

**Joint Statement to the 12th Session of the Expert Mechanism on the Rights of Indigenous Peoples
on Borders, Migration and Displacement**

Agenda Item 3: Indigenous peoples' rights in the context of borders, migration and displacement

Asia Indigenous Peoples Pact (AIPP) and Asia Indigenous Peoples Caucus
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Madame Chair, thank you for this opportunity to speak on behalf of the Asia Indigenous Peoples Caucus. We express our appreciation for the study conducted by the Expert Mechanism on migration and displacement. We wish to share that indigenous peoples in many Asian countries experience similar situations of displacement, eviction and forced migration within and across borders. These are due to various historical and contemporary factors and issues, including the following:

1. Non-recognition of indigenous peoples' rights in many Asian countries. This leads to development aggression and displacement by dams, mining, energy projects, logging, plantations and tourism projects. A few recent examples of displacement due to the construction and commissioning of dams are the Sardar Sarovar dam in the Narmada River and the Mapithel dam in Thoubal River in India, the Bakun dam in Malaysia, the Lower Sesan 2 Dam in Cambodia, the the Xe-Pian and Xe-Namnoy Dam in Laos and the Upper Trishuli-1 hydropower project in Nepal. These projects together have displaced close to half a million indigenous people, causing them to lose their land and livelihoods. Hundreds of thousands more people are threatened as hundreds more dams are being planned for construction all over Asia. For example in the Philippines, 117 dams are in the pipeline under the government's Build Build Build program. The Kaliwa Dam alone will displace 1,400 indigenous Dumagat families and affect more than 100,000 people. Not yet accounted for is the dislocation of thousands of families due to large-scale mining operations that are ongoing and planned in several countries in Asia including Indonesia, Philippines, Cambodia and Myanmar.

2. Non-recognition of forest rights and prohibition of traditional livelihoods in conservation areas such as national parks. In India, 1 to 2 million Adivasi and other people whose claims under the Forest Rights Act have been rejected face the threat of eviction from their lands. State governments intend to evict all forest dwelling Scheduled Tribes and other traditional forest dwellers on or before 24 July 2019.

3. Militarization and combat operations by State military, police, paramilitary groups and private armed forces are used to quell local resistance against destructive development projects. As a result, wide-scale displacement and violations of our civil, political, economic, social and cultural rights are committed, including criminalization of legitimate actions of the communities to defend their rights. In the Philippines, as of July 2018, 77 incidents of *bakwit* or forced evacuation of Lumad indigenous peoples due to militarization have displaced more than half a million (577,161) individuals (Kalumaran 2018).

4. Resettlement and transmigration policies of government in some countries have caused the influx of migrants into indigenous peoples territories, resulting in social conflict,

discrimination and minoritization of indigenous peoples. This is true for instance in West Papua where the original Papua inhabitants face genocide and have been largely outnumbered by Indonesian Muslim settlers. Also, in Bangladesh, resettlement of Bengali people into the Chittagong Hill Tracts (CHT) and confiscation of land for military and other purposes have displaced more than 100,000 indigenous people from their traditional homelands.

5. Outmigration of indigenous peoples from their homelands, both within and across borders, is also significant, due to poverty, unemployment, and neglect of social services and basic infrastructure in remote areas where indigenous peoples are found. In addition, displacement due to natural and man-made calamities, such as typhoons, flooding, landslides, earthquakes, fire and demolition of houses is also significant, aggravating the vulnerability of indigenous people.

The case of the resettled indigenous Moken people of Surin island in southern Thailand whose homes were recently razed by fire demonstrates how culturally insensitive tourism programs could aggravate the vulnerability of indigenous communities.

We therefore forward the following recommendations for consideration by the EMRIP:

- 1. Ensure legal recognition of indigenous peoples' traditional land tenure and resource management systems and protect their lands, territories and resources from expropriation and exploitation without their free prior and informed consent;**
- 2. Immediately stop State military interventions in indigenous territories such as military bases, camps, detachments and stop military operations that cause widespread displacement and human rights violations;**
- 3. Stop resettlement and transmigration programs that discriminate against and minoritize indigenous peoples and displace them from their traditional homelands;**
- 4. Prevent forced outmigration of indigenous peoples from their territories by providing adequate, accessible, affordable, appropriate and culturally sensitive social services and basic infrastructure to uplift the wellbeing and address the vulnerability of remote indigenous communities.**