

**PROTECTING INDIGENOUS PEOPLES**  
**An OED Evaluation of Operational Directive 4.20**

**BACKGROUND**

1. The Bank's policy on indigenous peoples was defined as early as in 1982 through the provision of a set of internal guidelines. In 1991, the Bank issued a more encompassing operational directive (OD 4.20) that aimed to ensure that "the development process fosters full respect for the dignity, human rights, and cultural uniqueness" of Indigenous Peoples (IPs). OD 4.20 specified measures to protect IPs from the potentially adverse effects of development interventions supported by the Bank. It introduced an *Indigenous People's Development Plan* (IPDP) as a privileged tool of implementation, outlined the pre-requisites of a satisfactory IPDP, provided guidance on its contents, and established procedures for addressing issues during the project cycle.

2. Currently, consultations are being held with external stakeholders on the proposed recasting of OD 4.20. A good practice source book will follow. The proposed Operations Evaluation Department (OED) evaluation will contribute to the recasting of the policy and to the preparation of the source book. While three regions have undertaken broad based self assessments of OD implementation (Latin America and the Caribbean (LAC), East Asia (EA), and South Asia (SA)), three others (Eastern Europe and Central Asia (ECA), Middle East and North Africa (MENA), and Africa (AFR) regions) have not as they did not apply the policy except in a handful of projects. There are a few impact assessments of the OD on IPs, mainly in specific sectors or projects.

**EVALUATION DESIGN**

3. OED's evaluation of the outcome (relevance, efficacy and efficiency) of Bank assistance to IPs under OD 4.20 is expected to result in two self-standing reports. The period under review is January 1992, through June 30, 2000. The evaluative questions are:

- To what extent has the Bank applied OD 4.20? How?
- To what extent are the OD objectives relevant in delivering development assistance to IPs?
- To what extent has the OD been efficacious and efficient in achieving its stated objectives?

**Box 1: The Evaluation Team**

The evaluation team will be inter-disciplinary, including sociologists and anthropologists. An *Advisory Committee* of external specialists will guide the evaluation as necessary. An internal *Peer Review Committee* comprising staff from the network, operational units, and LEGAL will be asked to comment on the design and the draft reports. Gita Gopal, OEDCR, will be the task manager for the evaluation, and Ruben Lamdany is the manager of the division undertaking the study. The team includes Rahul Rao, Brandie Sasser, Svenja Weber-Venghaus, and Sekou Mark.

4. In examining **relevance**, the evaluation will measure consistency against the Bank's mandate and internationally accepted norms. It will measure realism of objectives against similar strategies of a sample of client countries, multilateral and bilateral

development agencies, and donor countries. It proposes to examine the relevance of the objectives for IPs mainly through direct consultation with IP representatives and stakeholders.

5. In examining the applicability and implementation of the policy within the Bank, the first evaluation report will assess Bank assistance in 34 countries with significant Bank lending through a desk review. The evaluation will examine all country assistance strategies and analytical work prepared during the review period, and 959 investment projects that became effective between January 1, 1992 and FY2000.

6. In assessing efficacy in the second report, the evaluation will ascertain the extent to which overall Bank assistance assisted IPs. Specifically, it will review 172 investment projects with Implementation Completion Reports (ICRs) as of June 2000 in these 34 countries. The evaluation will examine results in six dimensions: (i) increased human capital of IPs; (ii) increased access to infrastructure and services; (iii) improved security of sources of livelihood and of land tenure; (iv) strengthened participation of IPs in the social and economic development of their countries; (vi) efficiency of interventions; and (vii) strengthened partnerships. In all the above dimensions, the evaluation will examine whether the Bank provided assistance in a culturally appropriate manner.

7. OED will present the first report to its Committee on Development Effectiveness along with the discussion of the revised OP 4.10 (expected to take place before June 30, 2002, focusing on relevance, applicability and implementation of the policy and expects the findings will be available to feed into the ongoing process of conversion of OD 4.20. A second report is expected to be ready by April 2003 and will present the findings of the evaluation of results. This is expected to feed into the preparation of the Source Book. In preparing the second report, OED will undertake field assessments in selected countries to triangulate the desk findings on results, using different methodologies such as participatory assessments and focus groups with stakeholders and beneficiaries. Participatory impact assessments are currently planned in Peru, Guatemala, and India, and may be undertaken in a few other regions also. The evaluation will also examine the impact of Bank assistance in the forestry sector on IPs (relying on OED's Forestry review).

## METHODOLOGY FOR RELEVANCE & PROCESS REPORT

### **Box 2: Sample Evaluation Countries**

Cote d'Ivoire, Ethiopia, Ghana, Rwanda, China, Indonesia, Thailand, Philippines, Vietnam, Malaysia, Cambodia, Russia, Turkey, Kazakstan, Argentina, Mexico, Brazil, Peru, Colombia, Venezuela, Ecuador, Bolivia, Honduras, Chile, Nicaragua, Uruguay, Panama, El Salvador, Guatemala, Tunisia, Morocco, India, Nepal, and Pakistan.

