

## **INDIGENOUS PEOPLES, TRIBES, LOWER CASTE AND ETHNIC MINORITIES<sup>1</sup>**

1. The investments of the West African Development Bank (BOAD) require special measures when local communities affected are in part or fully constituted or entirely formed of indigenous peoples, tribes, lower castes or ethnic minorities. These measures especially apply because it is people whose social status does not allow them to assert or claim their interests in land or other resources on which their livelihoods depend. Because of their powerlessness, these populations may disintegrate and become poorer if the socio-economic conditions are changing rapidly. This could also lead to the adoption of inadequate production systems with negative environmental impacts. To reduce these risks, specific development plans tailored to the social, cultural and ecological conditions of these groups are required.

### **Concepts and Definitions**

2. The term "indigenous peoples", "tribal", "lower castes" and "ethnic minorities" highlight various historical, cultural and social contexts in which these groups have become vulnerable, as well as some aspects of their social organization.
  - "Indigenous peoples" generally refers to people who are distinguished by their close attachment to the land they have inherited from their ancestors or those to which they have been pushed by others, and by their economic dependence on these lands. These people threatened

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<sup>1</sup> On this subject, refer to the book by Goodland (1982) entitled *Tribal Peoples and Economic Development: Human Ecological Considerations*.

by more powerful populations who encroach on their territories, increasingly seek to protect their land and their rights to self-determination through the use of national and international legislation. They can be organized into tribes, more or less coherent clans or villages. Unlike tribes whose structure is based on a well-hierarchical power, the leaders of clans or villages, which are distinguished by the strength of their personality, have little authority to make decisions on behalf of the community.

- "Tribes" refers to communities whose membership is based on the idea that the group or clan is defined by lineage<sup>2</sup>. Genealogical position occupied in a clan often determines the right to land use held in customary ownership. One tribe is often stratified in age groups, for example, boys and girls of the same generation are now regarded as belonging to a "group" defined for the rest of their lives. Age groups transcend lineage and clan affiliations. If resource management is often based on this division, the decision-making power in the management of land, livestock and certain other resources is allotted to the elders of a lineage or clan.
- "Castes" refers to social categories based on religious beliefs. Individuals occupy social prescribed positions by the category in which they are born. Strata of society form a complex network of exchange of rituals, social and economic services. If the lower castes are strictly and mostly landless, many survive through farming, livestock rearing on public lands and forests.

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<sup>2</sup> The group consists of living members of the same lineage including all descendants from a known ancestor whereas the clan consists of several lineages, but which claim common origins.

- "Ethnic minority" refers to a segment of society set apart by dialect, racial origin, religion or historical origins characteristics which are often taken as the basis for discrimination against them by other groups. If these communities can identify with specific areas, they usually lack an organization based solely on ethnicity.

### **Group Variations and Legal Status**

3. Indigenous people rights to own or use land and other natural resources depend, in some countries, on provisions of the constitution, government policies or legal rulings. However, these agreements may in fact be ineffective if the local social, economic and political conditions restrict people power to manage their own affairs. Many tribes for instance are not guaranteed to enjoy territorial rights or the protections that the legal system of their country normally offers despite assurances that the Constitution provides. There are countries where indigenous languages, systems of land occupation and customs on which depends the survival of these people are not recognized by law or are not sufficiently protected by the government and traditional development programs.
4. Most of UEMOA rural areas are inhabited by people belonging to tribes and it is not uncommon for towns to be divided into separate wards mainly inhabited by a tribe. In countries, tribes are inseparable from the national culture and are the foundation of society. It happens that some tribes tend to dominate politics and the interests of weaker groups are ignored or violated. On the other hand, the dominant groups consider differences as an obstacle to development and minimize the inequalities between different groups seeking to promote nationalism, the concept of tribe, in

such cases, can have a negative connotation. Tribes remain important forms of urban and rural social structure in some countries while in other countries, tribal organizations have been replaced by less cohesive ethnic, religious and linguistic groups.

### **BOAD Policy**

5. BOAD will not support development projects that are known to encroach on lands occupied or used by vulnerable populations, whether indigenous peoples, tribes, lower castes or ethnic minorities, unless adequate protection measures have been provided to at least mitigate the negative effects that such projects will have on the people, their culture and environment. This is particular applicable to development projects which are detrimental to relatively isolated and unacculturated indigenous peoples.
  
6. It is important recognize that indigenous groups are not isolated and participate in economic and political life, the education system and other institutions of the society in which they operate. Many members of these groups are quite convinced of the value of development and want to take advantage of the country's economic resources. Others have strong antipathy to the effect that the representatives of the dominant society define as the benefits of development and are confident that they will derive no profit. Others, however, feel they are not sufficiently informed to decide. Environmental and social impacts assessment should therefore highlight the views of these people and their reactions to the development prospects.

