

Joint Statement to the 13th session/ Regional meetings of the Expert Mechanism on the Rights  
of Indigenous Peoples

1<sup>st</sup> December, 2020

Challenges faced by the Indigenous Peoples during the COVID-19 pandemic and good practices  
adopted by the states and Indigenous Peoples; Opportunities and ways forward

By Joshua

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Respected Chair,

The global pandemic has exposed the world of its incapacity of the existing system in responding to such emergencies. The world has witnessed several challenges from the pandemic, the impending economic recessions, the worsening human rights situation in many countries fueled by structural inequalities and discrimination. Bearing the brunt of these are the marginalized sectors across the world, including the Indigenous Peoples, as COVID-19 poses new threats to the health and survival of the Indigenous Peoples.

The response of the governments with regard to Indigenous Peoples has also been rendered inadequate given the lack or non-existence of disaggregated data.

The governments have also used Covid-19 pandemic as an opportunity to curtail legitimate constitutional rights to civic protest, fast tracking repressive and authoritarian policies, restricting access to land and natural resource, a lack of political consideration and participation in decision-making, rendering the communities more vulnerable. We have seen excessive militarization in Myanmar, Bangladesh, Philippines, India etc often enabling the execution of government and business in grabbing the lands of the Indigenous Peoples.

State laws and institutions are being weaponized to attack indigenous peoples' human rights defenders (IPHHRDs) and deny them access to justice.<sup>1</sup> The plight of the migrant workers during the lockdown has seen unprecedented humanitarian crisis and has uncovered governments neglect and exploitation of the population that fuels economic growth.

Racism and racist attacks became Racism, racial profiling, discrimination, and racially motivated attacks are on the rise across the region. The most extreme incidents reported to AIPP from partners stem from peninsular India, where IPs from the Northeast regions of the country have been denied basic services, entry to essential services and physically and verbally abused for their appearance.

**Good practices and opportunities:**

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<sup>1</sup> <https://www.business-humanrights.org/en/latest-news/indigenous-day-2020-covid-19-outbreak-exacerbates-threats-to-indigenous-other-land-environmental-defenders-says-global-coalition/>

Despite the challenges, we have seen partnerships that have been established between the civil society organisations and the governments in responding to the crisis, resulting in a better management of the spread of virus, and ensuring food security.

India's Northeast district Makokchung, was one of the first areas that initiated area-wise (sub-division) sensitization on the novel coronavirus. Facilitated by government agencies, and non-government organizations alike, core team were constituted for quick response on relief, information and health supplies. The launch of an Android app called Mokokchung Cart connected farmers with buyers during lockdown.

Thailand have also done well in addressing health issues and relief services through their volunteer system.<sup>2</sup> Food exchanges are being carried out between north and south Thailand on rice and fish exchange creating solidarities within groups.

AIPP has observed that IPs across Bangladesh, Cambodia, India, Indonesia, Malaysia, Myanmar, Nepal, the Philippines, and Thailand have all enacted varying forms of lockdowns in their communities.<sup>3</sup> The Nepali Tharu, Thakali, Newar, Santhal, Gurung, Magar and other IPs' communities are using traditional Indigenous institutions to govern communities, disseminate information, enforce effective lockdowns and maintain communal harmony.<sup>4</sup> This demonstrates the need for governments and other institutions to build partnerships with the Indigenous Peoples in fighting the pandemic along with recognition of their institutions.

We have also witnessed that the success of pandemic-fighting initiatives can be directly linked to secured rights over lands. In India, there are several examples where Gram Sabhas, with secured community forest resource (CFR) rights under the Forest Rights Act (FRA), have used revenues generated from collecting Non-Timber Forest Products (NTFPs) to invest in distributing essential food supplies to all village households. In Malaysia, forest-fringe communities and semi-nomadic communities, such as the Jahai and Bateq, have been able to meet their subsistence needs better than settled communities who depend on incomes generated through cash crops.

## Recommendations:

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<sup>2</sup> <https://www.reuters.com/article/us-health-coronavirus-thailand-volunteer-idUSKBN23B044>

<sup>3</sup> <https://aippnet.org/submission-asia-indigenous-peoples-pact-aipp-member-organizations-networks-partial-response-inputs-report-special-rapporteur-rights/>

<sup>4</sup> See: <https://www.lahurnip.org/news-details/98.html>

In this context, we the Indigenous Peoples from Asia would like to urge the EMRIP and Human Rights Council to monitor the situation and provide recommendations to the state to ensure the following;

- To ensure that member states adopt culturally appropriate response through recognizing Indigenous Peoples institutions and building partnerships in fighting the pandemic.
- To ensure designated funds at the local level, that ensure appropriate guidelines and instructions are issued to provincial/state and local authorities on measures to be taken for IPs in relation to the pandemic.
- To ensure states build partnership with the Indigenous Peoples to take urgent action strengthen livelihoods through the formalization of rights-based strategies for non-timber forest product (NTFP) use, community forestry initiatives, and biodiversity protection.
- Nation states must expand IP specific data - disaggregation by ethnicity, gender, disability, and age - to monitor and assess of the impact of all interventions in partnership with Indigenous Peoples.
- That the member states do not use this crisis to exacerbate the violation of indigenous Peoples rights, land grabbing, militarization and attacks on Indigenous Peoples Human rights defenders and curb racism and racist attacks on the Indigenous Peoples.