

## SESSION 10

# INDIGENOUS PEOPLE AND THE PROJECT CYCLE

Colin Filer

PARADIGM	BIG THING	IMPACTED
ENVIRONMENTAL PLANNING	Planned disturbance	Social environment
POVERTY ALLEVIATION	Aid/welfare projects	Human well-being
CORPORATE RESPONSIBILITY	Social pressures	Business practices
PUBLIC HEALTH	[Anything]	Public health
GENDER RELATIONS	[Anything]	Gender relations
INDIGENOUS PEOPLES	[Anything]	Indigenous peoples
HUMAN RIGHTS	[Anything]	Human rights
NEW TECHNOLOGY	New technology	[Society/people]
PUBLIC POLICY	Public policy	[Society/people]
CLIMATE CHANGE	Climate change	[Society/people]
NASTY ACCIDENT	Nasty accidents	[Society/people]
INVOLUNTARY RESETTLEMENT	Involuntary resettlement	[Society/people]
PROTECTED AREAS	Protected areas	[Society/people]

# DEFINITIONS OF 'INDIGENEITY'

- By length and form of attachment to place
- By culture and social organisation
- By subordination, dispossession and marginalisation
- By national policy or international agreements
- By self-identification or acceptance by others

# WORLD BANK SAFEGUARD POLICY

- a) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- b) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
- c) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
- d) an indigenous language, often different from the official language of the country or region.

# TYPICAL STATEMENT TO EXTRACTIVE INDUSTRIES REVIEW

"Land is our life. Land is our physical life – food and substance. Land is our social life, it is marriage, it is status, it is security, it is politics. In fact, it is our only life... When you take our land you cut away the heart of our existence... Big multinational foreign companies being from an alien culture would neither understand nor grasp the significance of this. For them land is a commodity to be bought or sold. They just treat it as an exploitable resource... Why would a genuine funding organisation like the World Bank Group fund culprit industries and their government cronies to violate lesser indigenous communities' rights to exist?"

'The screening phase of the [Social and Environmental Impact] Assessment should identify the existence of communities of Indigenous Peoples in the project's area of influence ... that may be potentially affected by the client's project. If the screening indicates potentially adverse impacts on Indigenous Peoples, further analysis should be undertaken... Qualified social scientists should be retained to carry out such analysis as part of the project's Assessment. Such analysis should use participatory approaches and reflect the views of the affected communities of Indigenous Peoples on expected project risks, impacts and benefits. Further guidance on possible social impacts and mitigation approaches is provided in ... [etc].'

# UN DECLARATION 2008

## ARTICLE 32

- 1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.**
- 2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of their mineral, water or other resources.**
- 3. States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.**

# DISCUSSION TOPIC 1

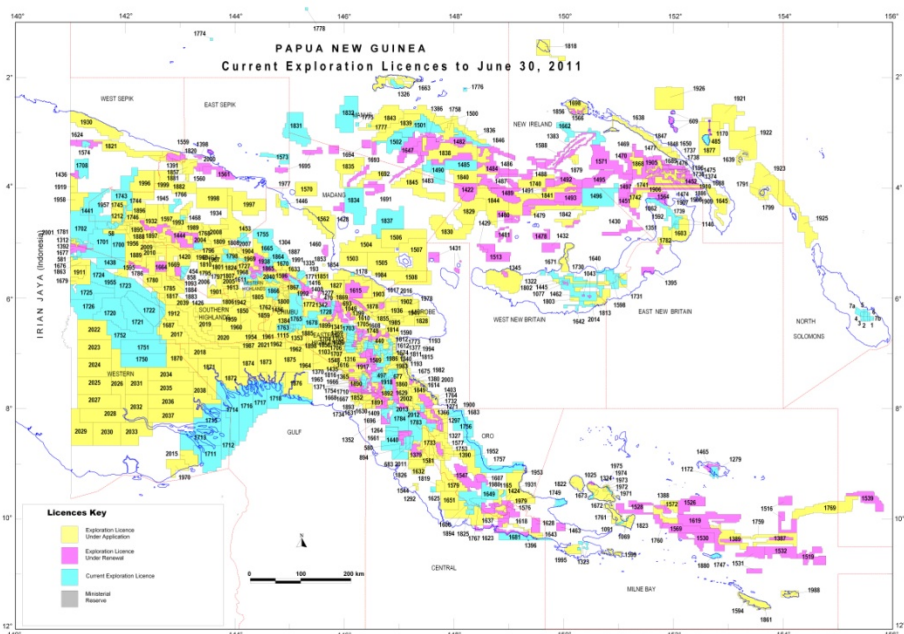
**Are all Pacific Islanders equally indigenous, or are some more indigenous than others?**





