

## **STATEMENT OF THE ASIA INDIGENOUS PEOPLES PACT (AIPP) AND THE ASIA INDIGENOUS PEOPLES CAUCUS ON THE IMPLEMENTATION OF THE UNDRIP**

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Since the adoption of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) in September 2007, several positive developments as well as challenges emerged in the context of Asia regarding its implementation and the exercise of the collective rights of indigenous peoples in the region.

While it is a major step that the Association of South East Asia Nations (ASEAN) Intergovernmental Commission on Human Rights (AICHR) was finally created in November 2009, its mandate is yet largely on promotion, more than the protection of universally recognized fundamental rights and freedoms of ASEAN citizens including the collective rights of indigenous peoples. With this rather weak mandate, indigenous peoples together with civil society organizations and institutions shall continue to push for stronger and more encompassing mandate and framework to include the UNDRIP in addition to other international instruments to make it a more effective human rights mechanism

Another major development is the statement of commitment made by to Asia-Pacific Forum of Parliamentarians on Population and Development (AFPPD) to promote and uphold the rights of indigenous peoples, consistent with the UNDRIP during its meeting in March 2010. This commitment will have to be transformed into concrete legislative actions at the national level through the review and reform of laws and policies relating to indigenous peoples. In this context, effective consultations and partnership with indigenous peoples are necessary to bring about positive changes in national legislation towards the recognition of indigenous peoples rights.

Another major step undertaken at the regional level was the partnership being established by the Office of the High Commissioner (OHCHR) with national human rights institutions towards the incorporation of the rights and issues of indigenous peoples into the work in NHRIs. This effort shall not only facilitate greater awareness of NHRIs on indigenous peoples rights, but can also facilitate a more comprehensive framework for the programmes of NHRIs that will truly benefit indigenous peoples in Asia.

On the part of indigenous peoples, several initiatives have already been undertaken at all levels to promote the UNDRIP and push for its implementation. On the part of the Asia Indigenous Peoples Pact (AIPP), it has produced more than 15,000 info-poster on the UNDRIP in 10 languages in Asia. It has also conducted a Training of Trainers (ToT) on the UNDRIP and has published a training Manual on the UNDRIP. It has also started working closely with some members of the AICHR and also with NHRIs to mainstream indigenous issues into their work. Further, AIPP has strengthened its collaboration work with UN agencies particularly with ILO- PRO 169, UNDP-RIPP, UNFPA and IFAD among others. There is no doubt that UN agencies can play a vital role in promoting the UNDRIP in its partnership with states and other bodies.

In the context of the above, the Asia Caucus and AIPP puts forward the following recommendations to the EMRIP, UN agencies and states:

1. To recommend to state parties to immediately conduct national and sub-national workshops or seminars on indigenous issues and the UNDRIP that shall include concerned state agencies including legislative and judiciary, NHRIs, UN agencies

and representatives of indigenous peoples organizations, institutions and movements.

2. For the EMRIP to work closely with relevant UN bodies and procedures under the Human Rights Council for the monitoring and reporting on the situation of indigenous peoples including providing recommendations to states and other bodies relating to their implementation of the UNDRIP

3. For the EMRIP members to work closely with the ASEAN Inter-governmental Human Rights Commission (AICHR) and indigenous organizations towards integrating the rights and concerns of indigenous peoples in the work of the AICHR. In particular, the EMRIP, together with the OHCHR can facilitate exchanges and workshops between and among the regional human rights mechanisms on how they are addressing the issues of indigenous peoples in relation to UNDRIP

4. For the EMRIP in partnership with states and UN agencies to conduct and or commission studies on positive legislations relating to provisions of the UNDRIP as well as identification of lessons learned and gaps in national legislations relating to the rights of indigenous peoples on their land, territories and resources

5. For the EMRIP to fully support the development of indicator- tools in partnership with UN agencies and indigenous organizations/institutions at the national and local levels on the implementation of the UNDRIP