

GUIDANCE NOTE

Our Development Cooperation is Enhanced by First Nations Australians' Perspectives

"Australia's Indigenous Peoples are recognised as being the oldest continuous surviving cultures in the world. Our diverse perspectives are founded on deep knowledge, resilience, and a way of working that prioritises people, culture, and sustainability. There is so much potential when we genuinely respect and engage the perspectives of Australia's First Nations people, not just to create more inclusive solutions, but to rethink how we build meaningful, lasting change."

Professor Tom Calma AO

1. Background

A First Nations approach to foreign policy facilitates leadership and participation of Aboriginal and Torres Strait Islander people in Australia's international engagement, recognising the benefits to all Australians and offering a powerful addition to our levers of statecraft. Australia's First Peoples have a crucial role to play in projecting Australia's modern diversity and rich heritage to the world. The inaugural Ambassador for First Nations People was appointed in April 2023, followed by the December 2023 establishment of the Office for First Nations International Engagement in the Department of Foreign Affairs and Trade. This is the first time the Australian Government has had dedicated First Nations representation in our international engagement – elevating the voices of First Nations People.

This Guidance Note provides advice on embedding First Nations Australian perspectives into Australia's international development programming, underpinned by the principles of the United Nations Declaration on the Rights of Indigenous People (UNDRIP). It provides practical advice for engagement and program design and includes case studies. Embedding First Nations Australian perspectives into the international development program is an emerging field and reinforces Australia's approach to embedding First Nations Australian perspectives into our foreign policy.

The audience is primarily DFAT staff, with the secondary audience being partner governments, implementing partners, advisers and contractors.

This Guidance Note does not seek to inform how DFAT programming engages with Indigenous Peoples of the countries where Australia provides development assistance. For a detailed overview of terminology, the rights of Indigenous People and guidance for addressing the needs of Indigenous People, please refer to the <u>DFAT Guidance Note on reaching Indigenous People in the Australian aid program</u>. Further, the <u>DFAT Guidance Note on Locally Led Development</u> provides guidance on DFAT's commitment to locally led development and supporting local leadership through an overarching framework for considering context, development objectives, program management modalities and risks to make appropriate judgements.

Engaging First Nations Australians in Australia's development programming is **not mandatory**. Planning should take into consideration development needs, how and why a First Nations Australian approach might be relevant, and the primacy of implementing the "Do No Harm" principle. This Guidance Note will seek to support these considerations during the various stages of the development programming cycle.

This Guidance Note should be read alongside the <u>International Development Programming Guide</u>, <u>Performance Delivery Framework</u>, <u>Design and Monitoring and Evaluation & Learning Standards and Environmental and Social Safeguard Policy</u>

The Universal Declaration on the Rights of Indigenous People (UNDRIP)

The UN Declaration on the Rights of Indigenous Peoples¹ was adopted by the UN General Assembly in 2007 and formally endorsed by Australia in 2009. Australia regards UNDRIP as the universally agreed framework for protecting and promoting the rights of Indigenous Peoples internationally. An important human rights instrument, UNDRIP sets out the rights and interests of Indigenous Peoples regarding culture, identity, language, employment, health, education, and other issues.

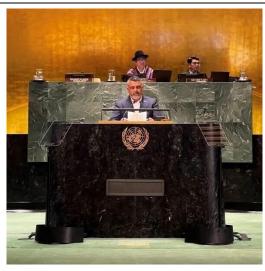


Image: Ambassador for First Nations People, Justin Mohamed, addressing the United Nations Permanent Forum on Indigenous Issues April 2024

2. Policy Rationale

Australia's International Development Policy spans DFAT and whole-of-government international development cooperation across different funding sources (ODA and non-ODA). It sets out Australia's international development priorities to advance a peaceful, stable and prosperous region through supporting our partners to build effective accountable states, enhance resilience to external pressures and shocks, connect with Australia and regional architecture, and generate collective action on global challenges.

Australia's International Development Policy includes a commitment to First Nations Australian engagement and partnerships in international development programming. It also recognises the need for an inclusive approach that integrates First Nations Australian perspectives and recognises the comparative advantage that First Nations perspectives bring to development effectiveness in certain contexts. This approach aligns with wider Australian government commitments to systemic reform and self-determination through policy and service delivery under initiatives including the National Agreement on Closing the Gap.²

3. Principles

As outlined in the International Development Policy, Australia's approach to program planning and delivery is underpinned by principles of quality, accountability, and responding to partner priorities.³

There is no model or single pathway to embedding First Nations Australian perspectives in development, either domestically or internationally. However, the principles of UNDRIP provide a foundation to progress realisation of the rights and self-determination of First Nations people. To translate UNDRIP into practical principles relevant for the

¹ United Nations Declaration on the Rights of Indigenous Peoples | Division for Inclusive Social Development (DISD)

