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Expert Mechanism on the Rights of Indigenous Peoples Sixth Session, 8 – 12 July 2013 United Nations Office, Geneva, Switzerland

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EMACLON COASA

Agenda Item 6: United Nations Declaration on the Rights of Indigenous Peoples

Mr./Madam Chair, expert members, distinguished government delegates, indigenous sisters and brothers,

I deliver this statement on behalf of Aliansi Masyarakat Adat Nusantara (AMAN) from Indonesia, an indigenous organization that consists of 2240 indigenous communities as members with the population of 15-17 million peoples.

It is estimated that there are more than 50 million indigenous population in Indonesia, which has the total population of about 237 million. While they are from diverse geographical and cultural backgrounds, almost all the indigenous peoples in Indonesia are facing similar issues, such as loss of control over land; economic and social marginalization and exclusion; displacement; poverty; discrimination and various human rights violations.

The majority of natural resources that still remain in Indonesia such as minerals, freshwater, potential energy sources and more, are found within the territories of indigenous peoples, and a large sumber of contentious issues affecting indigenous peoples in the country have been occurring over the access and ownership to these resources.

On 13th September 2007 Indonesia has with favor joined the adoption of the United Nations Declaration on the Rights of Indigenous peoples by UN General Assembly. However, actual protection and promotion of the rights of indigenous peoples on the ground in accordance with the Declaration has not yet been realized in Indonesia. Above all the necessary measures, the government of Indonesia has never recognized the existence of indigenous peoples, the very first and fundamental step towards the realization of the Declaration. Indigenous land, territories and natural resources has been continuously and repeatedly taken by the government and private companies without any Free, Prior, and Informed Consent of the respective community in the region.

Muara Tae indigenous community, based in West Kutai District, East Kalimantan province, is one of them, their ancestral territory and forest being taken by four big mining and palm oil companies. These companies grabbed the land of Muara Tae people without any Free, Prior, and Informed Consent of them. Muara Tae community has been suffering for many years, as the forest is their source of livelihood and identity as indigenous peoples. Furthermore, the Government of West Kutai District has even issued a Decree on the village boundaries that arbitrary deprived Muara Tae ancestral territory. The ownership of Muara Tae

people over their territory has never been recognized, nor respected by these actors.

Currently, the four companies are still operating in the region, while the village leader dismissed by West Kutai district government after he sued the Decree of the Regent on the village boundaries at the administrative court. The case of Muara Tae is just one of the thousands of other issues affecting indigenous peoples in Indonesia as the concept, existence and the rights of indigenous peoples, in accordance with international standards including UNDRIP, has not been recognized or respected by the Government of Indonesia.

We strongly condemn the deprivation of the rights of indigenous peoples and urge the Government of Indonesia to immediately accept the concept of indigenous peoples and to recognize their existence and rights in the country in full accordance with the United Nations Declaration on the Rights of Indigenous Peoples.

We also urge the Government of Indonesia to immediately improve and enact the Draft Act on Recognition and Protection on the Rights of Indigenous Peoples in full cooperation with and effective involvement of the representatives of indigenous peoples in the country to comprehensively protect and promote the rights of indigenous peoples in full accordance with all the relevant international standards and instruments, especially UNDRIP.

Thank you.