

High Level Meeting of the General Assembly: The World Conference on Indigenous Peoples  
United National Headquarters, New York  
22<sup>nd</sup> September, 2014

Second Roundtable discussion on Implementation of the rights of indigenous peoples  
at the national and local level

*Statement presented by Adivasi Women's Network, India*

Mr. President of the General Assembly, Mr. Secretary General, Excellencies,  
representatives of States and Indigenous Peoples,

Johar (Adivasi greetings) to you and All!

**It's our pleasure to share the views of Indigenous peoples from mainland India**, at the second roundtable of High-Level Plenary meeting of the sixty-ninth session of the General Assembly, the "World Conference on Indigenous Peoples" held on 22 September 2014.

First of all I appreciate the efforts made by all the indigenous peoples of the world for their persistence and determination to witness this historical event. And I am thankful to all the heads of State and Government, Ministers and representatives of member states who with a spirit of co-operation with indigenous peoples are coming forward to promote and protect the rights of indigenous peoples.

**Ratification of ILO 169:**

As per the outcome document of WCIP, our respected government of India has to take strong position to safeguard the rights of Adivasis / tribals who are still denied as Indigenous peoples in their own land. We urge that our good government must ratify the ILO Convention 169 to recognize the rights of Indigenous peoples of India in the light of WCIP outcome document.

**Self-determination in Tribal Governance**

The rights of Indigenous Peoples for local self-governance and ownership over their livelihood resources, as given in the central law i.e., **Provisions of Panchayat (Extension to the Scheduled Areas) Act 1996** (PPESA) have not been translated in letter and true spirit in the respective states of the country.

The Panchayat Acts in general and Part IX of the Constitution was not supposed to be implemented in the tribal territories i.e. areas notified in Schedule Five of the Constitution (Article 243 M, Constitution of India). PESA was formed to extend the Panchayat system and Part IX of the Constitution into the Scheduled Area so that the Adivasi / tribal people would also be able

to get the benefits out of it. And, thus, it is necessary that Decentralization of Powers and devolution of funds should be vested in and transferred to **council of Indigenous Peoples** at all the four levels of local self-governance i.e., village level, Panchayat level, intermediate level and at level of autonomous district council. The same should be applied in the urban areas falling in the Fifth Scheduled.

### **Territorial Rights and Ownership over Natural Resources:**

In the 'public interest' and or in the name of 'development' Adivasi's land alienation has caused a serious concern. We urge that the alienated land of the Adivasi's is restored, with ownership of resources in their respective territories; the damage / lose caused due to this previously alienated status from land and resources should be compensated so that gaps could be mitigated as a measure to correct the historical injustice caused to the Adivasis.

### **Tribal Budgeting:**

Mr. President, for India its Tribal Sub Plan (or the Tribal Budget) there should be a thorough **audit** and **review** of the Tribal Budget. Most important, the disbursement of this budget is being done only by the policy guideline and convergence of the allocation from one head to another is unabated. It is, therefore, strongly urged that an Act be made to better regulate this budgetary allocation not excluding in it the gender budgeting.

Being guided by the UNDRIP, we also urge through you Mr. President that in the discourse of 'development' the process of Militarization of the Adivasi territories and the Adivasi people has caused much violations of human rights. It is thus urged that this phenomenon of militarization must be abolished.

In the nation that itself has enacted the **Right to Information**, why should the Adivasi / indigenous people in the country be denied the Right to Free Prior Informed Consent, it must be strictly respected and implemented.

With these concerns we hope this outcome document will make a difference in the recognition, respect, and protection of indigenous peoples' rights at the local and national level in India.

Thank you!

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