World Bank moves to undermine the rights of indigenous peoples

In an unprecedented move, the World Bank will be proposing that governments could ‘opt-out’ of requirements designed to protect indigenous peoples from unintended and negative consequences from development activities funded by the multilateral lender. In a leaked draft of new environmental and social standards to be considered for public consultation by a committee of the World Bank Executive Board on 30th of July, language has been included that would allow governments to disregard their existing obligations to indigenous peoples.

When the Bank announced it would be revising these standards (previously contained in an ad hoc set of eight separate policies) Bank management committed to ‘no dilution’ of existing standards. This commitment has been repeated often over the past three years.

However, proposing that governments can ignore international standards on protection of indigenous peoples, and ignore the human rights that underpin those protections, is with out doubt a significant and serious watering down of existing standards.

Joan Carling, Secretary General of the Asia Indigenous Peoples Pact, noted “it is with deep disappointment and frustration that the World Bank chooses to further discriminate and marginalize indigenous peoples, instead of rectifying its bad legacy with indigenous peoples. Even with the inclusion of the provision for the free prior and informed consent, or FPIC, of indigenous peoples, this is meaningless with the ‘opt-out option’ for borrowers, of which many Asian governments would do as they refuse to legally recognize indigenous peoples in their respective countries. The legal recognition of the rights of indigenous peoples over their lands, territories and resources is not also fully supported, which is a critical element for the protection of indigenous peoples in any development intervention.”

A dangerous aspect of the Bank’s proposal is the precedent it could set for other multilateral finance institutions. The Bank has historically been a leader in developing progressively stronger environmental and social protections, but this latest draft undermines that reputation significantly.

Joji Cariño, Director of the Forest Peoples Programme, commented “Indigenous peoples’ recommendations on the need to strengthen World Bank standards and bring them into line with the United Nations Declaration on the Rights of Indigenous Peoples have fallen on deaf ears. World Bank pledges on ‘no-dilution’
of existing policies are being broken with this proposed opt-out, despite advances made in other substantive areas of the new proposals.”

The real threat if the proposed policies are adopted is the practical and immediate impact that these retrograde standards could have for indigenous peoples living in countries where governments routinely deny them their rights. For many indigenous peoples in Africa and elsewhere, national and regional law is just now beginning to recognise and protect their lands and their livelihoods by applying the laws developed over decades of advocacy.

Indigenous peoples are mobilizing worldwide to demand that the World Bank withdraw the offensive policy proposals. They are calling on the Bank to ensure that the policy revision results in standards that are fully in line with international norms and obligations on the rights of indigenous peoples. At the same time, they are pressing the World Bank President to uphold his promise to prevent any dilution of existing standards.

A statement of concern (Indigenous Peoples’ Statement Provided to the World Bank) detailing recommendations for action by the World Bank’s Executive Board has been presented to the World Bank today (July 29, 2014) and endorsed by 84 indigenous peoples’ organizations and institutions, 59 support groups and 20 individuals.

For further information on these proposed safeguard standards for indigenous peoples please contact:

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Additional information:

AIPP Briefing Paper, “Development for Whom”:  

AIPP Submissions to the World Bank:

- Letter to the World Bank on their Indigenous Peoples safeguard policy (OP 4.10) and safeguard review process
- Recommendation statement of Asia IPs and CSOs for the revision of World Bank Group and Asian Development Bank safeguard policies on Indigenous Peoples
- Letter to the World Bank on the conducts of the safeguards review consultations
- INDIGENOUSPEOPLES’ LETTER TO THE INCOMING PRESIDENT OF THE WORLD BANK