that assist in spreading information about indigenous peoples and their situation to a wider audience, and act as satellites for IWGIA. The membership base is augmented by an extensive global network that includes more than 1400 major indigenous peoples' organizations in addition to NGOs, research institutions, indigenous peoples experts and individuals. This extensive network provides real evidence of the popular support to the agenda of IWGIA. *The review team suggests that IWGIA further utilise the opportunities of using this extensive network to support its programmes.*

#### **5.6 Staffing, recruitment and employment structures**

IWGIA staff is generally highly professional and manages to implement complex activities with a high level of quality. As expected, the needs, priorities, opportunities and funding associated with the indigenous people work of IWGIA are constantly changing and there is a need to respond to such changes and challenges when they appear. A balance between permanently employed staff and staff on shorter-term contracts is important, so as both to be able to have continuity and to face the upcoming challenges. With a relatively large number of permanently employed staff and the associated obligations, IWGIA is vulnerable to changes at the level of donor funding. At the same time opportunities for using expertise around the world to address specific issues are increasing. *The review team recommends that IWGIA utilises, in combination with permanently employed staff, more time bound contracts and local consultancy agreements focused on delivery of specific outputs. It is also suggested that IWGIA undertake a process of defining more clearly the outputs and attached delivery mechanisms that are central to the work of the staff of IWGIA.*

#### **5.7 Meeting and communication structures in IWGIA**

The range of meetings in IWGIA is assessed to be adequate. Weekly meetings of all staff are held at the Secretariat. Monthly project committee meetings, quarterly board meetings and other meetings of

various specific committees are also held. IWGIA maintains an adequate flow of communication through these frequent meetings and extensive use of telephone, email and electronic conferencing. *However, the team suggests that there is still room for improvement in the use of internet meeting facilities to ensure that regional coordinators participate in weekly meetings.*

### **5.8 Management tools and organisation capacity**

Generally, IWGIA is a well-managed organization with good capacity and procedures in place. The current Director has been in place since June 2007. She has initiated different activities to further develop the organizational structure and management procedures. Staff support and responses to various staffing and resource allocation challenges have been provided in an adequate and timely fashion. IWGIA provides good management support to its various programmes and it ensures that the various framework contracts and agreements are implemented according to the plans. IWGIA elaborated in 2003 a Project Manual which describes in detail how to develop and implement a project with funding from IWGIA. The manual follows a logical framework approach and is found to be a useful instrument for project preparation. The manual could be further developed in such areas like partner selection and monitoring. The project committee is generally functioning well and projects are screened properly before funding. The intended use of external reviewers to comment on proposal has not been fully implemented, something that could be pursued to a greater extent in the future. Furthermore, IWGIA strategies are very different in the way they have been developed, the content and the presentation. This makes comparison and sharing of lessons learned more difficult than needs be. *The review team **recommends** that the project manual be updated, that the role of external reviewers of project proposals be strengthened, and that a format for strategies be developed.*

Considering the professional capacity of IWGIA as an organisation and its capacity to manage the current activities, and considering the many crucial activities that IWGIA needs to support in order to promote the rights of indigenous peoples, *the review team **recommends** that the core funding to IWGLA be continued and if possible the framework agreement amount be increased.*

IWGIA has the necessary procedures in place for decision-making at the Secretariat. The Director undertakes the day-to-day management together with the Administrator. They draw on additional advice from members of the board and an external lawyer regarding management issues. Ahead lies a number of management tasks related to e.g. exploring and revising recruitment and employment structures at the secretariat and in the regions, and internal restructuring with creation of new positions (climate change and communication). The team has no doubt about the capacity of IWGIA to carry through these changes and organizational development but suggests that the process could be stimulated by utilising a short-term external consultant (coach/process change). The process could also include an exploration of future management options such as the creation of a vice-director position with responsibilities for staff management and other management issues. *Accordingly, the team **recommends** that IWGLA utilises the service of an external process change consultant to provide input to an organisational development process and as a support function to the current director position.*