² National Agreement on Closing the Gap, 2020, Closing the Gap | National Indigenous Australians Agency (niaa.gov.au)

³ Australia's International Development Policy <u>Australia's International Development Policy | Australian Government Department of Foreign Affairs and Trade at page 7</u>

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international development context, consultations with First Nations Australians have identified the importance of several key principles:

- Cultural Safety: Recognising and respecting the diverse cultures, histories, and rights of First Nations communities. The ethos of cultural safety is about establishing an environment where First Nations identities and experiences are not just acknowledged but valued. Shared respect, meaning, and knowledge is foundational, and a commitment to "do no harm" through engagements. This includes ensuring that any engagement is free from unconscious bias, racism, and discrimination and that it supports the autonomy and dignity of First Nations communities. Culturally safe practices should be at the heart of program design and delivery, making it a priority to listen and act upon the advice and knowledge of First Nations peoples. Cultural competence within the workforce is essential, requiring staff to build and develop understanding and knowledge.
- Equitable Partnerships: Developing partnerships that are genuine and collaborative and based on reciprocity

 recognising the value of First Nations Australian knowledge and leadership. It also means building and sustaining relationships over the longer term to build mutual trust and respect and ensuring resources are allocated to avoid extractive approaches where First Nations knowledge, expertise and capability is utilised in a tokenistic manner.
- Transparency: Co-design of programs seeking to embed First Nations Australian perspectives is important ensuring First Nations Australians are involved from the outset and that their insights lead to genuine and mutually agreed outcomes. This includes applying the principle of free, prior, and informed consent set out in UNDRIP.⁶

4. Key Steps for Implementation

a. Strategy and Planning

A targeted approach to embedding First Nations Australian perspectives in regional or country-level strategies is demonstrated in the Development Partnership Plans (DPPs) for Papua New Guinea and Timor-Leste. DPPs that don't currently address First Nations Australians approaches can use mid-cycle reviews to update and include strategic priorities.

Program areas are encouraged to think critically about where DPPs or other strategy documents can signal an intention to embed First Nations Australians' perspectives, skills and experiences into development cooperation efforts. These are likely to be in areas where communities across countries share similar experiences and challenges, or where bringing First Nations experiences creates a space for sharing and engaging in ways that are different to current development planning and delivery.

Including an explicit First Nations Australian component in DPPs is not mandatory and will depend on country/regional context.

Sectoral focal areas that could benefit from First Nations Australian engagement might include land management and environmental protection, renewable energy, health policy and programming as well as health service delivery to remote and mobile communities, mother language instruction in basic education, gender equality and family violence. As well as similarities in addressing sectoral challenges, there are areas where First Nations Australian organisations have a clear competitive advantage based on extensive domestic experiences of localisation, capability building, cross cultural engagement, brokerage, remote services, and program delivery with limited short-term funding and limited policy support. Where relevant, these areas can be flagged in DPPs.

⁴ Department of Foreign Affairs and Trade, 2019. Environmental and Social Safeguards (see Principle 1: Do No Harm)

⁵ Gollan, S & Stacey, K 2021, Australian Evaluation Society First Nations Cultural Safety Framework, Australian Evaluation Society, Melbourne.

⁶ The principle of free, prior, and informed consent (FPIC) is articulated in Articles 10, 11, 19, 28 and 29 of the United Nations Declaration on the Rights of Indigenous People (UNDRIP). FPIC describes a process whereby Indigenous Peoples are consulted on, and freely participate in, decisions that affect them. For further information see also: Microsoft Word - FPIC (final) (ohchr.org)

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Consultation mechanisms with First Nations Australians are not currently standardised and therefore, there is currently no requirement for formal consultation with First Nations Australians on DPP content. Such advice would generally be procured through contractors or sub-contractors. If programs identify an area that would benefit from early consultation with First Nations Australians, contact the Development Effectiveness and Enabling Division.

b. Concept and Design

If a First Nations Australian approach is being considered due to its relevance, the investment concept and design stages will provide opportunities to consider applicability through articulation and analysis of the development context, political economy and relevant stakeholders as well as intended impact.

The partner-led design framework may provide an opportunity to identify First Nations Australian organisations who can provide relevant expertise. DFAT-led designs should consider whether it is relevant for First Nations Australian practitioners to be included in design teams and/or consultations.

c. Procurement and Supply Chain Interventions

DFAT is required to conduct procurement in accordance with the Public Governance, Performance and Accountability Act 2013 (the PGPA Act) and the Commonwealth Procurement Rules (CPRs). The Indigenous Procurement Policy (IPP) is a procurement connected policy under the CPRs.

DFAT officers are encouraged to consider the direct engagement of Indigenous contractors, or contractors with demonstrated First Nations Australian cultural capability.