### **Relationship to BOAD Financing**

7. Vulnerable indigenous peoples, tribal, lower castes or ethnic minorities are generally dependent on a specific territory. Many have developed stable, low energy consumption and sustainable yield production systems. Some were relegated by the dominant populations in marginal lands and sensitive areas where traditional production systems to sustain them. Others still occupy the lands of their ancestors, the size and quality of which, have been reduced as a result of population growth and the pressure exerted by the dominant groups. Development projects that may encroach on or degrade natural resources in these areas may impoverish these populations. Given that these people have little choice but to increase the use of marginal areas and sensitive environments, these activities will result in degradation of the environment.
  
8. Development projects are hardly proved beneficial for indigenous peoples, tribes, lower castes or ethnic minorities for two main reasons. First the responsible of these projects have failed to understand the needs of these groups or have neither developed nor adopted a development plan tailored to local conditions. Programs that have resulted have often been inadequately prepared and financed; investments in these projects have failed to achieve the development goals that were set for these groups. The main environmental impact resulting from the failure of these programs

is the impoverishment of these groups and the environmental degradation caused by poverty.

### **Guidelines for Impacts Assessment**

9. Projects impacts assessment that will have incidence on vulnerable populations should explicitly address the significant impact that these effects may cause on environment.
1. Significant human impacts or impacts on the environment occur often when new books or production systems are introduced or when making changes to structures in place or to existing systems of production. An assessment of environmental impacts should therefore be carried out during the preparation of development plans so that the needs of these populations are taken into consideration when developing the project.
10. Assessment of environmental impacts of a project on vulnerable groups should be based on principles similar to those following information:

**Formal Legal and Customary Use-Rights.** Determine workings of constitutional, legislative, contractual or customary rights governing the exploitation of natural resources.

**Resources exploitation systems.** Determine changes in access to or land use patterns, water, forests, pastures or other natural resources that may be affected by the project taking into account the systems of agricultural production, livestock, production and gathering.



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**Use of Area by Non-Residents.** Analyze data related to seasonal resources exploited by pastoralists, fishers, gatherers of forest products, logging and suppliers of industrial materials companies.

**Community Participation.** Determine the extent to which indigenous peoples believe that the proposed development is ecologically sound and culturally appropriate, which pressures on the environment must be taken into account in the design and implementation of the project and what conditions or possibilities of environment should be improved, etc..

**Identification, Demarcation and Registry of Area.** Assess the effectiveness of local instruments for resolving territorial disputes, establish boundaries and buffer zones or prevent the arrival of loggers and industrial encroachment in the region.

**Inventory of Flora and Fauna.** An inventory of the fauna and flora and their habitats, particularly endangered species under both adverse and normal conditions, determine how resident and non-resident use them; inquire about indigenous people knowledge of biodiversity.

**Social Infrastructure.** Assess the impact on schools, health facilities, communication and transportation networks, markets and systems of water supply, drainage and waste collection.

**Public Health Conditions.** Assess health risks and diseases that exist in the region, environmental pollution, sanitation and hygiene conditions as well as medicines and medical traditional practices.



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**Institutional Assessment.** Determine the capacity of local organizations and indigenous peoples to participate in decisions, implementation, operation and evaluation of the project.

11. It is important to consider these data in the sociocultural and environmental project design wondering primarily if natural resources are sufficient to meet the needs of current populations and their possible development. There may be a greater density of population requiring the implementation of certain measures to cope with new health conditions. The development may increase competition for scarce natural resources use, therefore, place them under further exploitation. Introduction of mining or manufacture industries increases the risk of pollution creating new health and safety hazards. Improved farming techniques can damage the soil, affect certain animal and plant species and alter water resources, all effects that will require mitigation. Other operators in the region will be affected by projects for indigenous people if they are prohibited access to resources.

12. Sustainability of production systems proposed is an essential element in the implementation of the environment impacts assessment. If these production systems fail, people will turn to other resources use to provide the level of income expected. A forest plantation project in India, for instance, would allow using the tribes affected by the logging of tropical timber for export. It is noticed once the primary forest is cut down the species selected for plantation, were not adapted to the area. Sometimes people have not benefited from the sale of logged timber and they are criticized today for exploiting what remains.



