

## Report of the Asia Regional Seminar on Indigenous Peoples and Traditional Livelihoods



16-18 August 2010  
Apsara Angkor Hotel, Siem Reap Province

### **Hosted By:**

Ministry of Rural Development, Royal Government of Cambodia  
International Labour Organization (ILO)

### **Co-organized by:**

UNDP-Regional Indigenous Peoples Programme (UNDP RIPP)  
Asia Indigenous Peoples Pact (AIPP)

### **Supported by:**

Spanish Agency for International Cooperation and Development (AECID)

## **Summary Report**

### **Asia Regional Seminar on Traditional Livelihoods and Indigenous Peoples**

#### **A. Introduction**

The Asia Regional Seminar on Traditional Livelihoods and Indigenous Peoples, held on 16-18 August 2010 in Siem Reap, Cambodia, gathered 70 participants from national, regional and international organizations from 11 Asian countries. They represented key indigenous peoples (IP) organizations, government institutions with a special mandate on IP issues, UN organizations and donors. Cambodia government officials and ILO and UNDP representatives also attended the seminar, which was hosted by the Royal Government of Cambodia, Ministry of Rural Development (MRD), ILO Cambodia, and co-organized by Asia Indigenous Peoples Pact (AIPP) and UNDP RIPP.

The opening session was addressed by the Secretary of the Rural Development Ministry, UN Permanent Forum on Indigenous Issues member Raja Devasish Roy and ILO representative Albert Kwokwo Barume. The MRD Minister HE Chea Sophara and Siem Reap Governor HE Sou Phirin officially closed the seminar.

#### **B. Objectives**

The seminar's overall objective was to promote the recognition and strengthening of traditional livelihoods in Asia, within the broader context of indigenous peoples' rights as guaranteed in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and ILO Convention 169, and in relation to food security and climate change.

In addition, it aimed to highlight the challenges indigenous peoples confront in the pursuit of traditional livelihoods in the face of globalisation and the market economy. It explored positive trends and good practices from participating countries, such as recognition of collective rights to land and resources, and self-determined development, among others. This was to allow the participants to benefit and be motivated from the experiences of others, despite the many challenges ahead.

The discussions on good practices and lessons learned and their possible replication were expected to facilitate a process, whereby government and indigenous institutions could assess their specific needs for capacity building and technical assistance to create an enabling environment for the pursuit of traditional livelihoods and sustainable development in indigenous territories.

#### **C. Proceedings**

##### **i. Methodology**

The seminar employed a combination of participatory methods: country/case study presentation, workshops, plenary sessions, interaction, dialogue, open forum and discussion, and thematic group discussion. The workshops highlighted the opportunities and challenges, good practices and lessons learned from different countries in their approach to addressing traditional livelihoods, including land and resource rights and traditional knowledge. The country studies were followed by an open forum that further clarified issues and enabled sharing of experiences among the participants. A community visit to indigenous villages in northern Siem Reap province was also organized as well as a solidarity night and cultural events.

##### **ii. Content**

The seminar focused on key aspects relating to traditional livelihoods of indigenous peoples, including access to land and natural resources; traditional occupations, local governance, traditional institutions and knowledge, food security, climate change, concept of 'self-determined' development and the role and responsibilities of national governments in this regard. In total, eight panel presentations and discussions, and six working group discussions were held during the seminar.

(See attachment for the Seminar program and details of the proceedings)

### **iii. Group Workshops**

Two group workshops were held: the first focused on traditional livelihoods and indigenous peoples. The participants were divided into four groups which discussed key issues and challenges in the practice of shifting cultivation and gave recommendations for strengthening indigenous peoples' sustainable livelihood practices relating to shifting cultivation and actions for advocacy.

The second group workshop tackled four areas: strengthening indigenous peoples' rights to traditional livelihoods, promoting traditional livelihoods and self-determined development, replication of good practices of traditional livelihoods and adaptation, and food security. The participants also shared major challenges at the national level and discussed possible areas of capacity building.

(See section on group workshop results)

### **iv. Community Visit**

The participants went on a community visit to Rolum Run Thmey village located about 60 km from Siem Reap town and 12 km from national road 65 leading to the Thai-Cambodia border. The village is inhabited by the Khmer and Kouy indigenous groups, who are mostly farmers who grow paddy rice, vegetables, chilies, and other cash crops as part of their livelihood. In a sharing session in the local Buddhist temple/pagoda, the participants and villagers talked about their livelihoods, traditional occupations and the general situation of the villagers.

