

## Indigenous Peoples Statement on the ASEAN Human Rights Declaration

We, the members of the Indigenous Peoples Task Force on ASEAN (IPTF), Asia Indigenous Peoples Pact (AIPP) and other indigenous peoples organizations, express our extreme disappointment to the adopted version of the ASEAN Human Rights Declaration (AHRD). As an over-arching human rights standard in the region, the AHRD falls below international standards on human rights particularly on the duties and responsibilities of states in upholding the universality, and non-derogability of and the enjoyment and exercise of human rights by citizens.

More over, despite the favorable votes of all ASEAN member countries for the adoption of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2007, this AHRD does not include our recognition as indigenous peoples distinct from the majority and systematically discriminated and exploited through the non-recognition and violation of our collective rights. The non-inclusion of indigenous peoples rights in the AHRD is a further step backwards for ASEAN member countries and their duties and obligations to abide by international human rights standards and norms including those that recognize indigenous peoples rights. The UNDRIP which details our rights as indigenous peoples is part of international human rights standards and norms.

We are likewise disappointed that there were no genuine consultations conducted with civil society including indigenous organizations during the process of the drafting of the Declaration. Even more disappointing is that in the few instances that the ASEAN Intergovernmental Commission on Human Rights (AICHR) called for consultations on the then draft AHRD with civil society organizations, indigenous peoples representatives were not invited and were even barred to attend in some consultations to present our common inputs and recommendations. This however did not limit us from submitting our recommendations on the AHRD to recognize indigenous peoples and our collective rights, especially our rights to our lands, territories and resources, self-determination and free prior and informed consent. We have constantly been sending and personally submitting our inputs and recommendations on the AHRD to the members of the AICHR and disappointingly never received any official response to our communications to them.

Indigenous peoples in Southeast Asia comprise a large part of the population of the region numbering an estimated 100 million. Despite this, ASEAN member countries have been remiss in their duties and obligations to promote and protect our rights. Instead, we are made to bear the burden of national development goals by sacrificing our lands, territories and resources.

The current ambitious investment plan of ASEAN shows the severe imbalance between duties of states to respect and protect human rights with national development goals without ensuring social equity and justice. The differential impacts of the resource-extractive model of development of member-countries of ASEAN violate our collective

rights as indigenous peoples to maintain and develop our political, economic and social systems in our own territories. This is clearly resulting to our massive displacements, wide-scale destruction of our sustainable livelihoods, food security, cultural heritage, social cohesion and ethnic identities. In addition, we continue to be highly marginalized and suffer from the lack of basic social services, compounded by the denial of citizenship by certain countries.

As the ASEAN member countries are parties to international standards and norms, we shall continue to engage the member countries by monitoring their compliance to and upholding their obligations on these standards and norms. We shall continue to engage national human rights and Indigenous Peoples institutions and Agencies, national and international human rights mechanisms and procedures for the promotion, respect, and protection of our rights as indigenous peoples.

With this, we call on ASEAN Member Countries

1. To fulfill their human rights obligations in compliance to international standards and norms they have committed to which includes the UNDRIP;
2. To be transparent and inclusive by providing effective mechanisms and platforms for indigenous peoples and civil society to engage effectively on all matters that affect them;
3. To designate a focal person for indigenous peoples within the AICHR towards the establishment of a working group that would look into the issues, concerns and welfare of indigenous peoples in the region.