
Professor Cernea sees internal displacement caused by conflicts or development projects as one of Africa’s major social and economic problems, raising challenges to national governments and to international donors alike. He sees and supports the African Development Bank’s (AfDB) efforts to implement a transparent policy revision process of its environmental and social safeguards policies as the first of its kind. He nevertheless urges the AfDB to formulate its own indigenous people policy framework and invites it to think of what will be the consequences of operating without a policy.

Professor Cernea, a seasoned professional in Sociology and Social Policy, especially internal displacement and indigenous people issues, is one of the leading specialists with more than three decades of development practice at the World Bank. His opinion on the importance of the participatory process which underlays the design of the Integrated Safeguards System is highly valued by the AfDB.

The AfDB agrees with Professor Cernea’s judgment that the process of “transparent consultation” is almost as important as the product. The Bank has taken good note of the various suggestions in terms of ways of raising the awareness of governments and key stakeholders, including the Bank’s senior management on the importance of the process and products of the preparation of the Integrated Safeguards System and related public consultations.

The Bank is fully aware that the revision and enhancement of its environmental and social safeguards policies and procedures to ensure the sustainability of its interventions in favour of economic and social development of regional member countries must aim first at serving the interests of African populations.

In that sense, the Bank has associated the full range of development actors to the choice of the methodology, format and content. This approach has already resulted in consultations with technical staff, with the Board, and with the community of multilateral and bilateral partners.

Given its mandate related to Africa’s sustainable development, the Bank needs to account for ecological implications and their impacts on social conditions and livelihoods of populations. The Bank is therefore fully aware of social and human development issues related to the implementation of its safeguards policies and procedures which have been designed to ensure sustainable development. This is the major reason why the Bank has paid particular attention to the transparent and inclusive preparation as well as coordinated implementation of the revision of the safeguards policies and procedures.

The Bank has a culture of constant analysis of past experiences in order to reflect the lessons in the strategic direction of its interventions. The effectiveness of supervision of its projects as well as inconsistencies and gaps in its policies and procedures were therefore evaluated before embarking

¹ The article published by the Brookings – London School of Economics and Political Science is available in the link below: http://www.brookings.edu/opinions/2012/0331_africa_development_cernea.aspx. The Brookings-LSE Project on Internal Displacement monitors displacement problems worldwide promotes the dissemination and application of the United Nations Guiding Principles on Internal Displacement, works with governments, regional bodies, international organizations and civil society to create more effective policies and institutional arrangements for IDPs, convenes international seminars on internal displacement, and publishes major studies, articles and reports.
on the revision exercise. The elements were reflected in the design documents that guided the preparatory stage to the review exercise.

The article assures the Bank in its belief that displacement issues are intrinsically linked to those relating to indigenous people. It is in that sense that the Bank has already integrated the basic principles of management of indigenous people in the proposed operational policy on involuntary resettlement. It also proposes to insert the proposed special clauses on agreement with and implementation of the Kampala Convention (2009), adopted by the Special Summit of the African Union, in the overarching integrated safeguard policy statement which is the cornerstone of the new Integrated Safeguards System.

In dealing with indigenous people issues in its operations, the Bank recognizes and respects the sovereignty of its member countries, including national legislation and policies relating to indigenous peoples, and at the same time, the Bank takes into account its responsibility of ensuring equality of opportunity for all people, and that its operations and assistance to regional member countries (RMCs) do not negatively affect the welfare and interests of all, indigenous peoples inclusive.

The question of identification of indigenous people on the African continent is not clearly addressed. It is important to note that under such circumstances, applying social safeguards for indigenous peoples or ethnic minorities in development projects can pose complex operational challenges. Mostly these are vulnerable groups, generally affected by high levels of poverty and extreme poverty but the question of when, and by reference to what criteria, should they receive differentiated treatment in AfDB projects remains a critical question.

The AfDB’s approach in giving due consideration to the social issues is to develop detailed and specific guidance as necessary, and in line with UN General Assembly’s Declaration on the Rights of Indigenous People (2007) which calls for international finance institutions “to apply safeguards and strengthen the states’ own domestic policies on indigenous people”.

The Bank needs to support countries’ efforts and achievement in adequately dealing with internal displacement and protection of the rights of vulnerable groups, especially indigenous people. It has therefore decided to overhaul Involuntary Resettlement, Indigenous People’s issues and implementation status, strengthening the use of Country Systems in Africa to learn the useful lessons that will be used to produce adequate guidance to countries as well as to the Bank when dealing with social issues which are a cornerstone of sustainable development strategies.

The complementary studies are intended at providing practical guidance to the executing and implementing agencies accountable for implementing development projects. They will also establish how AfDB’s safeguard requirements on indigenous people can best be harmonized with national laws and policies of RMCs and policies of other MDBs, bilateral and multilateral organizations. In particular, the study on indigenous people has the objective to provide empirical data and evidence on indigenous people on the African continent and their participation in development that will act as a benchmark for setting out the policy proposals relating to mitigation of undesirable effects of development on the indigenous people among RMCs.

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2 The clauses as suggested by M. Cernea will read as follows: The involuntary displacement and resettlement of indigenous peoples should not take place without the free and informed consent of the respective indigenous peoples, and, when such resettlement takes place, it should be ensured that just compensation is paid, with the option to return when feasible (Article 10). In the same manner, “States are under a specific obligation to protect against displacement of indigenous people, minorities, peasants, pastoralists and other groups with a special dependency on and attachment to their lands”.

3 Quoted from M. Cernea’s article, Paragraph 20.