The problem of the community is inadequate infrastructure development; they lack a good road and transportation system for marketing their agricultural products and to facilitate access to health services and schools. The villagers also face shortage of food due to less paddy production that forces them to rely largely on the forest for survival. The indigenous community has mostly lost their traditional culture, tradition and language. However, some elders can still speak their language and conduct traditional worship and other ceremonies.

### **v. Closing Session**

H.E Sou Phirin, Siem Reap Provincial Governor shared his impressions on the organization of the seminar in his province, which is considered the ancestral and historical land of the Cambodia people. He warmly welcomed the participants who came from different countries and enjoined them to visit the city and its temples.

H.E. Sim Son, Secretary of State of MRD summarized the two-day workshop and concluded by sharing the process of the workshop, presentations and the key message of the seminar for each day.

H.E. Chea Sophara acknowledged the efforts of his colleagues in MRD and ILO as well as other international organizations in organizing the seminar. He shared the Cambodian government's programmes and policies for the development of indigenous peoples, such as those relating to culture, education, vocational training, healthcare, environment, land, agriculture, water resources, infrastructure, justice, tourism and industry, mine and energy.

He also acknowledged that indigenous peoples in Cambodia currently face many challenges, such as health, education, and transportation lack even while they give attention to their development through development projects following the government poverty reduction strategy. They will continue to speed up development activities for them in accordance with the royal government's rectangular strategy and taking into account changes and progress in livelihoods, sustainable natural resource management and economic development in indigenous areas.

## **D. Achievements of Seminar**

The seminar succeeded in bringing out the good practices as well as the economic and social benefits of traditional livelihoods and occupations of indigenous peoples in Asia. These were highlighted in case studies conducted and presented by local researchers who shared their findings in the seminar. At the same time it identified the issues, gaps and challenges that indigenous peoples have to overcome in the continued practice of their traditional livelihoods.

The seminar also enabled participants to increase their understanding on the national implementation of laws and policies, which they can use to strengthen their network, lobby and advocacy work to promote recognition of the rights of indigenous peoples in their respective countries. But it also brought out the need to increase the level of general understanding about traditional occupations under the framework of national laws, policies and international laws and instruments including ILO Conventions 169, 111, 107 and UNDRIP.

Finally, a strategy and action plans were formulated which the participants and their organizations/communities can take up to ensure the right of indigenous peoples to practice their traditional occupations and knowledge in their respective countries. ###

### **Attachments**

1. Group Workshop and Recommendations (Annex I)
2. Seminar Programme (ANNEX II)
3. Narrative of the Proceedings ( Annex III)
4. Speeches of the opening and closing sessions (Annex IV & V)
5. Participant List (Annex VI)

## **Annex I**

### **Group Workshop and Recommendations**

In two workshop sessions, the participants sought to elucidate the practice of traditional occupations particularly shifting cultivation, identify issues and challenges, and based on these draw up recommendations and actions for advocacy to strengthen indigenous peoples' rights to their traditional livelihoods.

#### **Workshop 1**

The first workshop focused on 1) key issues and challenges in the practice of shifting cultivation and 2) the ways and actions by which this traditional livelihood, which indigenous peoples have proven viable and sustainable, could be strengthened and supported.

#### ***Practice of Traditional Livelihoods***

- The participants affirmed that shifting cultivation remains a traditional livelihood for many indigenous peoples. In Cambodia, the indigenous peoples are dependent on shifting cultivation, which generates 40-60% of their products. This is supplemented by collection of nontimber forest products (NTFP), husbandry, handicrafts and traditional business to support them throughout the year. In some indigenous communities, the people engage in paddy field agriculture to produce rice in addition to shifting cultivation.
- In Bangladesh, Nepal and Northeast India, forest and land laws do not sufficiently recognise the right to practice shifting cultivation. In some countries, government programs even adversely affect the rights of shifting cultivators. Alternative livelihood options for instance are promoted through cash crop oriented programs, which adversely impact food security and create negative perceptions about shifting cultivation. Indigenous/traditional innovations, knowledge and practices in this system of farming are not documented properly at local and national level.
- In South Asia none of the laws and acts makes reference to shifting cultivation, and in some cases, their application has given rise to conflicts that affect its practice. International laws which recognize traditional occupations are also not enforced at the national level, and cases of violations are inadequately documented. ILO Conventions acknowledging rights of indigenous peoples to traditional occupations are either not recognized or not implemented.
- Vietnam and Laos have undertaken resettlement programs aimed at putting a stop to shifting cultivation. Vietnam further does not recognize indigenous ownership of lands and resources, which has weakened or caused traditional sustainable practices to disappear. Extinction of traditional knowledge related to shifting cultivation is due to enforced limitations/prohibition shifting cultivation.
- In Malaysia and the Philippines, dams, mines, large scale monocrop plantations, commercial agriculture and adoption of high-yielding varieties, protected area schemes and land use conversion have all distressed traditional occupations.