**WHERE AND WHEN?**

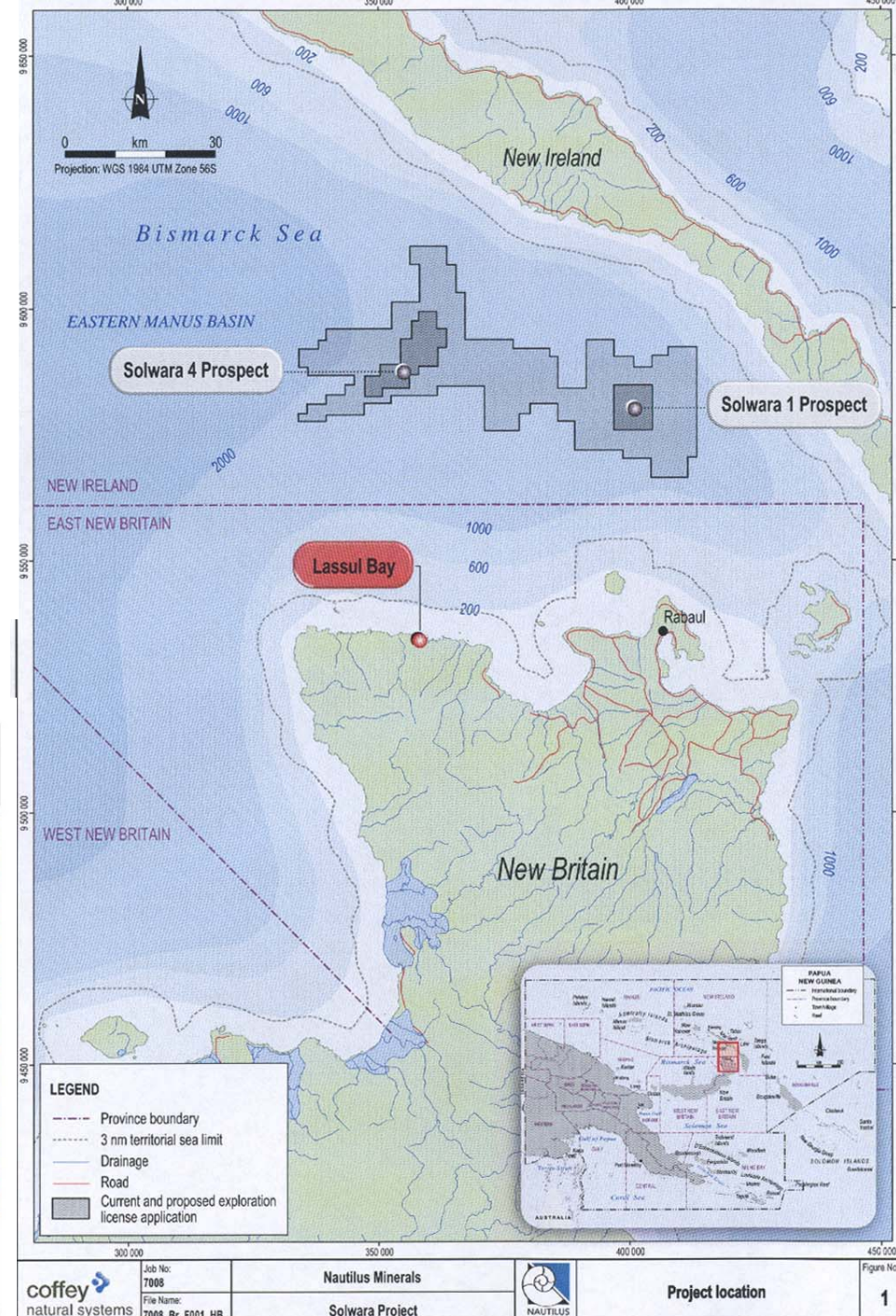
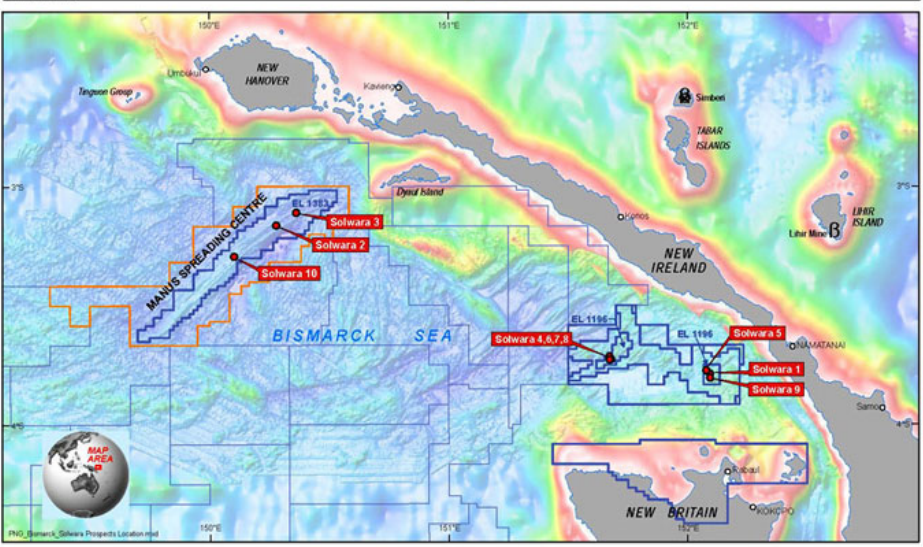




