

INTRODUCTION TO THE HALF-DAY SESSION ON ASIA

Two thirds of the world's more than 370 million indigenous peoples live in Asia. Although many government's claim that "we are all indigenous", there are distinct groups with their own languages, cultures and territories that distinguish themselves from the broader populations in their respective countries that fall within the scope of international human rights instruments including the UN Declaration on the Rights of Indigenous peoples. These distinct groups are called in different names such as *tribal peoples, hill tribes, scheduled tribes, janajati, orang asli, masyarakat adat, adivasis, ethnic minorities o ethnic r nationalities.*

At its sixth session in 2007, the Permanent Forum held a half-day session on Asia, and made a range of recommendations to Asian States as well as to the UN system and indigenous peoples themselves. **The recommendations called for legal recognition of indigenous peoples, legal reforms, compliance with international standards and mechanisms that address violations of land rights. The Forum also called on donors to establish or strengthen their policies on indigenous peoples.**

The Permanent Forum expressed its concern with the general human rights situation of indigenous peoples within the region, calling for legal and policy reforms to address the negative impacts of economic liberalization on the territories of indigenous peoples and also calling for the implementation of free, prior and informed consent in accordance with the customary laws of indigenous peoples. The Forum was particularly concerned about extrajudicial killings of indigenous leaders and activists in several Asian States. The Forum also called on the Special Rapporteur on violence against women and the Special Rapporteur on trafficking in persons, especially women and children to hold regional consultations with indigenous women in the region.

The Permanent Forum called for increased engagement from the Association of Southeast Asian Nations (ASEAN) and the South Asian Association for Regional Cooperation (SAARC), requesting that their member states recognize collective rights of indigenous peoples and that the rights of indigenous peoples be integrated into the development process of the ASEAN charter.

The Forum also called on UN Country teams in the region to formulate a matrix of indicators, benchmarks and milestones to assess the outcomes and results of their policies and programmes relevant to indigenous peoples. The Forum also commended the establishment and achievements of UNDP's Regional Indigenous Peoples' Programme. At its ninth session, the Forum recommended that UNDP allocate additional resources for its regional programme on indigenous peoples in Asia. The regional programme was discontinued in 2011.

Finally, the Forum supported plans by indigenous peoples' organizations to undertake assessments of peace agreements in specific countries. In this regard, the Forum, at its tenth session made a number of recommendations on the implementation of the Chittagong Hill Tracts Accord of 1997, calling for the demilitarization of the region in conformity with the Accord.

After 6 years, the UN Permanent Forum of indigenous peoples is again having a half-day session on Asia as part of the 13th session. At this session, the Permanent Forum will continue its dialogue with indigenous peoples, governments and the UN system from the region, with a focus on the actions taken in relation to the recommendations by the UNPFii in 2007, recent developments, good practices as well as ongoing concerns. Based on the recommendations in 2007, the following themes can be the points of departure:

- Implementation of the UN Declaration on the Rights of Indigenous Peoples
- Mechanisms for consultation and participation of indigenous peoples in decision making
- Natural resource extraction and land rights
- Legal reform and policy making
- Good practices in addressing the concerns and welfare of indigenous peoples
- Formulation of matrix of indicators, benchmarks and milestones by UN agencies, funds and programmes to assess the outcomes and results of their policies and programmes relevant to indigenous peoples

Likewise, I wish to highlight some key developments in the Asia region, which is relevant for this dialogue and exchange. The key developments are related to climate change and sustainable development. Last year, the strongest and most devastating typhoon called *Yolanda or Haiyan* hit the Philippines which killed more than 6,000 people and left 4 million homeless and without livelihoods sources. Among the victims are indigenous peoples who remain marginalized and invisible in the delivery of aid and rehabilitation efforts. This case demonstrates not only the vulnerabilities of indigenous peoples to disasters but also their in-accessibility to needed support and assistance that are appropriate to their conditions. This situation also mirrors the indigenous communities who were victims of the tsunami in Indonesia, Malaysia and Thailand.

Further, mitigation and adaptation measures to combat the adverse impacts of climate change are posing threats to the exercise of the rights and the wellbeing of indigenous peoples. The classification of large dams as clean energy under the climate change mitigation has been taken as a new license to build more than 200 large dams across Asia, which will certainly cause the massive displacements of indigenous peoples along with the destruction of their livelihoods and traditional occupations. Likewise, while it is commendable for some states to already shift their efforts into generating renewable energy such as windmills and geothermal plants, these projects are planned in indigenous territories without their full and effective participation including consent, and no due consideration to the fragile state of ecosystems that are going to be impacted. These efforts are still within the business for profit framework, with potentially adverse impacts on indigenous peoples' territories and wellbeing and not aligned with their self determined sustainable development approaches.

As ASEAN is now the economic growth center, the investment plan of ASEAN under the prevailing paradigm of development based on resource extraction, mega-

infrastructure development and expansion of commercial plantations among others. Again, indigenous peoples in the region remain invisible and are the ones always to be sacrificed in the name of "development". The proven practices of unsustainable development especially with the free trade agreement of ASEAN to start on 2015 will further marginalized indigenous peoples in the region.

In line with these key developments, along with the continuing concerns of indigenous peoples in Asia, especially in relation to their legal recognition and their inherent collective rights, I look forward to the interventions and constructive dialogue between states, indigenous peoples, UN agencies, funds and programmes on their efforts to address these concerns and on concrete actions and collaborative proposals to improve the conditions of indigenous peoples in Asia and beyond.