### **5.9 Administrative and financial management capacity**

The financial management of IWGIA shows a high level of professionalism that matches what could be expected. The equity capital of the organization has increased from DKK 2 million in 2005 to DKK 2.9 million in 2007. The IWGIA staff has for the past seven used a time-registration system that complies with the Danida requirements. IWGIA uses Deloitte for its annual audits and there are only very few comments in the annual audits. The program coordinators have been trained by the auditor regarding financial management and audits. In 2007 IWGIA had the auditor go through their systems and procedures and make a risk assessment with the aim of strengthening fraud prevention. This led to an identification of several needs for strengthening procedures and mechanisms. IWGIA has followed up on these recommendations. A local audit company is selected at the time of signing a contract for a

new project. The legal and contractual demands in relation to financial management appear to be well-known in IWGIA and are reflected in the project manual and detailed in the contractual agreements between IWGIA and its partners. The different set of internal procedures developed by IWGIA contains instructions and checklists to help their own administration and their partners remember the data required. These practices comply with Danida guidelines. It is also important to note that the frame allocation from Danida to IWGIA has remained constant over a number of years (DKK 15 million a year), this means effectively that the real value of the allocation measured in DKK has decreased with around 10% between 2003 and 2008.

## 6. CONSIDERATION OF POVERTY & CROSS-CUTTING ISSUES

*Poverty Alleviation:* In 2002 the UN estimated that there are at least 300 million people in the world who are indigenous - belonging to 5,000 indigenous groups in more than 70 countries. Not all the people in all these indigenous groups are poor. Many are not, but country after country, region after region, the pattern repeats itself: people who are indigenous are more likely to be poor than their non-indigenous counterparts. Taking this into account, IWGIA's work on Indigenous rights, empowerment and self-determination is clearly an important contribution to current global efforts for poverty alleviation. Their work also clearly falls within the broad definitions of Norad, Danida and the DAC guidelines of work aimed developing a human capability approach to poverty alleviation which recognises the multi-dimensional nature of indigence. Poverty alleviation is here seen as strengthening people's five capabilities i.e. *Economic:* The ability to have assets, to earn an income and to consume; *Human:* Health, nutrition, clean water and shelter, *Political:* Human rights, a voice and influence; *Socio-cultural:* The ability to participate as a valued member of a community; *Protective:* To be able to withstand economic and external shocks, to reduce insecurity and vulnerability.

*Gender Justice:* In Asia, IWGIA and its key regional partners such as PACOS, CPA and AIPP demonstrate strong policies and practices with regards to gender rights. In Africa, IWGIA has also clearly promoted gender rights in its cooperation with partners. With this said, in line with the conclusions of the capacity analysis, we see there to be a general need for IWGIA to update both its general and regional policies on gender rights. IWGIA also needs to demonstrate a clear awareness of the linkages, possibilities and challenges of linking an agenda for gender rights with indigenous rights discourses. The review team also observes that while there had been clear focus on gender in the project design, there is still some considerable room for improvement at the level of project implementation. For instance, in some of the visited project sites in Thailand there was a clear under representation of women in committees and leadership. *The review team therefore recommends that IWGIA works with its regional and local partners to develop clearer understandings of local expressions of gender, their relationship to international gender rights and where possible identify where gender injustices exist and work towards their solution.*

## 7. FOLLOW UP ON PREVIOUS REVIEW RECOMMENDATIONS

IWGIA have responded to most of the recommendations listed in previous reviews (2002 and 2005). They have developed explicit strategies; sharpened their partnership and network approach; applied more programmatic and strategic approaches; prioritised, renewed and sharpened their programmes; they have developed joint indicators in partnerships; they have developed demonstration aspects of project; and they have strengthened the Secretariat's capacity in use of project management tools. All of these previous recommendations have been fully implemented.