#### ***Issues and Challenges***

- In Cambodia a major challenge indigenous peoples face is the limited enforcement of pertinent laws and policies. The government has already adopted many legal frameworks and policies that support indigenous peoples, such as the land law, forestry law, policy on indigenous peoples' development, guidelines on indigenous peoples' identity, legal entity registration, and sub-decree on procedure of collective land registration. However, their weak enforcement as well as non-identification and -recognition of indigenous communities on their lands and natural resources are creating problems for

their traditional land use. This is compounded by the rapid commercialization of land. There is a trend of converting lands used for shifting cultivation to industrial plantations or modern farms. The low knowledge and skills of indigenous peoples in new technologies and the poor system of information, public transportation and other public services available to them have driven out markets for their products.

- In addition to the above, indigenous communities in Cambodia are not sufficiently consulted, informed and involved in decision making, such as in the granting of land or mining concessions that affect their lands. Climate changes such as irregular rain, drought, flooding, insect infestation as well as poor agricultural equipment, high illiteracy and low skills are other big challenges affecting their traditional livelihood. Others are their lack of marketing knowledge, inadequate market services for their products and globalization.
- In South Asia, in addition to the absence of laws and policies on shifting cultivation, indigenous peoples in some countries suffer from insufficiency of legal recognition of their rights. Their rights to traditional occupations and customary laws are neglected or not recognized directly or indirectly at the local level.
- In some countries, there are no legal documents that mention shifting cultivation but some relevant legal instruments that do have also been conflicting in their application.
- The participants from Vietnam, Laos, Thailand, Philippines, Malaysia and China noted that shifting cultivation persists in varying degrees in most of Southeast Asia. But they identified the lack of legal recognition of indigenous peoples and their rights and government development programs as major problems. In Thailand some ethnic groups have not been recognized as Thai citizens, and in Vietnam and Laos indigenous peoples are considered ethnic minorities and have not been allowed to practice shifting cultivation after the implementation of new resettlement programs. In the Philippines and Malaysia, laws do not favor indigenous peoples, as the governments in these countries have constructed dams and undertaken mine exploration and large scale monocrop plantations on their lands. In China, the government policy prohibits indigenous peoples from cutting trees in upland areas. In all these countries the common problem is the non-recognition of indigenous land ownership, which has caused loss of land and resources and with these, disappearing traditional knowledge on shifting cultivation
- Some indigenous peoples however are taking action. In the Philippines they are asserting their rights to land, territory and resources through enforcement of customary laws. In Malaysia they have taken initiatives to campaign and advocate with government to address displacement of indigenous peoples due to development projects. In Yunnan, China the local government supports shifting cultivation as a means of addressing food security, biodiversity conservation and ecotourism promotion. And in Thailand the indigenous peoples have started engaging with the government, which has resulted in the recognition and adoption of rotational cultivation as a traditional livelihood source of local communities. The government has recently adopted a policy on shifting cultivation but it has yet to be implemented. The national campaign activities have drawn the support of media and academe for shifting cultivation as a sustainable livelihood of indigenous communities.

### ***Recommendations for promoting shifting cultivation***

For indigenous communities, shifting cultivation is a model of traditional farming which ensures cultural identity, supports livelihood and maintains sustainable land and natural resource management. The following recommendations are thus made:

Laws and Policies to:

- Strengthen indigenous peoples' rights and customary laws to prevent encroachment of their lands and natural resources;
- Recognize their customary laws, forest laws, practice of shifting cultivation, and traditional knowledge as a scientific system for preserving forests and environment.
- Promote their rights to self determination and self-determined development;
- Strengthen collaboration/cooperation between government agencies, civil society and development partners, and reinforce laws/policies related to indigenous communities' rights and interests;
- Acknowledge traditional scientific knowledge based system and apply Article 8j of the Convention on Biological Diversity, which recognizes innovations and practices of traditional knowledge;
- Ensure full consultation of indigenous communities before any development project or concession on their lands is implemented;
- Strengthen land uses of indigenous communities through formulation of rules and policies on land use management that will enable them to practice effective shifting cultivation.
- Reinforce law enforcement, and specific to Cambodia, speeding up collective land registration for indigenous peoples