The Statement of Work/Requirements for complex (over \$500,000) ODA procurement contracts includes a section on Australian Development Priorities, which also forms part of a common evaluation criteria in Request for Tender documentation for complex ODA procurements. This criterion asks tenderers to articulate how they will address cross cutting development program priorities in the delivery of the program, including First Nations engagement.

DFAT has examples of where Indigenous suppliers have been engaged directly by the Department to undertake logistics management, reviews, tender evaluations, risk management/due diligence and designs of development programs. There has been a steady upward trend in the engagement of Indigenous practitioners through Managing Contractors in our development cooperation, with the number of personnel engaged, and the values of subcontracts increasing more than three-fold since 2022.

d. Performance and Delivery Framework

The Performance and Delivery Framework that underpins the new International Development Policy contains a Tier 3 indicator that seeks to measure whether First Nations' Australians perspectives are embedded into development programming and policy: Our development cooperation is enhanced by First Nations perspectives.

To measure progress towards this Tier 3 indicator, relevant indicators that may be considered at DPP level include those being used in the DPPs for Papua New Guinea and Timor-Leste. Depending on the nature of the objective and related investment design(s), other indicators may be considered at investment level which can then be evaluated to measure the outcomes. Thematic evaluations to measure how our development cooperation has been enhanced by First Nations perspectives are highly encouraged.

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Country DPP	Indicator	Expected results 2024 – 2025	Expected results 2025 – 2026	Expected results 2026 – 2027	Sustainable Development Goals (SDGs)
Papua New Guinea	Partnerships and exchanges between First Nations communities and local communities in PNG fostered	One example of partnership established	One example of additional partnership established	One example of additional partnership established	SDG17: Partnerships for the goals
Timor-Leste	First Nations perspectives are embedded into development programming and policy (Tier 3)	First Nations perspectives are considered and included in concept notes for new programs	New program designs incorporate First Nations perspectives	New programs have First Nations perspectives embedded in implementation	SDG3: Good health and wellbeing SDG8: Decent work and economic growth

e. Safeguarding and Risk Management

Using the Risk Register tool, consider potential risks that may emerge through embedding First Nations Australian approaches. Some examples may include those listed below. The ongoing identification and monitoring of risks and safeguards should involve First Nations stakeholders and draw on First Nations knowledge and expertise in identifying management strategies, alongside those identified by those receiving development assistance in accordance with DFAT's Locally Led Development Guidance.

Risk Factor	What risks may arise from this risk factor?	Risk management Strategies	
Terminology	Not all country contexts recognise Indigenous People and may not welcome First Nations Australians engagement on this basis	Conduct political economy analysis to determine relevance/appropriateness of First Nations Australians engagement	
Cultural Capability	Contractors or sub-contractors implementing the development program do not have the cultural capability to provide advice for design or implementation of the program	Direct engagement with First Nations Australian contractors prioritised Non-First Nations contractors or sub-contractors demonstrate cultural capability through tendering process	

5. Case Studies

The following case studies demonstrate how DFAT has embedded First Nations Australian perspectives into international development programming to enhance program delivery.

• Contracting with First Nations Australian organisations: First Nations Australian organisations, including Aboriginal Community-Controlled Organisations, may apply for contracts through the standard tendering and procurement processes, enabling a partnership with DFAT on development assistance activities. In cases where First Nations Australian organisations demonstrate sectoral experience, but limited experience in the international development context, DFAT can play an important role in facilitating the engagement of First Nations Australian organisations and help to support and set them up for success. This includes the brokering of links with local stakeholders, support to build an understanding of local priorities and resource constraints and supporting reflection and sense making from stakeholder interaction.

NAATSIHWP & PARTNERSHIPS FOR A HEALTHY REGION

In 2024, the National Association for Aboriginal and Torres Strait Health Workers and Practitioners (NAATSIHWP) was selected under DFAT's Partnerships for a Healthy Region (PHR) initiative's competitive call for proposals. The partnership is intended to support the sharing of First Nations Australians' perspectives and deep experience with health sector stakeholders in the Pacific region, with a focus on Vanuatu. Representatives from NAATSIHWP travelled to Vanuatu in 2024 to connect with key stakeholders, build an understanding of the local context and culture, develop a picture of Vanuatu's village health worker program and identify potential opportunities for engagement.

The partnership with NAATSIHWP is taking an adaptive approach, with DFAT supporting them to undertake scoping ahead of design and contracting. This approach has been appreciated by NAATSIHWP as an important way to support engagement in a manner which is consistent with First Nations cultural values and approaches, including the principle of self-determination.

• Engaging First Nations Australian International Development Practitioners: Engaging First Nations Australian International Development practitioners is key to embedding First Nations Australian approaches in the planning, design, implementation and governance of development programs. Contractors should demonstrate through the tendering process how they will be engaging First Nations international development practitioners e.g. Current staffing, sub-contracting, consultants, etc. For Example, The Indigenous Pathways is a component of the Australian Volunteers Program which takes a practical approach to identifying First Nations Australians with relevant expertise to match the needs identified in the development program.