Other previous recommendations are in the process of being implemented. These include the: improvement of country context analyses and analyses of types of organisations to partner with; using

output and impact indicators in a more standardized way; increased use of local expertise in external reviews and evaluations of projects; development of exit strategies for project and partner collaboration; playing a more proactive role in relation to the larger international donor agencies. In 2002 and 2005 it was recommended that IWGIA make further effort to make gender issues more visible. This still remains to be fully implemented.

## 8. RECOMMENDATIONS

Most of the recommendations throughout the report are recommendations for expanding IWGIA's good work. Some of this would require additional resources. The review thus implicitly recommends that Danida and Norad, if possible, increase their contributions and that IWGIA seeks additional funding from other Donors. Key recommendations are presented below.

*The **main recommendation** is for Norad and Danida to continue core funding to IWGLA and if possible increase the amount of their funding.*

The Review team, furthermore, recommends:

*That IWGLA utilise its experience and competence from human rights work to further engage in Climate Change issues that are important for indigenous peoples. There should be a particular emphasis on the possibilities to modify REDD initiatives in selected countries and on a campaign for a rights based approach to the REDD agenda in general.*

*That IWGLA actively seeks in the coming years to expand its collaboration and outreach to cover more indigenous peoples' groups in the Northern part of Kenya and in other countries in the region. It is proposed that IWGLA furthermore develop a strategy for enlarging its network in Africa to encompass more indigenous ethnic groups and include the collaboration of organisations and interest groups that are not necessarily defined along ethnic lines.*

*That IWGLA in Africa seeks to develop more structured ways of preparing and identifying the participants they support to take part in the regional and international processes, and to provide training to participants so that they provide effective input in these processes. Sub-regional meetings of partners could be facilitated on an annual basis, where the choice of issues is agreed upon and where representatives are prepared and provide feedback from the processes they have been participating in.*

*That IWGLA work with its regional and local partners to develop clearer understandings of local expressions of gender, their relationship to international gender rights and where possible identify where gender injustices exist and work towards their solution.*

*That IWGLA should hire a full-time communication coordinator.*

*That IWGLA seriously discusses and assesses the issues related to out-stationing in the various regions. In addition, as presence in the regions is important, it is recommended that the regional coordinators have a presence of at least 75 days working with partners, networking and supporting projects in their respective region.*

*That IWGLA utilises, in combination with permanently employed staff, more time bound contracts and local consultancy agreements focused on delivery of specific outputs. It is also suggested that IWGLA undertake a process of defining more clearly the outputs and attached delivery mechanisms that are central to the work of the staff of IWGLA.*

*That the project manual be updated, that the role of external reviewers of project proposals be strengthened, and that a format for strategies be developed.*

*That IWGLA utilises the service of an external process change consultant to provide input to an organisational development process and as a support function to the current director position.*

## TERMS OF REFERENCE

for

Joint Review of

IWGIA's Framework Agreements with the Danish Ministry of Foreign Affairs and Norad, including selected initiatives in Ethiopia, Kenya and Thailand

### 1. Background

International Work Group for Indigenous Affairs - IWGIA was established as an international human rights organisation in 1968. Its international secretariat is located in Copenhagen. IWGIA's objectives are to document the situation of indigenous peoples and to support indigenous peoples' endeavour and right for self-determination. In the 40 years of its existence, IWGIA has developed from an organisation run by only voluntary personnel to an organisation with a secretariat of 17 employees, including 5 part-time employees (2007).

The work of IWGIA consists of documentation and publishing, human rights activities, support for indigenous organisations and development projects, advocacy, networking and lobbying.

For many years, IWGIA has received core-funding from the Nordic countries, including Denmark and Norway.

Since 1989, the **Danish Ministry of Foreign Affairs** has also funded various activities like support for indigenous development projects. Since 1989 and through the 1990es IWGIA received an average of 2 million DKK annually. In 1994, a two-year mini-framework agreement of 3.85 million DKK was established. The agreement was renewed in 1996 and again in 2000, each time for a three-year period at an amount of 8.36 million DKK and 9 million DKK respectively.

