



INDIGENOUS PEOPLES INDIGENOUS VOICES

BACKGROUND

Indigenous Peoples in the Asian region

Thirteenth Session of the UN Permanent Forum on Indigenous Issues

Discussion on Thursday, 15 May 2014, 10 a.m. – 1 p.m.

Two thirds of the world's indigenous peoples live in Asia, which is home to more than 2,000 civilizations and languages. They include groups that are often referred to as *tribal peoples*, *hill tribes*, *scheduled tribes*, *janajati*, *orang asli*, *masyarakat adat*, *adivasis*, *ethnic minorities* or *nationalities*. Irrespective of their legal status or the terminology used, many indigenous peoples of Asia experience non-recognition of their cultural identity, exclusion and marginalization.¹

While the concept of “indigenous peoples” is rarely incorporated into national laws and constitutions, discriminatory approaches and stigma that depict indigenous peoples as “economically backward and primitive” persist. There is some progress, though. The Philippines Indigenous Peoples Rights Act (Republic Act No. 8371 of 29 October 1997) is one of the first laws in Asia that recognizes indigenous peoples' rights to their ancestral domains and to cultural integrity, including the right to self-governance and self-determination. Nepal lists 59 indigenous nationalities who have their own mother tongue and traditional customs, different cultural identity, distinct social structure and written or oral history, and is the only Asian country to ratify ILO Convention No. 169 on Indigenous and Tribal Peoples in 2007. In 2008, Japan recognized the Ainu people as indigenous to Hokkaido.

Land and natural resources

Asian indigenous peoples often experience displacement and relocation from their traditional territories, and dispossession of their lands and resources by both government-led and private-led projects engaged in extractive industries, logging, large-scale plantations, mega-projects and dams. The Indonesian Constitutional Court's decision of May 2013 marks a turning point in this regard. The Court's decision No. 35/PUU-X/2012 found that customary forests are no longer state forests, recognizing the right of indigenous peoples to manage the lands in which they live.


Education and health

Indigenous peoples have lower levels of educational achievement and higher dropout rates than other segments of the population due to lack of education programmes in indigenous languages, culturally inappropriate curricula, distance of schools from indigenous communities, and inadequate

¹ Report of the Special Rapporteur on the rights of indigenous peoples, James Anaya. Consultation on the situation of indigenous peoples in Asia, A/HRC/24/41/Add.3, para 6.



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accommodation. In Laos, for example, 34 per cent of rural Tai girls had never attended school in 2002-2003.²

Poverty

In South and South-East Asia, indigenous peoples' agricultural practices such as shifting cultivation, also known as rotational agriculture, also reinforces indigenous peoples' economic, social and cultural integrity.³ Nevertheless, in the majority of Asian countries, traditional subsistence activities are threatened by a range of infrastructure, development, agro-industrial and conservation projects. The Bakun Dam in Malaysia for example is reported to have caused the forced displacement of 5,000-8,000 indigenous persons from 15 communities by clear-cutting 80,000 hectares of rainforest.⁴

Indigenous women, violence and militarization

Indigenous women continue to pay the price of structural forms of violence and discrimination, as well as from the persistence of conflicts and militarized areas in a number of Asian countries. Numerous cases of rape, sexual enslavement and also killing of indigenous women and girls in conflicts have been reported in a number of countries; very few have been investigated and the perpetrators prosecuted.⁵

Contributions by indigenous peoples

Asian indigenous peoples can make major contributions to their countries. Their traditional knowledge and the effective use and preservation of their lands, forests and natural resources can inspire worldwide measures for conservation and mitigation, particularly in the face of climate change, and disaster risk reduction. Traditional medicines and practices can be shared for the benefit of the wider society.

The Permanent Forum is expected to adopt recommendations at the conclusion of the discussion, addressing the main issues, challenges and positive measures of cooperation to improve the situation of indigenous peoples in Asia.

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For media queries, including interviews with United Nations officials and indigenous representatives, please contact Ms. Francesca Lorusso-Caputi, tel: +1 212-963-3979 or email: lorusso-caputi@un.org – United Nations Department of Public Information

To contact the Secretariat of the United Nations Permanent Forum on Indigenous Issues, please get in touch with Ms. Nilla Bernardi, tel: +1 212-963-8379 or email: bernardi@un.org – UN Department of Economic and Social Affairs

For more information on the thirteenth session of the United Nations Permanent Forum on Indigenous Issues, please see: <http://undesadspd.org/IndigenousPeoples.aspx>

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² King E., van de Walle D. (2010), *Catching up slowly: ethnic and gender inequalities in Lao PDR*, World Bank, p. 1.

³ UNFPII (2012), *Study on shifting cultivation and the socio-cultural integrity of indigenous peoples*, E/C.19/2012/8, p. 3 and 12.

⁴ United Nations (2010), *State of the World's Indigenous Peoples*, ST/ESA/328, p. 89.

⁵ UNICEF, UNFPA, UN Women, ILO, OSRSG/VAC (2013), *Breaking the silence on violence against indigenous girls, adolescents and young women*, p. 7

