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# CWRD: IP Safeguard Implementation Issues (For internal discussion)





# SPS Objectives

- To design and implement projects in a way that fosters full respect for Indigenous Peoples' identity, dignity, human rights, livelihood systems, and cultural uniqueness as defined by the Indigenous Peoples themselves so that they (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts as a result of projects, and (iii) can participate actively in projects that affect them.





# Characteristics of CWRD Countries

- 7 of the 9 CWRD countries were part of the former Soviet Union.
- These countries are home to a multitude of cultural and ethnic minority groups who at some time have been displaced by war or internal conflict.
- It is difficult to consider any of these ethnic groups as indigenous.





# Example: Armenia

- Armenia was always the most ethnically homogeneous of the Soviet republics.
- 2011 Census: more than 98 per cent of the total population of 3 million is ethnically Armenian. The minorities are scattered across the country, and do not form local majorities in any region or administrative unit.
- Minority groups include:
  - Yezidis (35,308 or 1.2%)
  - Russians (11,911, 0.4%)
  - Assyrians (2,769, 0.1%)
  - Kurds (2,162, 0.1%)
  - Ukrainians (1,176)
  - Greeks (900).

(<https://www.refworld.org/docid/4954ce0923.html>)





# Example: Georgia

- In 1989, when it was still part of the Soviet Union (USSR), ethnic minorities made up one-third of the population. The numbers decreased after the country's independence.
  - 2014 census, reduced to about 13%, mainly:
    - Azerbaijanis 233,000 (6.3%)
    - Armenians 168,100 (4.5%)
    - Russians 26,500 (0.7%)
    - Ossetians 14,400 (0.4%)
    - Yezidis 12,200 (0.3 %)
    - Ukrainians 6,000 (0.2%)
    - Kists 5,700 (0.2%)
    - Greeks 5,500 (0.1%)
    - Assyrians 2,400 (0.1%)
    - small Jewish and Polish communities
- (<https://www.refworld.org/docid/4954ce09c.html>)





# Example: Kazakhstan

- Ethnic minority composition linked to the incorporation of most of the region into the Russian Empire in the late 18th and 19th centuries.
- Slavic and Cossack settlers came to Kazakhstan from this period onwards
- Many Ukrainian and Russian settlers arrived during Soviet times, to participate in various development undertakings, and some resettled from labour camps.
- So-called 'punished peoples' were deported to Kazakhstan before and during the Second World War. These groups include Volga Germans, Crimean Tatars, Koreans, Poles, Greeks, Chechens, Ingush and others believed at the time to be unreliable or accused of collaboration with the enemy.

(Minority Rights Group International, World Directory of Minorities and Indigenous Peoples - Kazakhstan, 2007)





# IP Identification Challenges

- IP safeguard is rarely triggered in CWRD projects. Of the currently 132 active projects, only 1 RBL project (49056-001: PAK Access to Clean Energy) is category B for IP.
- Two FI projects (also in Pakistan) while not anticipating impacts on IPs have included IP screening in their ESMS. Other FIs are category FI-C for IP safeguards.



# Characteristics

IPs are considered: "...a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees:"  
(The middle 2 are most difficult to verify in CWRD countries)

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





# Common Basis for Not Triggering SR3:

...The project area contains no known indigenous people with a social and cultural identity distinct from the dominant society that makes them vulnerable to being disadvantaged in the development process. Hence, there are no indigenous people in the area that fit the broad definition of indigenous people as adopted by ADB. Accordingly, the project is categorized C for indigenous peoples.

Excerpt from: RRP: PAK FATA Water Resources Development Project, November 2014





# Vulnerability

- Vulnerability is often considered by ADB as a key factor in deciding whether or not the SPS SR3 applies to a socio-cultural group.
- Ethnic subgroups who are not vulnerable, marginalized or discriminated against are normally not considered to be IPs.
- Assessment of vulnerability and determination of indigeneity has been disputed on occasion.



# National Legislation Concerning IPs

- There are more than 140 ethnic groups in Central and West Asia Region. However, none of the CWRD countries have legislation that recognize specific groups as IPs.
- There are a few constitutional and legal provisions for tribal people in some countries including Pakistan. But characteristics of most of these groups were assessed during project processing as not meeting the SPS definition of IPs.

# Kalash of Chitral District, KP Province, Pakistan as IP





# Kalash of Chitral District, KP Province, Pakistan as IP

- As all districts of KP are targeted, some projects may be located in Chitral District where the Kalash people live in three isolated mountain valleys, Bumburet, Rukmu, and Birir. Kalash people speak the Kalasha language, from the Dardic family of the Indo-Aryan branch. The Kalasha or Kalash, are considered indigenous people as they have unique language, customs, festivals, rituals, religion and they are confined to their area.

(Extract from PSSA, Access to Clean Energy, Oct 2016)





# IFI Projects that Triggered IP Safeguards Due to Kalash

- (WB) KP Integrated Tourism Development Project, May 2019
- (WB) Pakistan Hydro Meteorological and Ecosystem Restoration Project, June 2020
- (WB) KP Irrigated Agriculture Improvement Project, January 2019
- (WB) Higher Education Education Development Program, April 2019

Kalash people consider themselves indigenous; they have lived in the area for thousands of years, and their distinct language, folklore, and polytheistic religion differentiate them from the other communities in the area. The community also relies mainly on their indigenous sources of livelihood including livestock and small-scale cultivation.

(extract from IPPF, Pakistan Hydro Meteorological and Ecosystem Restoration Project, WB)