8. Selection of Sample Countries. OED will review Bank assistance in 34 sample countries, selected to ensure regional representation and based on the size of the Bank's assistance (see box 2 ). Since a prima facie review indicates that the OD has mainly been applied in Latin America, South Asia, and East Asia, fifty percent of the countries in these regions were selected. In MENA,

ECA, and Africa, preliminary review and consultation with Bank Staff indicate that the OD was not applied extensively. In these regions, only 20 percent of the countries were selected based on size of assistance and presence of groups of people who are likely to be considered as IPs. If it is determined that there are no groups who can be considered IPs in any one country in these three regions, the evaluation may substitute another country instead.

9. Literature Review: The evaluation will rely on an extensive literature review on IPs both within and outside the Bank to provide a foundation for the evaluation. At a global level, the literature review will enhance understanding on the origins and current practices of the international law of indigenous rights, including its development within the modern era of human rights and the contemporary international norms as reflected in international policy instruments and documents. The literature review will help to shed light on the policies and approaches of other multilateral and bilateral agencies. At a country level, the review will help to provide an understanding of distinctive approaches and the links between international norms and country level practices. It will also focus on identifying whether there are groups of people who fall within the term "IPs" as used by OD 4.20 in the sample countries. The literature review will generate brief country sections with hypotheses on the presence of indigenous peoples, a description of their main characteristics, and their treatment under national or treaty-based regulatory frameworks. A bibliography will be included in the final report.

10. Review of Country Assistance Strategies and Analytical Work. All Country Assistance Strategies (CASs) and Economic and Sector Work (ESW) produced between FY92 and FY00 in these sample countries will be reviewed to assess the quality of the diagnosis underlying the Bank's assistance in this area and to understand any country or sectoral level strategies. OED understands that there is significant work related to IPs, which is not reflected in formal Bank documents. To reduce the risk of not capturing such work, all regional IP coordinators and other operational staff will be consulted continuously. Greater attention will be expected in CASs and ESW in countries where the evaluation concludes through its literature review that there is a larger presence of IPs, either numerically or as a percentage of the total population.

11.. Portfolio Review. The evaluation will undertake a portfolio review of all investment projects, approved from January 1992 (the OD became effective in September 1991) through June 30, 2000 in these 34 countries. This sample will also provide dynamic information on how policy implementation has progressed during the evaluation period. The evaluation will identify sample projects or components that could have affected IPs, based on the literature review, the project objectives, the project localities, and the specific activities.<sup>1</sup> In projects where the Bank has applied OD 4.20, the evaluation will examine how the Bank operationalized the OD in order to understand the implications and lessons for poverty reduction. In others, OED will examine whether the directive should have been applied, and will examine: (i) How did the Bank identify IPs? (ii) Did the Bank establish effective internal processes to implement the policy? (iii) Did the Bank provide effective assistance to clients in preparing the IPDP or other related project component? (iv) Was the design and implementation of IPDPs consistent with OD requirements? (v) To what extent did Bank assistance involve the informed participation of IPs? and (vi) To what extent did Bank assistance involve effective partnerships?

12. Review of Existing Evaluations. The evaluation team will also rely on other OED, self and external evaluations as a means of triangulation. A number of such evaluation have been identified.<sup>2</sup> Relevant Inspection Panel Documents will serve to guide the evaluation. Other OED evaluations will be examined for relevant findings. A dedicated effort will be made to analyze and review primary data gathered for the Forestry Evaluation relevant to IPs. Other evaluations such as participation and involuntary resettlement will be examined for any relevant findings related to IPs.

13. Staff Survey. To supplement individual interviews with operational staff, OED plans to also undertake an electronic survey of operational staff. The survey will focus

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<sup>1</sup> To ensure fairness, this list will be shared both internally and with selected external stakeholders who have been involved in this process.

<sup>2</sup> See *Evaluation of the Norwegian Program for Indigenous Peoples*, The North-South Institute, Evaluation Report 8.98, *Support to Indigenous Peoples*, Seminar on Experiences and Perspectives, Ministry of Foreign Affairs, DANIDA, Seminar conducted at Sophienburg Castle, Denmark, April 29-30, 1996. World Bank Self-Assessments: *Application of the World Bank's Policy on Indigenous Peoples (OD 4.20) in Latin America (1992-1997)*, *Indigenous Peoples in East and South Asia Projects: Application of OD 4.20 1987-1994*, Note on a Future Implementation Strategy. In addition, a number of other NGO evaluations have been received by the team.

on staff perceptions on : (i) relevance of OD 4.20 for poverty reduction, (ii) application of OD 4.20; and (iii) constraints to implementation of OD 4.20.

