

**10th Session of the United Nations Permanent Forum on Indigenous Issues
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Asia Indigenous Peoples Caucus Statement on Agenda Item 3: Follow-up to the Recommendations of the Permanent Forum on Economic and Social Development

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Thank you, Madame Chair, for this opportunity to address the Permanent Forum and relay the sentiments of Asia Indigenous Peoples on Agenda Item 3 on Economic and Social Development, as discussed during the Asia Preparatory meeting held on February 26 - March 1, 2011 in Chiang Mai, Thailand.

We affirm and reiterate the recommendations made during previous sessions of the Permanent Forum on Social, Economic and Cultural Rights. In particular, we wish to highlight those recommendations that we feel still need to be implemented *most urgently in order to ensure the continued survival, respect of rights and well-being of the Indigenous Peoples in Asia.*

Our priority recommendations are as follow:

1. That Asian States enact better laws in line with international human rights and indigenous peoples rights standards regulating the activities of investors and corporations, and mitigating the negative impact of economic liberalization in indigenous peoples territories (PF6-recom#98c). This is especially important now that extractive industries, especially mining, energy projects, megadams, logging, biofuel plantations and others by private investors are causing *serious human rights abuses and* rampant and irreparable damage to indigenous peoples lands and traditional livelihoods *(in the Philippines, India, Myanmar, Cambodia, Laos, Vietnam, Nepal)*. Further, that the recommendations arising from the UN expert workshop 2009 on indigenous peoples rights, corporate accountability and extractive industries be fully implemented by all Asian States and UN agencies.
2. That Asian States take effective measures to halt land alienation in indigenous territories (PF6-recom#22) and ensure the implementation of free, prior informed consent regarding development projects on indigenous territories by states and corporations (PF6-recom#98f, PF7-recom#62). As it is, indigenous peoples (in many states *(Burma, Cambodia, Philippines, India, Vietnam, Thailand, Indonesia)*) experience land grabbing, land use conversion, loss of livelihood and forced displacement due to the impact of development projects by states and corporations on their lands, without *their consent or even being provided adequate information on these projects before they are implemented*. Furthermore, we urge the governments of Asian States visited by the Special Rapporteur on Indigenous Peoples, such as the Philippines and Cambodia, to implement his recommendations *regarding mega-projects and development aggression in the territories of indigenous peoples (PF6-recom#44)*.
3. That UN agencies, financial institutions and States take serious measures to mitigate the impacts of climate change on indigenous communities, protect and nurture indigenous peoples' traditional natural resource management practices, environment -friendly technologies, biodiversity and cultural diversity, and develop strategies for disaster preparedness towards arriving at global solutions to climate change (PF7-recom#19, 27, 28). Indigenous peoples in all Asian countries are in the frontlines of the climate crisis since many of us suffer from super typhoons *(which are increasing in frequency and power)*, unprecedented flooding, land slides, sea-level rise and other calamities brought about by climate change, which aggravates the fragility of our ecosystems. *And which are incompatible with existing and planned megadams and extractives projects which add greatly to the threat of disasters.*

4. That Asian States *fully recognize and respect indigenous peoples and cultures and give proportionate attention to recording and reducing the number of indigenous peoples in poverty in the implementation the Millennium Development Goals (PF6-recom#43, PF7-recom#64, PF9-recom#14). More support should be given in order to rectify the historical discrimination and marginalization suffered by indigenous peoples due to extreme neglect by the State of basic social services. In addition, measures should be taken to ensure that State efforts to reduce poverty should benefit indigenous peoples and especially indigenous women at least as much as the general population, and that indigenous peoples are not sacrificed or excluded in the process.*

5. That International financial institutions (IFIs), transnational corporations and other business enterprises adopt *and abide by at least the minimum human rights and environmental standards consistent with the UNDRIP and ILO Convention 169 and that States enforce corporate compliance with relevant laws and standards of human rights. Appropriate and accessible grievance mechanisms should be put into place to ensure full participation of indigenous peoples in decision-making processes (PF8-recom#12-23). Special attention should be given to monitoring, documenting and prosecuting human rights violations committed by security forces of States and corporations, such as the killing of indigenous leaders opposing mining (in the Philippines), and provide redress to relatives of victims (PF6-recom#103). Another heinous practice that should be corrected is the setting up of investment defense forces, such as soldiers protecting mining or logging concessions at the expense of the indigenous tribes living around the area, militarization and harassment of indigenous leaders in mining-affected communities.*

6. That States and UN agencies support *us in the revitalization and strengthening of indigenous peoples' cultural heritage. Quality education that incorporates indigenous knowledge and culture into education programmes and curricula, including use of indigenous language as a medium for instruction should be reinforced (PF8-recom#86, PF9-recom#24, 29, 33). This is necessary in order to effectively counter the violation of indigenous peoples' cultural rights due to discrimination, forced assimilation, internal and external migration resulting from socio-economic factors such as conflict and displacement.*

7. That States, the UN system and other intergovernmental bodies recognize the rights of indigenous peoples to own, control, use and have access to their forests. States should reform laws and policies that deny the rights of forest-dwelling and forest-dependent indigenous peoples and provide redress to those whose rights have been violated (PF9-recom#155). In line with the international year on forests, States and UN agencies should promote conditions for indigenous peoples to maintain forests in their traditional way and conserve their cultural identity, including recognizing traditional forest management practices and governance systems in all forest policies (PF9-recom#160, 161). The non-conversion of (natural) *long established* forests for other uses should be ensured *by giving priority to indigenous lands and forest protection over other forms of land use*, while addressing the drivers of deforestation and land tenure issues, such as economic land concessions in Cambodia.

8. And finally, that States and UN agencies support indigenous peoples' efforts to consolidate their own development models and concepts, strengthen their capacities, highlight their traditional knowledge, institutions and values, and freely practice their own self-determined development (PF9-recom#11, 161). This, ultimately, is the true meaning and exercise of the fundamental right to self-determination of indigenous peoples as enshrined in the UNDRIP.

Madame Chair, these issues of economic, social and cultural development are matters of life and death for indigenous peoples in Asia. We thus pray for immediate attention and decisive action on the above-mentioned recommendations from previous sessions of the Permanent Forum that beg to be addressed.

Thank you, Madame Chair.