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STATEMENT BY MALAYSIA

Half-day Panel Discussion on the World Conference on Indigenous Peoples

24th Regular Session of the Human Rights Council

17 September 2013

Thank you Mr. President,

We join earlier speakers in expressing our appreciation to all distinguished panellists for their insightful presentations.

2. My delegation reiterates the Government of Malaysia's commitment towards the promotion and protection of the rights of indigenous peoples. We welcome the timely decision of the international community to organize the World Conference on Indigenous Peoples in New York in 2014. The Conference would provide a proper consultative mechanism involving all relevant stakeholders to deliberate the way forward on integrating and translating the rights of indigenous peoples into national policies and development plans.

3. While most States are faced with the challenge of balancing the need for development, which in turn could further improve the livelihood and full enjoyment of human rights of their citizens, indigenous groups, more often than not, are amongst the most disadvantaged community, in the conventional sense, due to their unique lifestyle and, in some cases, remoteness. Continuous engagement with the community is therefore imperative to ensure that indigenous groups are not left behind in the national development agenda.

4. Due to the constitutional particularities of Malaysia, with the distinct and sometimes overlapping Federal and State rights and jurisdiction, and the formation of Malaysia in 1963 with the inclusion of the states of Sarawak and Sabah, my delegation will take this opportunity to illustrate only some of the Government's initiatives as regards the promotion and protection of the rights of the indigenous peoples. My delegation will focus at this instance, on the initiatives concerning the

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indigenous peoples in Peninsular Malaysia, while not homogeneous, who are collectively identified as the *Orang Asli*.

5. The rights of the *Orang Asli* in Malaysia are protected under the Federal Constitution and the Aboriginal Peoples Act 1954. The need to enhance synergies between the State and the indigenous groups in the promotion and protection of the rights of the indigenous people in Peninsular Malaysia has been entrusted to the Department of *Orang Asli* Development. The Department has the prime responsibility to protect the *Orang Asli* and their way of life from the rapid development as well as to provide facilities and assistance in education, health and socio-economic development.

6. To further demonstrate the Government's commitment towards the advancement of the *Orang Asli*, the Department has introduced the *Orang Asli* Development Strategic Plan for the period of 2011-2015. The Plan consists of six core elements namely, achieving progressive economic activity; strengthening human capital; expanding access to infrastructure; improving health level; cultivating traditional knowledge and heritage; and improving the Government's delivery system and good governance. An inclusive approach of sustainable development could create a new generation of *Orang Asli* that is better educated and dynamic, with a better level of well-being, while ensuring the conservation of the culture and heritage of the *Orang Asli* community.

7. The administration of the indigenous peoples' affairs in Sabah and Sarawak, on the other hand, somewhat differs from that of the *Orang Asli* in Peninsular Malaysia, in that the former collectively forms the majority of the population and in general, are the mainstream society. Efforts are also being undertaken by the State and Federal Governments to further promote and protect the rights of the indigenous peoples in Sarawak and Sabah.

8. Taking into account the importance of preserving the cultures and traditions of the indigenous peoples in the context of the rapidly evolving socio-economic scenario in Malaysia, the Government continues to provide the indigenous peoples opportunities to participate in mainstream society. Among others, the Government

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has introduced income-generating programmes and other commercial agricultural activities to indigenous communities to further spur their socio-economic advancement. At the same time, the Government maintains that the indigenous peoples must be afforded the freedom of choice whether they wish to join mainstream society or otherwise.

Thank you.

GENEVA
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