Explicitly funding and requesting the embedding of internships, entry level career opportunities and identified positions, as well as secondments and exchanges for First Nations Australians as part of design and implementation planning with Managing Contractors or NGOs increases First Nations Australian's participation in international development and increases the pool of First Nations Australian practitioners. Identifying opportunities across all sectors, not limited to cultural liaisons or development of a First Nations Engagement Strategy, will maximise benefits to the development sector and to First Nations Australians.

PARTNERSHIPS FOR INFRASTRUCTURE (P4I)

Iwaidja, Mudiamo and Torres Strait Islander man Braiden Abala is the Inclusion Advisor for DFAT's Partnerships for Infrastructure (P4I) initiative, based in Thailand. Braiden's role plays a key part in setting the strategic direction for the inclusion of First Nations Australians and ethnic minorities in P4I's activities across Australia and Southeast Asia. Recruitment for Braiden's role was led by P4I's First Nations Delivery Partner, Ninti One. DFAT and P4I, supported this in recognition of the importance of having First Nations policy and programming led by a First Nations person. Through this role, Braiden exemplifies how First Nations expertise supports the implementation of Indigenous-specific policy and practice areas in development programming.

⁷ Partnership for Infrastructure, 2022, Championing Indigenous Inclusion in Southeast Asia's Infrastructure, Championing Indigenous inclusion in Southeast Asia's Infrastructure | Partnerships for Infrastructure

AUSTRALIAN VOLUNTEERS PROGRAM INDIGENOUS WOMEN'S CONSERVATION EXCHANGE (SOLOMON ISLANDS)

Indigenous Pathways, in partnership with WWF Australia, delivered the Indigenous Conservation Knowledge Exchange in 2023 in Western Province, Solomon Islands. The project supported a small group of First Nations Australian women from the Indigenous Women Ranger's Environmental Network to travel to Solomon Islands for the annual symposium on Women's Leadership in coastal fisheries management resources. The group connected with WWF Solomon Islands and their conservation partners over three weeks to exchange knowledge and experiences. The goal was to build relationships, support one another to develop leadership skills and provide a platform to advocate for the important role of women in conservation and natural resource management. Participants had the opportunity to explore new ways of working, through discussing shared challenges and locally led solutions.

Organisational twinning: Twinning brings together two or more organisations around a common area of
interest to share knowledge, experience, and learning. First Nations Australian organisations bring a range
of unique skills and expertise across a wide range of sectors that could be of benefit in international
development. Twinning collaborations can provide a clear mutual benefit based around shared aims and
development objectives.

LAIKIM SISTER – INDIGENOUS WOMEN ENTREPRENEURS BUSINESS COLLABORATION

In April 2019, TDi, Abt Associates and DFAT began to explore how a business exchange between PNG and First Nations Australian women could be designed to further people-to-people links between the two countries, building on the thousand-year history of trade and knowledge sharing. The name – Laikim Sister – was chosen because it means to love, care for, and look after your sister, and the word (Laikim) is used both in Tok Pisin and Torres Strait Islander language. The project brought together 18 women from PNG and First Nations Australia, including Nellie Vamari and Carol Vale, to share their knowledge and experience on traditional foods and medicines, cultural tourism, and creative industries. Participants were inspired by their sisters, encouraged to be leaders in their field and have built lasting relationships that extend beyond the project. ⁸ Engaging in this way presents an opportunity for First Nations Australians to share their experience and for mutual learning that enriches both cultures.

• Facilitating Collaboration: There are varied activities that may support facilitating collaboration between First Nations Australians and relevant partners. Examples include convening conferences, meetings, study tours or formalised knowledge or research activities. The benefits of this approach include stronger outcomes around the mutual development objective and improved regional relationships.

TIMOR-LESTE NORTHERN TERRITORY ENERGY STUDY TOUR

In 2023, Ninti One and EY co-hosted a Study Tour for a Timor-Leste delegation to the Northern Territory, through DFAT's Partnerships for Infrastructure (P4I) program. Delegates from the Eletricidade de Timor-Leste and the National Directorate of Climate Change travelled to Garramilla (Darwin), Jabiru, Nauiyu and Mparntwe (Alice Springs). Delegates learnt about the Territory's approach to renewable energy and remote off-grid power solutions and saw how First Nations-led energy and technology solutions to transfer to a cleaner future look in action.⁹

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⁸ https://tdi.org.au/project/laikim-sister-cultural-exchange/

⁹ Ninti One Limited, 2023, Ninti co-hosts International Delegation Study Tour, Ninti Co-Hosts International Delegation Study Tour - Ninti One