

Expert Mechanism on the Rights of Indigenous Peoples

4th session

Geneva, 11 to 15 July 2011

Agenda item 5 Implementation of the UNDRIP

Statement of Indigenous Peoples Network of Malaysia

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Thank you Mr.Chairman,

This statement is made on behalf of Jaringan Orang Asal SeMalaysia, the national umbrella body of Indigenous Peoples Organizations in Malaysia.

Malaysia consists of three regions namely Peninsular Malaysia and the two Borneo states of Sabah and Sarawak. Indigenous Peoples of Malaysia is very diverse, consisting of over 80 groups of peoples with unique cultures, language and traditions that have co-existed in a pluralistic society for generations.

Malaysia supported the adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) both at the Human Rights Council and the General Assembly, however since the adoption of this declaration; there is still minimal progress in its implementation in the national and local level.

Mr. Chairman and distinguished delegates,

Since the adoption of the declaration in 2007, Jaringan Orang Asal SeMalaysia (JOAS) has conducted numerous road show and workshops around the country to create the awareness of our community about the declaration and produced simplified version of the declaration in popular materials such as leaflets, booklet and posters to help our communities to understand the essence of the declaration.

We would like to see the same effort be done by the State and UN agencies in Malaysia.

We would also like to share the initiative of the Malaysia Human Rights Commission in upholding its mandate to provide advice to the government of Malaysia by conducting the first ever National Inquiry on Land & Indigenous Peoples. This reflects article 26 of the UNDRIP stating indigenous peoples have the right to their land, territories and resources, and

States should give legal recognition to these land, territories and resources.

We believe that the UNDRIP can be mainstreamed in our country through continuous active engagement with our governments. We the indigenous peoples of Malaysia believe that the UNDRIP can provide a venue for pluralism to happen in our country.

Mr. Chairman,

I would like to thank you for reminding this session earlier regarding the opportunity to formulate constructive proposals to the Human Rights Council for its role as a body that can move the process of the implementation of the UNDRIP forward.

Article 42 of the UNDRIP states that the United Nations, its bodies, specialized agencies, including at the country level, and States shall promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration.

Therefore, we would like to put forward these recommendations for the EMRIP to recommend to the Human Rights Council:

- a) To refer to the EMRIP for thematic advice on the implementation of the UNDRIP at the national level and propose to the Human Rights Council for its consideration to urgently and immediately examine, monitor and publicly report on the situation of indigenous peoples rights in Malaysia
- b) To establish and strengthen programs to promote the UNDRIP and to establish a mechanism to monitor the implementation of the UNDRIP in the local and national level together with other UN agencies that has its country office in Malaysia
- c) To provide resources for Indigenous Peoples Organization to promote the declaration in the Local and National level in line with the program of work of the Second Decade of Indigenous Peoples and in accordance with the UN Development Guidelines
- d) To urge the government of Malaysia to fulfill its pledge to the Human Rights Council as mentioned in its statements during the UN General Assembly of its obligation to integrate the UNDRIP in national laws and policies.

Terima kasih. Thank you Mr. Chairman.