

Mr. Ian Johnson,
Vice President
ESSD
World Bank
1818H Street, NW
Washington DC 20433

8 August 2001

Dear Mr. Johnson,

Request for Clarification: indigenous peoples and civil society inputs to the final round of external consultations on the revision of the World Bank's Indigenous Peoples Policy

Following recent meetings between World Bank staff and NGOs in Washington DC and London, we write to request immediate clarification regarding the terms of engagement for indigenous peoples and civil society in the above consultations. At these meetings we were told that:

- indigenous peoples and civil society inputs on matters of principle that were not included in the draft policy after the first round of consultations in 1998/99, including issues relating to indigenous land rights as defined by international law, prior informed consent and self-determination, will not be reconsidered and incorporated in the final draft policy;
- indigenous peoples and civil society inputs will only alter the contents of the final policy in so far as they relate to ambiguities and suggestions for improving operational performance. The Bank will not consider the substantive issues of main concern to indigenous peoples in the redrafting of the final policy.

Notwithstanding guarantees that public comments received in the consultations will be documented and made available to the Board¹, we are concerned that there is no clear-cut commitment on the part of the Bank to address indigenous peoples' and civil society concerns in the new policy. Meaningful consultation should not *a priori* exclude certain issues from any revisions to the draft policy, especially those identified as most relevant by indigenous peoples. We find this exclusion unacceptable.

Meaningful consultation must provide a guarantee that where there are major differences between what the final draft policy contains and what indigenous peoples are asking for, Bank staff will hold serious discussions with the primary stakeholders and other interested parties about those concerns. These discussions should determine what revisions should be made to the draft policy.

In view of the concerns set out in this letter and the short time-frame for the public consultations, we look forward to an early clarification regarding the Bank's position on indigenous and civil society inputs to the finalisation of this important safeguard policy. In this regard, we would be grateful if you would confirm whether or not issues of major concern to indigenous peoples such as free and prior informed consent will or will not influence the provisions of the final policy.

¹ <http://wbln0018.worldbank.org/essd/essd.nsf/IndigenousPeoples/Draft+Cover> and paragraph 6: <http://wbln0018.worldbank.org/essd/essd.nsf/28354584d9d97c29852567cc00780e2a/c9878d8cbf6e2ac485256a6b007c93e0?OpenDocument>

Signed:

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