

Proposal of Indigenous Peoples for inclusion to the ASEAN Human Rights Declaration

“Affirming that indigenous peoples are equal in dignity and rights to all other peoples, while recognizing the right of all peoples to be different, to consider themselves different, and to be respected as such, we thereby recognize the distinct identities and diverse cultures of indigenous peoples in ASEAN and commit ourselves to take measures to promote and protect the rights of indigenous peoples consistent with the UN Declaration on the Rights of Indigenous Peoples.”

CONTEXT

Indigenous peoples in the ASEAN comprise more than 100 million representing distinct identities and diverse cultures. They are referred to in different names such as *ethnic minorities, hilltribes, indigenous communities, orang asli, orang asal, ethnic nationalities, masyarakat adat*, among others. However, they share common history of marginalization, exclusion, discrimination, forced assimilation. At the same time, they continue to assert their distinct identities, self-governance, traditional livelihoods and resource management systems as well as their socio-cultural institutions in the midst of mainstream national political, cultural and economic systems and legal framework.

Indigenous peoples in ASEAN and around the world have struggled for the recognition of their identities, cultures and inherent rights as distinct peoples. They cannot achieve the full enjoyment of their individual rights without the recognition of their collective rights. This has resulted to the drafting and consequently the adoption of the UN Declaration on the Rights of Indigenous Peoples in September 2007 after 20 years, with the favorable votes of ASEAN states. The rights of indigenous peoples are now integral part of international human rights standards.

With the resolution of ASEAN to have an ASEAN Human Rights Declaration it is imperative that this shall build upon and strengthen their commitment and obligations to international human rights instruments and standard. We certainly welcome initiative towards this direction.

For indigenous peoples in the ASEAN, the inclusion of a specific and explicit reference to the recognition of their distinct identities and diverse cultures and to the UN Declaration on the Rights of Indigenous Peoples shall be incorporated in the ASEAN Human Rights Declaration as proposed above. This will re-affirm the commitment of ASEAN states to international human rights standards and will enhance harmonious and cooperative relations between States and indigenous peoples. It will also certainly contribute to the realization of peace, social justice, equity, democracy and sustainable development in line with the spirit of a people-centered, caring and sharing ASEAN.

Asia Indigenous Peoples Pact (AIPP) and the Indigenous Peoples Task Force on ASEAN (IP-TF on ASEAN)