CENTER FOR CONFLICT AND VIOLENCE PREVENTION

Bureau for Conflict Prevention and Stabilization

Ensuring Conflict Sensitivity in Promoting the Rights of Indigenous Peoples

To address the needs of Indigenous Peoples as outlined in USAID's Policy on Promoting the Rights of Indigenous Peoples (PRO-IP), USAID staff and partners should ensure that their interventions are conflict sensitive. Historically, non-Indigenous actors' engagement with Indigenous Peoples has ranged from productive and mutually beneficial to exploitative, violent, or even, destructive. The Bureau of Conflict Prevention and Stabilization's (CPS) Center for Conflict and Violence Prevention (CVP) developed this guidance note to assist USAID staff and partners to maximize development outcomes and advance human rights by understanding the opportunities, challenges, capacities, and aspirations of Indigenous Peoples.

The real or perceived inequitable distribution of aid can increase tensions among neighboring communities, governments, or private industries. The PRO-IP Policy highlights examples of conflict and violence sparked by development actors' inappropriate engagements with Indigenous Peoples. These conflicts feature insecure land tenure rights and natural resource management, displacement, exploitative or unsupportive actions of private industry and local government, legal marginalization, political violence, and well-intentioned, but potentially harmful, donor-funded initiatives.

To integrate a conflict sensitive lens, USAID operating units (OUs) and implementing partners must understand the context in which a program that affects Indigenous Peoples operates, understand how programming both affects and is affected by those dynamics, and ultimately take action to mitigate potential negative impacts and promote positive ones. CVP recommends that OUs and partners conduct conflict assessments and/or continuous context monitoring to understand the interaction between USAID programming and local dynamics, including any power dynamics related to gender, age, disability, and other identity-based marginalization. Conflict analyses, such as USAID/CVP's Conflict Assessment Framework (CAF), provide key information to facilitate effective and safe engagements with Indigenous Peoples and contribute to peace.

The following guiding questions are meant to help integrate a conflict sensitivity lens into USAID's efforts to promote the rights of Indigenous Peoples through the five operational principles of the PRO-IP. This framework is designed to enhance the guidelines laid forth in the policy to promote the best possible development outcomes for all.

