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**INTERVENTION BY H.E. DATU JAUL SAMION
DEPUTY STATE SECRETARY, SARAWAK STATE GOVERNMENT,
HEAD OF THE MALAYSIAN DELEGATION TO THE
10TH SESSION OF THE EXPERT MECHANISM ON THE RIGHTS OF INDIGENOUS
PEOPLES (EMRIP)**

**ITEM 6: PRELIMINARY DRAFT REPORT OF EMRIP ON TEN YEARS OF THE
IMPLEMENTATION OF THE UNITED NATIONS DECLARATION ON THE RIGHTS
OF INDIGENOUS PEOPLES: GOOD PRACTICES AND LESSONS LEARNED
12 JULY 2017**

Thank you, Mr. Chairperson.

On behalf of my delegation, I wish to reiterate that the Government of Malaysia considers UNDRIP a valuable international declaration that supplements the obligations of States under international law; and the on-going efforts undertaken worldwide to improve the respect for, and the promotion and protection of the rights of indigenous peoples.

At the outset, my delegation wishes to affirm that the rights of indigenous peoples in Malaysia have been protected under the laws of Malaysia, notably the Federal Constitution– the supreme law of Malaysia, as well as the Aboriginal People's Act 1954, and other laws at the provincial levels. Needless to say, the Government is always mindful of the contribution, participation, and the roles of indigenous in our national development policies and plans.

Examples of Best Practices in the Implementation of UNDRIP

2. We would like to share our experience and best practices of the collaborative efforts of the Government and the indigenous people in one of the regions in Malaysia, i.e. Sarawak, where 75% of its people are of indigenous origin.

Documentation of Customary Land

3. In year 2010, the Government formulated a special programme to address some of the concerns of the indigenous communities in the region. One of the initiatives was the historic decision of the Government to document native customary land in a big way, involving the surveying of these lands. Since then, almost 800,000 hectares of land had been surveyed, which is about half of the native customary land in this region. This subsequently led to the official gazettelement and declaration of these land as Native Communal Reserve. This exercise further reinforces the Government's commitment to safeguard the rights of the indigenous peoples over their legitimate customary land. In the process, the principle of free, prior, informed consent was applied through consultations.

Preservation and Promotion of Indigenous Languages

4. Native leaders have expressed their aspiration to preserve and promote greater use of indigenous languages. For this, the Government has positively responded to their aspiration by implementing a number of programmes, i.e. through teaching, documentation and publication as well as use in mass media.

5. Now the Iban language is one of the ethnic languages officially taught in many schools throughout the region. Native languages are also published in dictionaries and books and widely used in the print and electronic media.

Codification of Customary Laws

6. To protect indigenous customs, the Government of Sarawak made serious efforts to codify native customs in accordance with the law. As a result, native customary laws of eight (8) major communities had been successfully codified while some are still works-in-progress.

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7. In the drafting process, the specific native groups together with the custom (*adat*) experts were thoroughly engaged and consulted.

8. In conclusion, Mr. Chair, these experiences are among the successful examples of constant engagement with the affected indigenous people. The success of the programmes which I have highlighted, no doubt exemplifies the importance of close collaboration with the indigenous peoples to create an environment of mutual respect and trust among the various stakeholders.

I thank you, Mr. Chair.

GENEVA
12 July 2017