#### Capacity Building:

- Conduct capacity building for government and indigenous peoples organizations on application of Conventions in relation to national and international mechanisms, and continuing advocacy on development needs and strategies including identifying and targeting relevant actors in shaping policies and changing negative perceptions on shifting cultivation. This should include academe, private sector and other relevant sectors;
- Undertake massive campaign to promote the value of shifting cultivation in contributing to forest/biodiversity conservation and food security and in combating climate change. Related traditional knowledge and practices should be transmitted to indigenous youth through building their capacity in preserving shifting cultivation.
- Document, promote and support existing models in the region that respond to indigenous peoples' food security, forests, productivity, appropriate development, and others including government programs/policies.
- Do research on shifting cultivation to reshape misleading notions and views. Good practices and models could be identified and documented for the purpose.
- Specific to Cambodia, carry out capacity building at various levels to enhance skills, and legal extension by appropriate methodologies.

## Workshop 2

The second workshop highlighted the following issues; 1) strengthening indigenous peoples' rights to traditional livelihoods, 2) promoting traditional livelihoods and self-determined development, 3) replication of good practices on traditional livelihoods and adaptation, and 4) food security.

### Strengthening indigenous peoples' rights to traditional livelihoods

The participants tackled the key issues related to indigenous peoples' rights in each country, the mechanism to promote these rights, the method to strengthen the right to traditional livelihoods, and the ways to implement existing laws or policies.

In most of the countries indigenous peoples and their customary laws do not have legal recognition. While indigenous peoples are recognized by law in the Philippines, its implementation is very poor. In Bangladesh the customary laws play important roles in indigenous communities but these are not recognized, making access to justice difficult. In Malaysia customary laws are similarly not acknowledged nor given attention by the government. The challenge in Nepal is the non-recognition of indigenous peoples' traditional lands and traditional livelihood systems such as hunting and NTFP collection. In India, bureaucratic institutional requirements have reduced indigenous peoples to marginalized and tiny minorities. The indigenous

population in Cambodia is likewise very small, thus they get less attention or are generalized with other populations in the country. In addition, existing laws and policies are not fully implemented.

### ***Challenges***

- Philippine laws recognize indigenous peoples rights (e.g. IPRA) but the problem is their proper implementation and application.
- In Bangladesh customary laws are not recognized in national law, and restitution of indigenous peoples' lands and traditional livelihoods in areas outside of the Hill Tracts should be made
- In Malaysia (especially Sarawak) the implementation of UNDRIP is very poor.
- In Nepal, hunter-gatherers are not recognized and have no land rights.
- In India particularly in the Tripura state, the indigenous peoples are marginalized through various means such as impossible bureaucratic requirements; in claiming rights, they have to show documentation of three generations. Today indigenous peoples there have become microscopic minorities.
- In Cambodia only 1% of the population is indigenous, and the policy on indigenous peoples was made possible only through civil society action and through consultation, discussion and mobilization of all indigenous peoples. For further advancement, the UN system is needed to push indigenous peoples' rights.

### ***Recommendations***

The capacity of indigenous peoples should therefore be built and strengthened and towards this, the following recommendations are forwarded:

- Strengthen customary laws (which are invoked even in international law) to safeguard the rights of indigenous peoples and enforce customary governance at the community level; Strengthen gender aspects in customary laws, and promote action/services on protection and fulfillment of indigenous rights;
- Study customary laws further and preserve knowledge systems. The elders should educate the youth on customary laws. In this regard, use innovative/creative ways, employ help of the media and develop strategies for cultural education of the youth.
- Create and establish an indigenous peoples network on customary laws that will meet regularly and look at how to strengthen and improve their local implementation; conduct review on why implementation is not carried out and do advocacy for customary law enforcement.
- Conduct capacity building such as paralegal training on fundamental rights in the constitution and other relevant rights recognized in national laws and policies.
- Build the capacity of government officials to mobilize resources and support indigenous peoples to establish their own system and institutions to ensure exercise of rights.

- Promote and respect international systems and mechanisms that promote and protect the rights of indigenous peoples including the Convention on Biodiversity (CBD), particularly on traditional knowledge and preservation of biodiversity, and the UNDRIP, with particular focus on Free Prior and Informed Consent .
- Train indigenous peoples in government and indigenous representatives to advocate for proper implementation of existing laws and policies.
- Strengthen the relationship and collaboration between indigenous peoples and NGOs to lobby with government to promote indigenous peoples' rights and implement existing laws and policies.
- Treat gender as a stand-alone issue and raise women's value across all levels – including increased women's representation in all sectors.
- Strengthen and build capacity of indigenous peoples' network to protect and promote the rights of indigenous peoples, to raise indigenous concerns and issues with government, and to advocate for better solutions.