Principle	Guiding Question
Identify	Have you differentiated all potential Indigenous Peoples in this environment to the best of your ability? Have you noted different intra- or inter-group identifications that may have implications for engagement or partnership? This may also include understanding the political and historical implications of defining a group as Indigenous or not.
	Have you identified diverse stakeholders (from both Indigenous and non-Indigenous communities) who may be positively or negatively affected by the intervention even if not recognized by the state or other governance structures?
Analyze	Have you identified all salient grievances or pre-existing conflicts in your gender-sensitive analysis both within the Indigenous community and with non-Indigenous stakeholders? Have you identified how grievances may be mitigated or exacerbated by the intervention including gender power differentials?
	Have you assessed relevant issues of natural resource management, water scarcity, or access to ancestral lands as part of your analysis?
	Have you analyzed the social and cultural dynamics between and among identified Indigenous communities appropriately including their histories of conflict or disagreement? Does your analysis include the ways in which engagement or partnership will impact these dynamics?
	Does your gender-sensitive analysis assess the involved Indigenous communities' historical and current interactions with donor agencies or similar civil society organizations and the resulting dynamics? Local or national government? Private industries? Organized criminal or violent extremist organizations?
	Has your analysis taken into account the possible second and third-order effects of the intervention in the targeted communities? Have you accounted for all stakeholders across different intersections of identity both in the community of focus and those nearby?
Engage	Have you utilized culturally appropriate protocols in engaging with Indigenous Peoples, including with appropriate traditional leaders in your approach? Are your consultations respectful and have you consulted with the appropriate actors (considering inclusion of youth, women, and other marginalized communities) to determine this is so? If the community has chosen voluntary isolation, have you adapted your process for engagement?
	Have you ensured that your process of engagement is in parallel and in coordination with other consultations with the host government? Has it included the perspective of relevant counterparts within the Embassy to ensure coherency on priorities and with political and economic opportunities? Particular attention should be paid to current and historic grievances that may dictate how stakeholders perceive the role of USAID and the program.
	Does your engagement take into account nearby communities? If certain Indigenous or non-Indigenous communities are prioritized in the intervention, how will you mitigate or directly address potential tensions created by this prioritization? Have you consulted all necessary stakeholders for prioritization?
Safeguard	Have you included Indigenous or non-Indigenous nearby communities in your safeguarding plans including preventing sexual exploitation and abuse, countering trafficking in persons, and child safeguarding?
	Has the information gleaned from consultations been integrated into safeguarding measures? Has the perspective of the Indigenous community been incorporated in all design, intervention, monitoring, or mitigation plans? Has acquiring Free, Prior, and Informed Consent been integrated as well?
	Have you included conflict sensitive as well as sex and age disaggregated indicators in the proposed monitoring plans? If negative impacts on the Indigenous community become apparent mid-intervention or partnership, is there an existing CLA plan to adapt or halt as necessary to ensure no harm is done?
	Have you assessed and included a tested and culturally relevant medium (such as a grievance mechanism) to receive continuous feedback from communities throughout implementation? Have you planned regular, periodic consultations to monitor effectively for potential harms? Are these accessible to women, youth, people with disabilities, and LGBTI members of the communities?
Partner	If only one Indigenous community is partnered with, how will you appropriately address potential tensions with other communities? Do the Indigenous Peoples organizations that are engaged represent the needs of an array of stakeholders including women, youth, persons with disabilities, and LGBTI people?
	Have you assessed all interventions planned by the partner organization or community for potential impacts on neighboring communities or Indigenous Peoples? Have you conducted due diligence in relation to the dynamics assessed in the analysis phase before partnering?

Case Studies

Case Study 1: Batwa and Bantu Social Cohesion, Tanganyika Conflict Mitigation and Reconciliation Project (TCMR), USAID/DRC (2018-2021).

Since 2012, there has been persistent tension and recurring conflict between the Indigenous Batwa communities and the non-Indigenous majority Bantu communities in the Tanganyika region of the Democratic Republic of the Congo (DRC). The conflict has resulted in widespread human rights violations, destruction of villages and infrastructure, gender-based violence, significant internal displacement, malnutrition, food insecurity, and loss of life for both the Batwa and Bantu. The Tanganyika Conflict Mitigation and Reconciliation Activity's goal is to reduce conflict between the Batwa and Bantu peoples by strengthening peace and reconciliation efforts in the Nyunzu, Kalemie, Manono, and Kabalo territories of the Tanganyika province.[1]

Conflict Sensitivity Integration:
- An initial analysis of the conflict dynamics identified the root causes and drivers including ethnocentrism, discrimination, and marginalization of the Batwa population in access to land and other resources, poor governance, and poverty. This analysis emphasized the need for increased involvement of key stakeholders at the community level to reduce the incidence of violence as well as improve social cohesion and food security. Based on this analysis, the project interventions have been driven by a People-to-People (P2P) peacebuilding approach that brings together the Batwa and Bantu communities to promote collaboration and coexistence. The interventions are informed by a continuous analysis of conflict and the political economy with a focus on a do no harm (DNH) approach.[2]
- To ensure DNH and conflict sensitivity, the project conducts a Conflict Prevention, Mitigation, and Resolution training for beneficiaries as well as training in social and behavior change communication (SBCC). This tandem effort enforces DNH, the safety of Batwa and Bantu beneficiaries, and promotes social cohesion and messages of peace. SBCC interventions include door-to-door sensitization campaigns, public awareness through media, as well as interethnic community events such as sports.
- USAID's Tanganyika Conflict Mitigation and Reconciliation Activity's P2P peacebuilding approach empowers communities affected by conflict and promotes community-driven solutions via interethnic groups. These groups, composed of both Batwa and Bantu, include Peace Committees, Women Organization Resources Together (WORTH) groups, and Youth Associations. They engage in:
  - **Conflict management and peacebuilding** by coordinating interethnic dialogues, collecting information at the grassroots level to inform an early warning and rapid response mechanism, and engage in community-level conflict management including mediation and legal support.
  - **Livelihoods activities** that include income-generating agricultural activities such as market gardening. Integrating DNH and mainstreaming peacebuilding interventions are critical to the success of these interventions which strengthen social cohesion among Indigenous and non-Indigenous communities.