## OPERATIONAL GUIDELINES OF BOAD

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13. It is important to give great importance that the infrastructure of a development project requires. It can be expected, for example, that construction of roads access, essential to the project, entails other resource activities, among others, foresters and hunters. Poor road design may disrupt the runoff of rain water, migration routes of fauna and, if they are built on slopes, they can be the source of serious erosion problems. There will also be the need to consider the issue of water pollution caused by new development activities, particularly by waters from agricultural and livestock effluent and manufacture industries sectors. Foreign workers for construction without adequate medical examination and the lack of health centres in indigenous people territory, create unacceptable health and safety risks. These newcomers may also interfere with important religious sites and cause social tensions. Recruitment of workers among local populations reduces most of these risks and this must also be planned.

BOAD can assist in training programs whose aim is to improve employment opportunities for these populations.

### **Measures for affected populations**

14. Unless measures have been adopted, indigenous peoples, tribes, lower castes or ethnic minorities will tend to be hard hit by development projects designed to benefit the groups they do not belong to. The project will, in such circumstances, halt or mitigate the effects that can harm them. Experience shows that, in the case where vulnerable groups are likely to be affected by such a development, specific measures tailored to their needs and local conditions are required. The important thing is to achieve active participation where social conditions and the environment will improve.



15. Measures to achieve this objective must include:

- **Baseline Data of Affected Area and Population.** Census of populations, demarcation of lands and territories upon which depend their livelihoods, maps of the area, natural resources inventory and identification of constraints and opportunities for development.
- **Development Policy and Legal Framework.** Legal rights to develop lands and territories, including owning or exploiting natural resources (forests, natural habitats, medicinal plants, etc.) vital for the subsistence and reproduction of populations. Development objectives, strategies, procedures for conflict resolution and legal advice required.
- **.Participation of the Affected Groups.** Formal mechanisms for the participation - direct or indirect, through NGOs - in decision-making, implementation, operation and evaluation of development plans. Formal incorporation of indigenous knowledge, personnel and practice into land and natural resource management systems and environmental protection programs. Mécanismes officiels permettant d'assurer la participation – directe ou indirecte, au travers d'ONG – aux prises de décisions, à la mise en œuvre, à l'exploitation et à l'évaluation des plans de développement. Intégration explicite du savoir, de main-d'œuvre et de pratiques indigènes aux modes de gestion des terres et des ressources naturelles ainsi que dans les programmes de protection de l'environnement.
- **Development Plans.** Detailed plans for development of infrastructure, education, public health, credit, or other services. Detailed plans for

development of production systems in agriculture, transport, and industry or manufacturing sectors. Monitoring and evaluation provisions.

- **Organizational Capacity for Implementation.** Evaluation of services responsible for the planning and project development, management of natural resources, issues concerning Indigenous people and public health; analysis of sectoral ministries which should provide assistance. Plan for training and organizational development.
- **Cost Estimate, Financing Plan and Implementation Schedule.**

*Activities, cost and financing by year.*

16. The ability of organizations responsible for the development of indigenous peoples is equally important when it comes to implementing development programs. In Senegal, a public health project failed because health workers belonging to rival groups. In Brazil, despite agreed development plans, organizations weakness has hampered efforts on progress of territories demarcation, public health care, the cadastre and protection of land.

### **Special Issues Regarding Indigenous Peoples, tribes, lower casts and minority ethnics**

Displacement and relocation

17. A project should avoid displacement, particularly in the case of vulnerable groups.

If such a move is necessary, it will be important to consult the guidelines of BOAD Operational Policy on Indigenous people.



## OPERATIONAL GUIDELINES OF BOAD

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18. It is essential to consult with experts in social science and local and religious authorities during development and the launch of the project. Project managers should encourage the active participation of affected groups in resettlement. Land should be allocated them with the same production capacity, preferably in the territory they have traditionally occupied.

### Protected Areas Management

19. It is important consult the guidelines of BOAD Operational Policy on natural habitats if protected areas (national parks, ecological reserves, protected forests, etc.) and spaces traditionally occupied by indigenous territories overlap. Copartnership arrangements, such as those implied in the "biosphere reserve" concept, should be implemented.

### Compensation

20. If the project involves land acquisition or resources extraction (water, minerals, timber, etc.) of Indigenous territories, the inhabitants of these lands should receive compensation in kind or in cash representing the value of replacement of expropriated property. It may happen that the people concerned prefer to participate in the project design and resources exploitation, and receive a share of profits. It may be, according to circumstances, more appropriate to conclude a lease agreement rather than simply acquire land occupied by indigenous peoples.

## Tourism

21. Projects that promote tourism in indigenous areas should be designed in consultation with the indigenous population. In some cases, special measures may be needed to protect indigenous societies and cultures from disruption by tourism.