In 1999, discussions were initiated between the Danish Ministry of Foreign Affairs and IWGIA on the possibilities of entering into a longer-term framework agreement. In order to assess the professional and administrative capacity of IWGIA a capacity assessment was carried out and finalized in August 1999. Based on the overall positive conclusions of the report, a four-year framework agreement with a total budget of 45.4 million DKK was initiated between the Ministry and IWGIA in 2000. The agreement covers funding for development projects, identified by IWGIA, to the benefit of indigenous population groups in developing countries, as well as funding for information, public relation, networking, advocacy activities and human rights related to indigenous peoples issues, and for administrative costs. In preparation for a renewal of the framework agreement a review of IWGIAs performance was undertaken in 2002. The renewed framework agreement (60 mio DKK 2004-2007) was implemented from January 2004 on the basis of the review.

Again in 2005 a review of the Danish framework agreement (including selected projects in Peru and Chile) was undertaken, and in 2007 a new framework agreement was approved for the years 2008-2010 with a budget of 45 mio. DKK.

IWGIA has been investing much effort in implementing the recommendations of the reviews in close cooperation with the Danish Ministry of Foreign Affairs. Among the recommendations stressed in the 2005 review and their associated follow-up actions should be highlighted:

- Thorough analyses of countries, organisations and risks before entering into partnership arrangements. Such analyses are now being undertaken by IWGIA when considering new partnership arrangement, as well as exit strategies made for partnerships and projects.
- Further development of indicators in cooperation with partner organisation in order to strengthen assessment of the impact of activities. This work is ongoing.
- Working out of a strategy for documentation and publication efforts. This work is finalised.
- Further development of a gender strategy and highlighting of gender issues in the overall programme. As a principle, IWGIA seeks to promote respect for indigenous peoples' culture, common law and civil structure, but in this particular field, IWGIA has chosen to give precedence to women's equal rights. This requires a special educational approach, but can – on the other hand - be a fruitful point of departure for dialogue with partners on specific projects.

### **Norwegian cooperation and funding with IWGIA**

Norad has cooperated with IWGIA since 1997, and considers IWGIA as an important dialogue partner for Norad on indigenous peoples issues. The present core funding agreement between IWGIA and Norad is for the period 2007-2008, with annual contributions of NOK 2 500 000,-. The core funding is limited to support programmes for indigenous peoples in Africa, Asia and Latin-America. The previous agreement for the period 2004-2006 was both an institutional and programme support agreement. Norad would in particular want to look into what extent the core funding is a relevant instrument for development cooperation given IWGIA's strategy.

Apart from Norwegian and Danish funding, IWGIA receives funds for project and programme activities from the Swedish and Finnish governments as well as the EU.

The main part of IWGIA's projects and activities are aiming at enhancing partners' capacities to work independently for their interests and self-determination, locally, nationally and internationally. In various regions, partnerships have been established with many partner organisations with different levels of own resources and proficiency. The capacity support provided by IWGIA will thus have to be designed carefully in order to leave the partners with a sustainable capability to manage after the termination of the project activities, and not lead to renewed dependency.

Norad and Danida has agreed to make a joint review with separate inputs from Norway and Denmark.

The Review will be supported by the regular financial and administrative revision visit to IWGIA by the Humanitarian Policies and Assistance and NGO Cooperation Office in Ministry of Foreign affairs of Denmark. The institutional consultant will participate in this revision visit.

## **2. Objectives**

The objective of the review will be to assess IWGIA's present activities within the existing framework agreements with MFA, Denmark and Norad, and thereby assist IWGIA in the further development of its activities under the framework agreement, including internal organisational and capacity development, project implementation networking and partnerships as well as publication

and information activities. Further, the review will provide an input to the next framework consultations.