**Figure 1**  
**TERRITORIAL WATERS, PAPUA NEW GUINEA**  
**LOCATION OF SOLWARA PROSPECTS**  
9 September 2008 © Nautilus Minerals

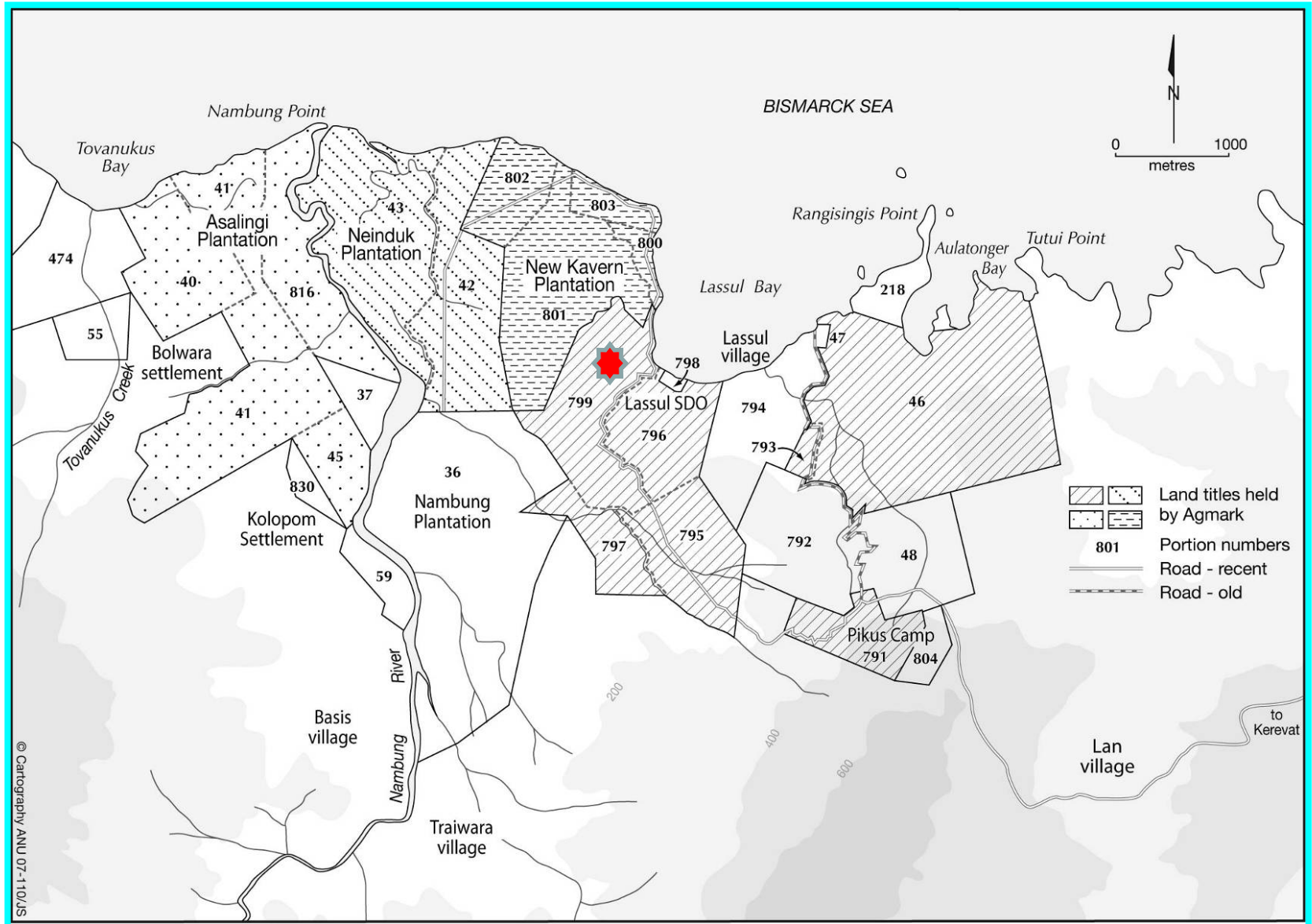
Selected SMS occurrence  
Gold mine or deposit  
100% Nautilus Interest  
Nautilus Interest subject to TechCommo option  
TechCommo Interest subject to Nautilus JV right

