

**[UNPFII 2016] Implementation of the six mandated areas of the Permanent Forum with reference to the United Nations Declaration on the Rights of Indigenous Peoples**

UN Permanent Forum on Indigenous Issues  
15<sup>th</sup> session  
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**Statement of Asia Indigenous Peoples Pact (AIPP) on effective implementation of human rights of indigenous peoples in relation to the environment, focusing on conservation issues**

Mr. Chairman,

The Asia Indigenous Peoples Pact has four (4) recommendations to the UNPFII with regard to the effective implementation of human rights of indigenous peoples in relation to the environment, focusing on conservation issues.

1. That the Permanent Forum requests Member States to take concrete measures in line with the UNDRIP to recognize, protect and promote the historical role and contributions of indigenous peoples in protecting and conserving the environment as integral to their rights to lands, territories and resources;
2. That the Permanent Forum urges Member States to develop and/or revise and implement, in conjunction with indigenous peoples, their environment-related legislations, policies and programs, including their action plans aimed to tackle climate change and achieving the Development Agenda 2030 to ensure the recognition of the rights of indigenous peoples to their lands and resources; and adopt specific indicators to track progress on this action
3. That the Permanent Forum requests Member States to review and revise discriminatory laws, policies and programmes on traditional and sustainable occupations and livelihoods relating to resource-management and conservation.
4. That the Permanent Forum requests UN agencies, funds and programmes to develop targeted and specific programmes in partnership with indigenous peoples in supporting their sustainable conservation and resource management practices

Mr. Chairman,

The above mentioned recommendations are given based on our experiences and the environmental issues we have been facing as indigenous peoples. Let me now highlight three critical areas that are seriously impacting the rights of more than 270 million indigenous peoples in Asia:

1. One is the narrow approach to environmental conservation and protection without any interaction or intervention of human beings. Such approach is an outright denial and disregard of the historical role and contribution of indigenous peoples' sustainable practices in protecting and conserving the environment. It has further led to the criminalization of indigenous peoples' traditional occupations and practices such as hunting, gathering, and fishing. Worse, it has resulted in forced evictions of innumerable indigenous communities

from their lands. This is evident in a number of countries in Asia where there are laws and policies prohibiting the livelihood practices of indigenous peoples.

2. The second is the conversion of indigenous peoples' lands and exploitation of their resources resulting in serious environmental problems and grave violation of indigenous peoples' rights. Indigenous Magars, who for generations have lived around Dhorpatan Hunting Reserve in western Nepal, have been in conflict with the government army deployed three years ago to protect the Reserve from illegal poaching and land encroachment. Without consultation with and consent of the indigenous Magars as required under the UNDRIP and the ILO Convention 169 that Nepal is a State party to, the army deployment has deprived them of their rights to their lands, territories and resources.<sup>i</sup>

When indigenous peoples defend their lands, territories and resources through legitimate protest actions, many of them are often harassed, intimidated, arrested, jailed, tortured, disappeared, and even killed. According to Global Witness, at least 116 environmental activists were murdered in 2014 – almost double the number of journalists killed in the same period. A shocking 40% of victims were indigenous, with most people dying amid disputes over hydropower, mining and agri-business.<sup>ii</sup>

3. Finally, though indigenous peoples significantly contribute to sustainable environmental protection, their rights are not recognized and respected in environment-related legislations, policies and programs. At the same time, measures aimed at mitigating climate change, such as biofuel, dams and other renewable energy projects under the Clean Development Mechanism (CDM), have had severe adverse impacts on indigenous peoples. Purported solutions that States or business enterprises offer in response to climate change are turning out to be false solutions that harm the environment and violate indigenous peoples' rights.<sup>iii</sup>

India's National Action Plan on Climate Change, for example, includes construction of so-called clean energy such as large hydro dams in Northeast India where indigenous peoples are the majority population. Various companies have already cleared several dams in Northeast India to receive carbon credits and twenty more large dams are planned in several states. Indigenous peoples in India, Malaysia, the Philippines, and Cambodia are continuously opposing such large dams that are imposed on them which have been found to contribute to climate change instead of mitigating it. Even international financial institutions, such as the World Bank and the Asian Development Bank have a proactive role in promoting market-based solutions to climate change.

Mr. Chairman,

We reiterate that as indigenous peoples, we cannot be regarded as separate from our lands, territories and resources that form our "environment." Whatever happens to our environment affects our wellbeing in the social, cultural, economic and political dimensions. We are facing extinction. Our environment is being massively and wantonly destroyed. We therefore call for the protection of our collective rights to our land and our environment as a whole, to ensure effectiveness in combating climate change, the achievement of the SDGs and most importantly, to ensure our very survival on this planet. Thank you very much!

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<sup>i</sup> <http://www.indigenousvoice.com/en/local-indigenous-peoples-protest-army-mobilization-in-dhorpatan-hunting-reserve.html#sthash.R2MYC5jV.dpuf>

<sup>ii</sup> <https://www.globalwitness.org/campaigns/environmental-activists/how-many-more/>

<sup>iii</sup> Ibid