### **3. Outputs**

The outputs of the review should be:

An inception report based on existing material and consultations with IWGIA in Copenhagen highlighting the main findings and themes to be dealt with in the review;

A review report 15-25 pages plus possible annexes.

### **4. Scope of Work**

The review will address four key areas, as specified below: i) general organisational issues related to IWGIA's professional, administrative and financial capacity and efficiency, and ii) project specific issues related to IWGIA's work with projects in developing countries, especially in Asia and Africa. In Africa the review will focus on IWGIA's cooperation with the African Commission on Human and People's Rights and on projects in Kenya. In Asia it will focus on IWGIA's work with regional networks and on projects in Thailand (iii) IWGIA's networking with other organisations and work with partners and (iv) IWGIA's work in relation to publications and information. In addition, the review will assess IWGIA's overall strategic approach to the work. The review should include, but not necessarily be limited to, the following aspects:

#### **4.1 Overall strategic issues**

- Assess the overall strategic focus of IWGIA' work and the inter-relationship between and emphasis on project support; partnerships and networks; publication and information; as well as internal organisational and capacity development.
- Assess the linkages between and emphasis on working at international level with IP rights and the working with more direct hands-on support to local IP organisations. In relation to this, issue of capacities of IWGIA and overstretching of capacities must be looked at.
- Analyse the role and relevance of IWGIA in supporting integration of IPR into mainstream donor support and assess the options and relevance for addressing IPR in relation to the aid effectiveness agenda.
- Assess the linkages between advocacy work, working with project support and working with IPR in relation to international development partners' support.
- Assess progress in implementation of gender strategies
- Undertake an overall assessment of - and make recommendations on - IWGIA's ongoing follow-up on the recommendations of the 2002 and 2005 reviews and the latest framework consultations.
- Assess effectiveness and IWGIA's approach to international, regional and local work with IPR

#### **4.2. Internal organisational and capacity issues at level of the Secretariat**

- Assess and discuss capacity of IWGIA in relation to its mandate and strategy and look at the specific professional needs in terms of capacity development
- Assess and discuss management set up and effectiveness of management tools and strategies

- Analyse organisational development initiatives, plans and strategies, and assess and discuss scope for future organisational developments
- Assess and discuss staff issues, including recruiting, staff development and staff utilisation
- Assess and discuss administrative and financial capacity
- Assess and discuss general strategies and their implementation in relation to IWGIAs focal areas of work
- Assess and discuss innovative approaches to organisational development

#### 4.3 Networking and partnerships

- Assess progress in general partnership strategies including partnership selection procedures and partnership capacity
- Assess IWGIA working with partners in selected regions and assess the relevance and effectiveness of the work with partners including number of partners and networking organisations, in addition look at issues of quality vs. quantity and future options for expansion
- Assess roles and perceptions of the relationship between IWGIA and partners and networking organisations
- Assess the various other options for networking that is used by IWGIA and look at the relevance of various forms of networking including a comparison to partnerships.
- Assess the linkages to other NGOs globally in Denmark and in Norway
- Assess linkages to UN organisations
- Assess the role of regional coordinators in the partnerships and networking
- Assess the approach to capacity building of partners and networking organisations

#### 4.4 Project issues

- Assess the results achieved by selected projects through field visits
- Assess focus of project contents
- Assess developments and follow up in terms of indicators, monitoring and exit strategies for project activities
- Assess the indicators and achieving of outputs, objectives and goals for projects reviewed
- Assess where appropriate the cross-cutting issues of gender, environment and human rights and democratisation and the special theme of HIV/AIDS in projects.
- Assess strategic approach for embarking on project support
- Assess impacts at strategic level and communication from projects
- Assess how project results are used to develop IWGIA at organisational level
- Assess modalities for project support including role of partners
- Assess capacity building aspects of projects

#### 4.5 Publication and information

- Assess the strategic use of documentation and information material in the pursuit of IWGIA's objectives.
- Assess the media and platforms for publication and information activities
- Assess option for further development of information platforms and strategies

## **5. Reporting requirements**

The inception report will be presented to Danida, Norad and IWGIA before the departure of the team.