UTM Projection, WGS84 Datum  
Imagery is of bathymetry data provided by GEBCO, G. Harris and NOAA





# LAND IN LASSUL BAY









# KEY STUDY FINDINGS

- Reoccupation of disused plantations as reassertion of customary (indigenous) land rights
- Bad experience with costs and benefits of recent commercial logging operation
- Lack of capacity to take advantage of any new job opportunities created by processing plant
- Fear of influx of more outsiders (especially Tolais and Duke of York Islanders)
- Fear of eviction without compensation

# BACK TO PARADIGMS

How can we relate them to the resource project cycle?



# HOW DO PARADIGMS DIFFER?

- WHAT sort of thing is having an impact?
- WHO or WHAT is affected?
- WHAT TYPE of impacts are studied?
- HOW are they studied?
- WHO commissions the study?
- WHY is the study undertaken?
- **WHEN is the study undertaken?**

# TWO TYPES OF PROJECT CYCLE

## MINING INDUSTRY

Exploration

Feasibility

Construction

Operation

Closure

## AID INDUSTRY

Identification

Preparation

Appraisal

Implementation

Evaluation

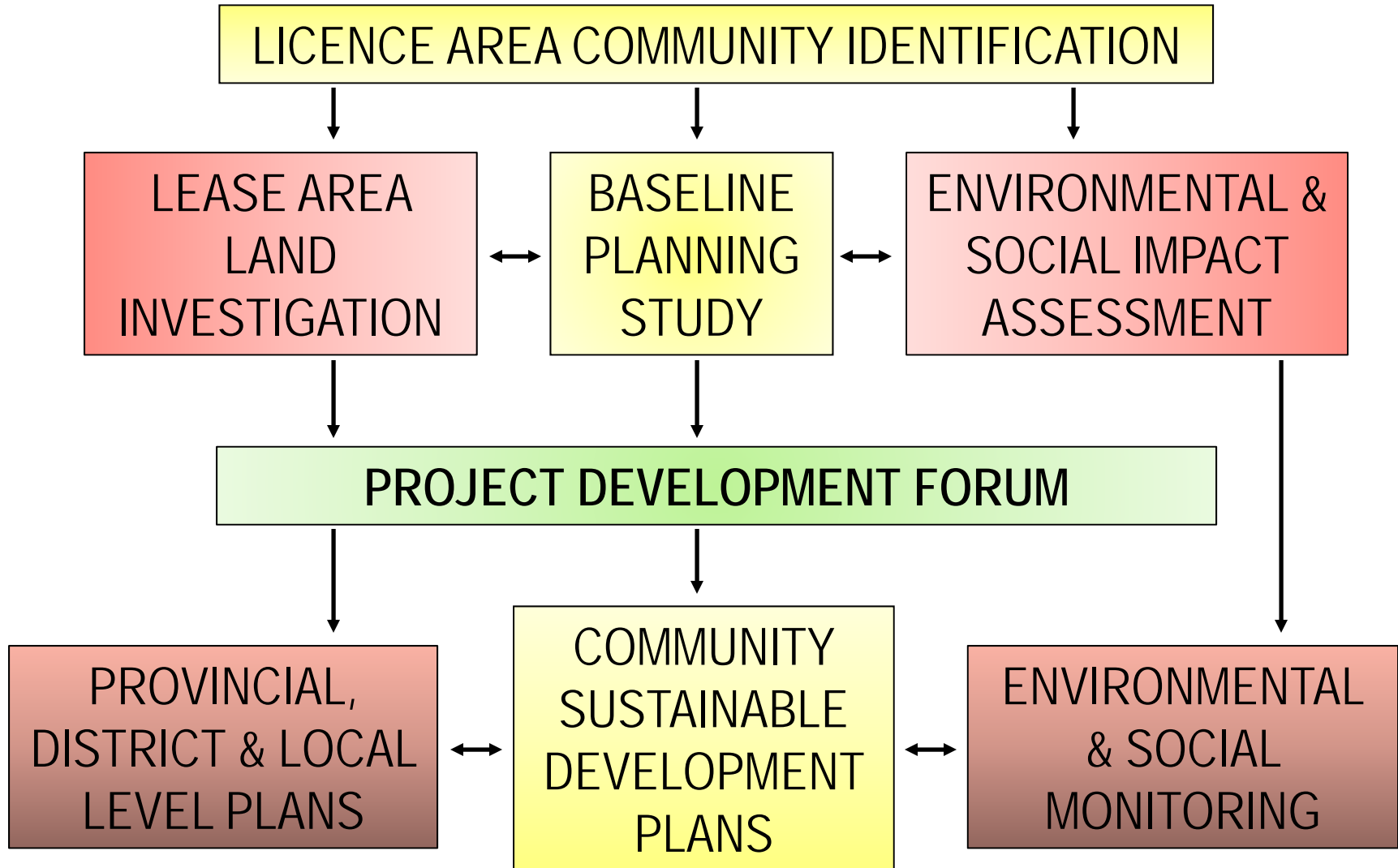


# THE PROJECT CYCLE PROBLEM

- Poor people generally prefer development to a lack of development
- So the problem is not to demonstrate that the development of a mine will provide a net benefit for all stakeholders before mining starts