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[1] The activity is implemented by Pact, Inc. in tandem with their local partner, the Diocesan Commission for Justice and Peace (CDJP). The activity runs from September 2018 to August 2021.

[2] Do no harm (DNH) is an approach for analyzing the impacts of international assistance on conflict—and for taking action to reduce negative impacts and maximize positive impacts. The "Do No Harm Framework" was developed based on an analysis of a variety of experiences of people and programs in the field by CDA.

Long-term adaptive interventions are critical in addressing marginalization within contexts that historically have had weak institutions and struggled to equitably manage natural resources. Strengthened programmatic outcomes and mutual respect have been driven by the activity's adaptive approach to conflict sensitivity. By combining conflict analyses, training beneficiaries in conflict resolution, integrating a P2P approach, and emphasizing community-driven solutions, the activity has successfully promoted the rights of Indigenous Peoples in the DRC in a conflict-sensitive manner. The activity reached almost 60,000 people through interethnic dialogues, outreach, and public awareness campaigns, implemented 32 livelihoods activities, and has detected and averted more than 100 potential conflicts.

Case Study 2: Tudaga Language Education, Libya Elections and Legislative Strengthening Activity (LELSA), USAID/Libya

Historically, Indigenous languages in Libya were banned and violations prosecuted under the Gaddafi government. Though this reality has changed, the educational system across the country primarily utilizes Arabic curricula and textbooks, making it harder for Indigenous elementary school students to excel. USAID's Tudaga Language Education program engaged with Tebu activists and teachers to advocate for the inclusion of the Tebu Indigenous language, Tudaga, into elementary school curricula in southern Libya.[3] Activities included helping the Tebu to develop relationships with and learn from the Amazigh community's experience advocating for and teaching in their native language; assisting Tebu civil society activists to organize and advocate for themselves; and helping the Tebu community to craft and distribute textbooks and begin classes in 10 pilot schools across Tebu areas. On February 6, 2020, the Ministry of Education officially accredited Tudaga language classes in elementary schools in southern Libya.

Conflict Sensitivity Integration:
- The conflict context posed significant challenges inherent to southern Libya, including active armed conflict, overlapping authorities and insufficient physical and communications infrastructure. The activity integrated DNH by having both international peace and security experts and local staff conduct in-depth interviews, group discussions, and scenario planning, allowing adaptation for the project approach and design. These consultations were integrated into the program as a means of incorporating ongoing analysis, including careful consideration of unintended consequences, aggregative community tensions and exclusion.
- To ensure equity, LELSA also works with all three Indigenous communities including Tebu, Amazigh and Tuareg, on other programming. Other activities focused on the Amazigh's pursuit of language education, helping to encourage their support of the Tebu.

Project interactions between non-Indigenous Arab Libyans and Indigenous groups such as the Tebu have been nearly universally positive. The region has a history of violence and ethnic tension, but the program has experienced none of the effects. Conflict dynamics among Indigenous groups have also been mitigated. The project has been notably impactful in Obari, which while home to a sizable Tebu minority, is a majority Tuareg municipality. The Tuareg and Tebu have engaged in violent conflict as recently as 2014. After significant advocacy efforts, the Mayor of Obari, an ethnic Tuareg, accepted Tudaga language education for all students in the municipality, noting that the project could be a bridge between the communities, and a source of reconciliation.

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[3] This activity runs from October 2018 through March 2022 and is implemented by the National Democratic Institute (NDI).