

Self-determination, survival in dignity and development of Adivasi/indigenous peoples

A discussion paper for funding agencies and voluntary agencies working with Adivasi, the tribal and indigenous peoples in India prepared by Adivasi-Koordination Germany

PART I: GENERAL PRINCIPLES

ARTICLE 1: NATURE AND SCOPE OF THIS PAPER

1.1 This Paper contains principles and guidelines for individuals, voluntary organisations, state agencies, international and transnational organisations working with Adivasi or tribal and indigenous peoples in India

- a) for conceiving and planning future projects, and founding them on the principles of human rights in general and on the rights of indigenous peoples in particular; and
- b) for monitoring and evaluating current projects, and, if considered appropriate, for taking the necessary steps towards revising projects in a new spirit.

1.2 This paper suggests certain modes of conduct. Partly it reflects ideas that have already been codified and given legal effect through international instruments.

ARTICLE 2: NORMATIVE CONTENT

2.1 Self-determination, survival in dignity and development are human rights. In practice it means that every community of Adivasi as identified by its members, including men, women, children and elders,

- a) has the right to opt for, practise and further develop such political, social, economic and cultural activities as are consistent with their traditions and visions and within their own concepts of time;
- b) has legitimate and practical access to the resources necessary for their sustenance and for the growth and well-being of the community.

2.2 The realisation of the right to self-determination, survival in dignity and development of Adivasi requires

- a) social-political empowerment, i.e. self-government and responsibility of the communities;
- b) economic empowerment, i.e. land rights and usufructuary rights over lands, forests and waters; support and training for improved production technologies; fair trading conditions in getting productive inputs (including credits and loans) and for marketing their products or services;
- c) cultural empowerment, i.e. maintenance, strengthening and further development of their cultural identity, and protection of cultural and intellectual property rights;
- d) individual empowerment, i.e. education, training and employment opportunities as are consistent with their traditions and visions;
- e) encouragement of their own ideas and concepts of development.

ARTICLE 3: IMPLEMENTATION AND ACTION

3.1 Individuals, NGOs, state agencies and enterprises working with Adivasi are obliged to fully respect the internationally recognised human rights standards, in particular:

- a) the Universal Declaration of Human Rights;
- b) the International Covenant on Economic, Social and Cultural Rights;

- c) the International Covenant on Civil and Political Rights;
- d) the ILO Conventions 107 and 169; as well as
- e) the provisions of the Indian Constitution and of the relevant laws and regulations.

3.2 Individuals, NGOs, state agencies and enterprises working with Adivasi will undertake training seminars for their own staff on international law and national Indian legislation pertaining to human rights and the rights of indigenous peoples.

3.3 All actors of civil society shall not contribute through personal or organised behaviour and programmes of organisations to violate the right to self-determination, survival in dignity and development of Adivasi.

PART II: COOPERATION AND COUNSELLING

ARTICLE 4: GENERAL FRAMEWORK

All actors mentioned in this paper, Adivasi communities or organisations and supporting individuals, non-governmental organisations, the business community, the intergovernmental organisations and the states should co-operate in the fulfillment, the implementation and monitoring of the objectives and principles contained in this paper. Individuals, leading members of NGOs and of the business community, intergovernmental organisations and states are requested to commit themselves to these principles and to promote the right to self-determination, survival in dignity and development of Adivasi through:

- a) giving it publicity and promoting and coordinating together education and training in human rights in general, and towards the right to self-determination, survival in dignity and development in particular;
- b) assisting the concerned communities in the realisation of their right to self-determination, survival in dignity and development;
- c) promoting legislation and programmes for better implementation of human rights and the right to self-determination, survival in dignity and development.

ARTICLE 5: COUNSELLING PROCESSES

All actors mentioned in this Paper, Adivasi communities or organisations and supporting individuals, non-governmental organisations, the business community, the intergovernmental organisations and the states agree to enter into thorough counselling processes in order to discuss, analyse and counsel on new projects concerned with Adivasi. In particular, all information relating to proposed projects have to be made accessible to the Adivasi project partners and beneficiaries.

5.1 COMMUNITY CONVENTIONS

For maximum possible benefit in the spirit of this paper, collaboration will be sought with representative Adivasi community conventions at local, regional and national levels, as the case may be. Existing statutory bodies under the "Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996", like Gram Sabha, etc., are suitable partners in performing this function, as it comes anyway under their responsibilities as per the Act. The exercise of this collaboration - on an equal footing - will be called "sangamam" (convention).

5.2 PROJECT SANGAMAMS

At the initiative and under the control of Adivasi communities proposing their own projects, or at the initiative of Adivasi communities affected by projects, or at the initiative of member organisations planning new development projects with Adivasi communities, these sangamams or conventions will

- a) deliberate upon the political, economic, social and cultural impact of the respective project proposals;
- b) give due consideration to the concerns of the respective community in the light of their right to self-determination, survival in dignity and development;
- c) moderate and facilitate communication between involved communities and project planners;
- d) accompany and monitor project implementation;
- e) provide support in the evaluation and revision of projects, when found necessary; and
- f) document all such experiences and progress made in the field of the right to self-determination, survival in dignity and development.

All this has to take place in the spirit of the above principles and of the relevant documents of international law, on an equal footing, and with due time.

5.3 SUPPORT

Support organisations or individual supporters working with Adivasi movements may facilitate this process by inviting and encouraging organisations and Adivasi communities to come forward and to share their experiences, demands and expectations.

Adivasi-Koordination in Germany is a network of NGOs and individuals engaged in human rights and development work. Its activities are based on permanent dialogue with Adivasi organisations in India and include research and documentation, information, advocacy, consulting, support and campaigning.

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