- But to find a way of ensuring that it will still provide a net benefit for all stakeholders when mining comes to an end
- If the benefits are truly sustainable, then the costs will be acceptable
- But by the time the relevant equations come to be made, the costs will also be unavoidable
- So the problem of managing the benefits could be more important than the problem of avoiding the costs?



# RESOURCE PROJECT PLANNING CYCLE





PARADIGM	BIG THING	IMPACTED
ENVIRONMENTAL PLANNING	Planned disturbance	Social environment
POVERTY ALLEVIATION	Aid/welfare projects	Human well-being
CORPORATE RESPONSIBILITY	Social pressures	Business practices
PUBLIC HEALTH	[Anything]	Public health
GENDER RELATIONS	[Anything]	Gender relations
INDIGENOUS PEOPLES	[Anything]	Indigenous peoples
HUMAN RIGHTS	[Anything]	Human rights
NEW TECHNOLOGY	New technology	[Society/people]
PUBLIC POLICY	Public policy	[Society/people]
CLIMATE CHANGE	Climate change	[Society/people]
NASTY ACCIDENT	Nasty accidents	[Society/people]
INVOLUNTARY RESETTLEMENT	Involuntary resettlement	[Society/people]
PROTECTED AREAS	Protected areas	[Society/people]

## DISCUSSION TOPIC 2

**How many of these thirteen paradigms might be relevant to design of a Social Action Plan for a seabed mining project in the Pacific Island region?**