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Intervention on AGENDA ITEM 4: Human Rights

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Thank you, Madam Chair!

Despite the General Assembly's adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and several international human rights instruments, the human rights situation of indigenous peoples in Asia remains deplorable. Our collective rights continue to be systematically and grossly violated, especially with regards our traditional lands, territories, and resources; the right of self determination, and the principle of free, prior, informed consent in decisions that impact them.

I would like to focus on the urgent problem of militarization and its human rights impacts on indigenous peoples in Asia, particularly in the Philippines, India, Nepal, Bangladesh, Japan, Cambodia, West Papua, and Thailand. But, I will not be presenting the explosive cases of human rights violations in each country due to very limited time.

Militarization is a state policy of deploying armed forces and military bases in indigenous territories, setting-up of military detachments inside or near the communities, imposing checkpoints and curfews with restrictions on community activities with the general effect of creating an environment of terror, massive and intense military operations including indiscriminate bombings and firing, recruitment of paramilitary forces among indigenous peoples, and many other forms of military terror. Militarization in itself is a basic human rights violation that has resulted in many serious human rights cases such as torture, illegal arrest and detention, extrajudicial killings, enforced disappearances, military rape of indigenous women including minors, abandonment of impregnated women by military elements, indiscriminate firing and bombings, burning of houses and indigenous forests and destruction of community properties and resources, forcible evacuations and military displacements of indigenous communities, with ethnocidal impacts on indigenous peoples.

Militarization is employed to secure state and corporate interests, and to suppress community resistance for indigenous peoples rights.

Considering time constraint, I now proceed with our recommendations to the UN Permanent Forum on Indigenous Issues and to the Special Rapporteur on the Rights of Indigenous Peoples James Anaya:

1. To call on Asian states to demilitarize indigenous territories and to take appropriate steps to review and reverse their counter-insurgency policies and strategies that are detrimental to indigenous peoples and violative of international humanitarian law. Likewise, call on Asian states for the review of their oppressive and militarist laws and policies to be consistent with UNDRIP and seriously implement their international human rights obligations. Push for State recognition of indigenous peoples to ensure full protection of their human rights, especially in Asian countries, like Thailand, who have no legal recognition of indigenous peoples up to now.
 - a. Withdraw the Oplan Bayanihan as the government's counter-insurgency strategy in Philippines; Operation Uttoran in Bangladesh; Armed Forces (Special Powers) Act of 1958 in India.

2. Urge Asian states to stop forming and using paramilitary forces and push for the dismantling of paramilitary forces.
3. Take concrete steps to address the human rights impacts of militarization and extractive industries and ensure that the collective rights of indigenous peoples including free, prior and informed consent are recognized and respected. Undertake immediate actions to stop forcible evacuations and military displacements.
4. Establish a speedy and effective mechanism of prosecuting and convicting State and corporate perpetrators of human rights violations against indigenous peoples in order to ensure justice to the victims and stop impunity such as in the Philippines, Cambodia, India, West Papua, Thailand, and others.
5. Support the peace negotiations of Asian governments with revolutionary and resistance armed forces and call for the implementation of their agreements upholding the rights of indigenous peoples:
 - a. The Philippine government with the National Democratic Front of the Philippines (NDFP) and Moro Islamic Liberation Front (MILF) to pave the way for addressing and resolving the roots of the armed conflict. Implement their Comprehensive Agreement on the Respect for Human Rights and International Humanitarian Law (CARHRIHL).
 - b. Implementation of the CHT Accord to demilitarize indigenous communities in Bangladesh.
 - c. The Peace Negotiations between the Government of India and the National Socialist Council of Nagalim (IM) on the basis of the Government of India's "recognition of the unique history and situation of the Nagas" as acknowledged and declared on July 11, 2002.
6. Urge Asian states with foreign military bases in indigenous territories to withdraw foreign troops from indigenous territories as in the case of Ryukyu/Okinawa, Japan by the US. In accordance with Article 28 of the UNDRIP, States should undertake concrete measures including restitution or just, fair, and equitable compensation for the lands used by the foreign troops with the participation of indigenous communities concerned.
7. Conduct international investigative missions and call for the UN Special Rapporteur James Anaya and other appropriate UN bodies to visit Asia to look into the problem of militarization and the serious human violations committed against Asian indigenous peoples.

Thank you.