## Annex I: Proposed Design for Impact Evaluation

Aspect	Proposed Measures	Source of Data
<p>Compliance with OD provisions during project design and implementation by Bank team</p>	<ul style="list-style-type: none"> <li>• Diagnosis of IP issues at a country level as indicated in CASs or other analytical work, particularly in the context of poverty reduction (not mandatory but considered prudent in countries with larger populations of IPs)</li> <li>• In projects, which affect IPs, sound analysis in project documents of IP-related issues and project level issues, with focus on OD requirements as relevant.</li> <li>• Due regard for relevant issues related to IPs (based on OD and project objectives) during supervision</li> <li>• Establishment of a monitoring and evaluation system as well as Consistent reporting on indicators and monitoring</li> <li>• Due regard for relevant issues upon completion</li> </ul>	<ul style="list-style-type: none"> <li>• All CASs and ESW prepared during evaluation period.</li> <li>• Project Appraisal Documents, IPDPs, ICRs, and other related Documents.</li> <li>• Project Status Reports (PSRs) where available</li> <li>• Interviews with Regional Coordinators and Operational Staff and any documents they may furnish</li> <li>• External evaluations of Bank Projects</li> <li>• Inspection Panel Reports</li> <li>• External Reports and interviews with IPs (please note interviews with IPs will be limited for the first report)</li> </ul>

Aspect	Proposed Measures	Source of Data
Quality of IPDP	<ul style="list-style-type: none"> <li>• <b>Diagnosis underlying preparation of IPDP</b> <ul style="list-style-type: none"> <li>○ Based on a sound diagnosis of socioeconomic issues related to IPs</li> <li>○ Based on a regulatory and institutional analysis of relevant agencies involved in project implementation</li> <li>○ Evidence of consultation with other development actors in project area</li> </ul> </li> <li>• <b>Ownership of IPDP by Client/IPs</b> <ul style="list-style-type: none"> <li>○ Informed participation of IPs in the preparation of IPDP and implementation of project/component (see below)</li> <li>○ Consistency with regulatory or development framework for IPs in the country and with indigenous institutions and customs as reflected in careful analysis and consequent actions; otherwise inconsistencies noted and addressed to extent possible in project documents.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• IPDPs/ Project documents</li> <li>• Interviews with Bank staff</li> <li>• Interviews with other stakeholders (telephone in many cases) with as many relevant stakeholders involved in preparation of IPs</li> <li>• Interviews with Regional Coordinators and Operational Staff and any documents they may furnish</li> <li>• External evaluations of Bank Projects</li> <li>• Inspection Panel Reports</li> </ul>

Aspect	Proposed Measures	Source of Data
	<ul style="list-style-type: none"> <li>• <b>Consistency with OD Objectives</b> <ul style="list-style-type: none"> <li>○ Diagnoses and identifies harm and includes measures to mitigate or reduce any adverse affects</li> <li>○ IPDP aims to ensure that IPs receive appropriate benefits (strengthen indigenous institutions and practices that IPs wish to preserve, or security of land tenure or access to natural resources, protects and strengthens economic and social rights of IPs)</li> </ul> </li> <li>• <b>Results Orientation</b> <ul style="list-style-type: none"> <li>○ Use of measurable indicators to measure inputs, outputs, outcomes, and impacts (follow through)</li> <li>○ Includes measures for ensuring sustainability</li> </ul> </li> </ul>	

<b>Aspect</b>	<b>Proposed Measures</b>	<b>Source of Data</b>
<p data-bbox="280 274 542 416"><b>Informed Participation of IPs in project management</b></p> <p data-bbox="280 459 562 890">** Preliminary data indicates the project documents may not include adequate information to come to any firm conclusions. Information from interviews with task team members will be supplemented wherever possible, as well as information obtained from IPs or their representatives.</p>	<ul data-bbox="629 274 1272 949" style="list-style-type: none"> <li>• Access to adequate and relevant information in a user friendly manner at different stages</li> <li>• Who participates? Participation of relevant stakeholders</li> <li>• Levels of participation: Ability of IP groups to influence project objectives and design, influence key project management issues, control finances and participate in procurement of goods, works, or services.</li> <li>• How do they participate? (use of tools and methods sensitivity to indigenous means of participation)</li> <li>• Involvement of IPs in Monitoring and Evaluation</li> <li>• Based on requisite capacity building of IPs to participate in design and implementation, including management training in order for IP groups to self-manage the project/component.</li> </ul>	<ul data-bbox="1444 274 1861 523" style="list-style-type: none"> <li>○ Project Documents and files</li> <li>○ Interviews with relevant stakeholders including Bank staff and other agencies involved in projects, ad wherever possible IPs themselves</li> </ul>