

Friday 18, PM #141

United Nations Permanent Forum on Indigenous Issues  
United Nations Headquarters  
New York  
14-25 May, 2007

Joint Statement by  
The Asian Indigenous Peoples Caucus

Chairperson, ladies & gentlemen,

Warm greetings to all. The Asian Indigenous Peoples Caucus reaffirms recommendations, suggestions and observations that the caucus made in previous sessions, particularly in the 5<sup>th</sup> session of this Forum, concerning major human rights issues of indigenous peoples in Asia, to the extent that they are still relevant. We will also raise a number of issues that have developed since last year.

RECOMMENDATIONS FOR THE 6<sup>TH</sup> SESSION

Recommendation 1:

DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

We express our serious concern at the deferment of adoption of the *United Nations Declaration on the Rights of Indigenous Peoples* by the UN General Assembly in 2006. The document contains the minimum standards on the rights of indigenous peoples and has been agreed upon through lengthy deliberations since 1984. We have negotiated in good faith and expect member states of the United Nations to do likewise. Any further delays may do irreparable harm to our rights and dignity as peoples. We are therefore opposed to any attempts to either change the substance of the Declaration as adopted by the Human Rights Council in, or to form any further Working Groups to discuss the issue. We are grateful to those governments, including those from Asia, who voted for the adoption of the Declaration by the Human Rights Council June 2006, and had also voted against deferral at the General Assembly. We request the Permanent Forum to urge the General Assembly to adopt the Declaration, at its 62<sup>nd</sup> session, and urge all governments to support its adoption. This will be fully consistent with General Assembly Resolution 60/142.

Recommendation 2:

NEW EXPERT BODY ON HUMAN RIGHTS ISSUES CONCERNING INDIGENOUS PEOPLES

Reiterating the recommendation of this Forum at its 5<sup>th</sup> session for the establishment of an Expert Body, directly reporting to the Human Rights Council, and dealing with human rights issues of indigenous peoples. The body should be composed of an equal number

of governmental and indigenous experts serving in their personal capacities. This body would fill – to an extent – the gap that we feel will be created by the non-continuation of the work of the Working Group on Indigenous Populations and the Sub-commission on Human Rights.

### Recommendation 3:

#### SYSTEMATIC ASSASSINATIONS, EXTRA-JUDICIAL KILLINGS & IMPUNITY

We express our gravest concerns at the systematic assassinations and extra-judicial killings with total impunity against indigenous leaders and peoples in Burma, Bangladesh, Philippines and Thailand. We urge the concerned governments and authorities to stop such unacceptable, brutal and inhumane acts. We request the concerned Special Rapporteurs to take specific action on this issue and intervene through your good offices to the concerned governments and authorities in order to stop any further killings in future, to compensate the victims of the killings and to punish perpetrators. Various allegations of state complicity in unlawful killings, torture and similar activities in the countries mentioned above – as referred to by this Caucus in past years - remain without independent and impartial enquiry and accountability, thereby leading to unchecked impunity on the part of perpetrators. We strongly urge governments to make themselves accountable to these brutal violations and take appropriate action. This is a matter of State obligation.

### Recommendation 4:

#### THREATS, FALSE CHARGES AND ARRESTS OF INDIGENOUS ACTIVISTS AND HUMAN RIGHTS DEFENDERS

We would like to bring our concerns on increasing threats, false charges and arrests and detention of indigenous activists, including community representatives and leaders and human rights defenders in Burma, Bangladesh, Cambodia, Indonesia, India, Nepal, Philippines, Taiwan, and Vietnam, including those in relation to land and forest alienation through government action, and through that of rich and powerful business interests. Communities are taking non-violent measures to express their concerns, many of which, unfortunately, have been met with force. Sometimes, indigenous activists and human rights defenders are arbitrarily arrested or charged with false and frivolous offences by manipulation and manufacture of evidence. These are partly done under the pretext of implementation of the States policies of anti-terrorism or national security law. The Asia Indigenous Peoples Caucus strongly urges that these acts be stopped. We also request the concerned UN Special Rapporteurs in collaboration with the UNPFII to conduct in depth study on implication of the policies of anti-terrorism and national security law to indigenous peoples and to intervene in an appropriate manner.

#### Recommendation 5:

##### TRAFFICKING OF WOMEN, FORCED REMOVAL OF CHILDREN AND FORCED RECRUITMENT OF CHILD SOLDIERS

The situation faced by many indigenous women and children remains critical in several of Asian countries. Ongoing conflict, militarization and exploitation of natural resources on our ancestral lands perpetuates the issue. Rape and sexual violence targeting indigenous women and girls has long been employed by the military in Bangladesh, Burma, India and Nepal. These are not sexual crimes, but a systematic and brutal policy that targets indigenous women as a weapon of war, torture and subjugation against the whole community. Trafficking of indigenous women is a particularly serious issue in Burma and Nepal. We urge this Forum to develop mechanisms to review and monitor the implementation of the recommendations contained in the reports of the 2<sup>nd</sup> and 3<sup>rd</sup> sessions of the Forum relating to indigenous women. We also urge the concerned governments to stop these brutal and inhumane acts. Removal of indigenous children from their communities has been reported in Burma and among the Akha people in Thailand. More than 70,000 of children are reported to be serving in the Burmese army alone. The caucus requests the concerned Special Rapporteurs and other relevant mechanisms to take appropriate and effective action.

#### Recommendation 6:

##### PROGRESSIVE REPORTS TO HUMAN RIGHTS TREATY BODIES

We are encouraged that many of our governments in Asia have signed and ratified the most important human rights related treaties. However, many member states are long overdue in submitting their initial report as well as progressive reports to the concerned monitoring bodies. The caucus urges the Forum to encourage these governments carry out their reporting responsibilities through the participation of indigenous peoples and to apply innovative methods to disaggregate data on the situation of indigenous peoples from that of general sections of the population in their reports.

#### Recommendation 7:

##### RELIGIOUS INTOLERANCE & FAITH-BASED PERSECUTION OF INDIGENOUS PEOPLES

Despite human rights obligations to the contrary, various governments in Asia continue to allow, through acts and omissions, instances of religious intolerance and persecution of indigenous people, including religious leaders, in varying degrees, because of their faiths. The situation of Khmer Krom Buddhist monks in Vietnam and Christian leaders in Burma are of particular concern to us on account of numerous allegations of oppression,

disrobing of monks, arbitrary arrest and detention, and even of unlawful killing. We urge action by all concerned.

Thank you, Madame Chairperson.