The draft review report will be submitted to Danida, Norad, and IWGIA by early December 2008.

The final report should be elaborated within two weeks after having received comments from the involved parties.

## **6. Method of Work**

The review will be a joint review undertaken by Danida and Norad. The review will be a combination of desk studies, a capacity analysis, consultations and field visits.

Throughout the field visits, the review team should work in close cooperation with the relevant partner organisations and the persons assigned to participate in the review as resource persons. The review will include visits to the head office in Copenhagen as well as to various project sites, meetings and interviews with relevant staff, representatives from the target group and relevant organisations and institutions active within the same or similar fields.

Field visits will be paid to the projects/partner organisations.

The review will be three-phased: The first phase will be a preparatory desk study carried out in Copenhagen. The desk study will review documents relevant to IWGIA's activities under the framework agreement emphasising aspects related to partner selection, partnership formulation and programme design. The second phase will be a capacity analysis of IWGIA. On the basis of the findings of the desk study and preliminary findings from the capacity analysis, the third phase will consist of direct consultations with IWGIA staff and partners in Ethiopia, Kenya and Thailand to review the functioning of the partnerships on the ground.

## **7. Team and Timing**

Mr. Anders Baltzer Jørgensen, Co- Team leader, Danida

Ms. Turid Arnegaard, Co-Team leader, Norad

Mr. Martin Enghoff, External consultant to Danida.

Mr. John Andrew McNeish, Norad Consultant

Mr. Åge Jørgensen, External consultant to Danida

Mr. Michael Odhiambo, local consultant in Kenya

Dr. Chayan Vaddhanaphuti, local consultant in Thailand

Resource persons:

Overall and Internal Organisation; Lola Garcia-Alix. Director, IWGIA

Africa: Marianne Jensen, Programme Coordinator for Africa, IWGIA

Asia: Christian Erni, Programme Coordinator for Asia, IWGIA

Time frame

The deskwork and capacity analysis will start on 1 September and the field visits will be from 23/9 to 2/10 and again from 10/11 to 24/11

Maximum number of days will be 7 for preparation/inception report (Martin Enghoff), 15 for capacity analysis (Åge Jørgensen) 25 days for the field visits and travel (Martin Enghoff), 5 days for report writing (Martin Enghoff).

## **8. Background Documentation**

- Capacity Assessment of IWGIA, August 1999, 3 volumes: Final report, Volume of annexes, and Issue note.
- Review Report 2002.
- Review Report 2005.
- Framework Agreement between the Danish Ministry of Foreign Affairs and IWGIA, September 2003. [renewed]
- Summaries of annual consultations
- "Tilsynsrapporter" (2003 and 2008).
- Status report of IWGIA 2006,
- Various IWGIA-documentation: Annual report 2006, IWGIA Statutes, IWGIA accounts (2006 and preliminary 2007), IWGIA Strategy Papers, Gender Action Plan
- Project related documentation: Project documents and monitoring reports of the projects to be visited in Kenya and Thailand.
- Documents related to the African Commission on Human and Peoples' Rights
- Aid Management Guidelines
- Civil Society Strategy
- Support to Indigenous Peoples. Strategy for Danish Support to Indigenous Peoples
- Norsk Innsats for å styrke arbeidet med urfolk i utviklingsarbeidet. En Rettighetsbasert tilnærming

Ministry of Foreign Affairs of Denmark, July 23 2008  
Anders Baltzer Jørgensen, TAS



**Norad**

Norwegian Agency for Development Cooperation

Postal address:

P.O. Box 8034 Dep, NO-0030 OSLO

Office address:

Ruseløkkveien 26, Oslo, Norway

Tel: +47 22 24 20 30

Fax: +47 22 24 20 31

[postmottak@norad.no](mailto:postmottak@norad.no)

[www.norad.no](http://www.norad.no)