### **Promoting Traditional Livelihoods and Self-Determined Development**

The group discussed major issues relating to livelihoods of indigenous peoples, which is not limited to shifting cultivation but includes weaving, husbandry, healing, basketry, medicine, wine making, midwifery, shaman practices, pottery, blacksmithing, architecture, crafts and others. A prerequisite for these is land/territory as well as knowledge to sustain these traditional occupations. To conserve indigenous knowledge on how to weave, use herbal medicine, how to sing, trainers/instructors/ teachers are needed to impart these skills. The school curriculum, public information and decision making should support self-determined development for indigenous peoples.

The challenges remain to promote and support traditional livelihoods and self-determined development of indigenous peoples. In India, indigenous peoples lack government support for market promotion and access to their agricultural products, thus they are unable to get a good income from their bamboo production. In Cambodia they find it difficult to raise animals when they have no access to their traditional territories which are granted to private companies. The Karen in Thailand and indigenous peoples in the Philippines have a similar problem of inadequate markets and promotion for their woven products. The same is true for the traditional music of CHT in Bangladesh and in Vietnam; this is disappearing due to insufficient government promotion and support.

Traditional hunting is also forbidden in most of the countries, which is leading to a shortage of food supply for indigenous peoples and loss of associated traditional knowledge. In Vietnam they do not have access to forests and therefore are unable to collect herbal medicines; this has also resulted in the disappearance of traditional knowledge and health care system.

### ***Recommendations***

The development process must comply with UNDRIP, particularly the principle of free prior and informed consent. The right to self determination is also vital to allow indigenous peoples to participate in decision making at all levels. Other recommendations are:

- Promote and respect indigenous peoples' self governance at different levels and involve them in the decision making process for all development activities affecting them;
- For government, civil society and private sector to support and promote indigenous market systems, provide opportunity through a holistic approach to develop a market economy for indigenous peoples, and develop sectoral policies on health and education to promote their livelihoods.
- For government to guarantee in national law the rights of indigenous peoples to land, territory and resources, to freely practice their traditional knowledge and livelihoods for their own development; and to support their traditional livelihoods through sufficient budget allocation;
- Involve indigenous leaders, activists and organizations in developing programs and policies for indigenous peoples' development at national level.
- Respect and consider UNDRIP in any program and policy relating to development of indigenous peoples on national level.

### **Food Security and Climate Change Adaptation**

The issues and challenges concerning food security are common to all the countries, and these are related to climate change, lands and natural resources, decrease in shifting cultivation, population increase/transfer, and effects on culture and tradition. The indigenous peoples are among those most affected by climate change and its impacts, but they also lack knowledge and have limited understanding of the issue and its impacts.

The indigenous peoples are good in natural resource management, producing natural and organic foods that supply the market with healthy products. Climate change however is causing drought, flooding and other changes which are decreasing farm production and forest resources, damaging crops and affecting agricultural activities. In some countries, so-called development activities are being undertaken by private companies and these are taking place in indigenous territories. Such activities are adversely affecting indigenous peoples' development, customary laws, traditional knowledge and practices. As a result, they are losing their traditional systems, illegal migration to their territories is rising, and their traditional livelihoods are eroding, causing food insecurity.

### ***Recommendations***

- More capacity building on disaster preparedness and climate change adaptation
- More capacity building and awareness raising programs on climate change to be provided by the government and NGOs.
- Government initiatives for long term livelihood programs based on traditional occupations to support food security. The government should extend sufficient funds and transfer technology to indigenous peoples to cope with climate change.
- Better disaster management programs particularly for indigenous peoples to secure their food supply in times of natural disasters caused by climate change and development projects like dams.
- Advocacy and lobby for government recognition and improvement of shifting cultivation and NTFP collection which ensure food security of indigenous peoples. ###

## Annex II Seminar Program

### *First Day*

1. Opening Session: national anthem, introduction of participants, opening prayer, welcome remarks by organizers and key/opening message from the Secretary of the Ministry of Rural Development
2. Overview on indigenous peoples and traditional livelihoods by Ms Rukka Sombolinggi, UNDP RIPP Thailand
3. Overview on traditional occupations and relevant Conventions by Ms Stefania Errico, ILO Geneva
4. Shifting cultivation as a traditional livelihood in Bangladesh and the impacts of climate change by Goutam Kumar Chakma, Consultant. Bangladesh.
5. Traditional Livelihoods and ILO Convention 111: the case of shifting cultivation in Nepal by Kamal Prasad Aryal, ICIMOD Nepal
6. Traditional economies in Nepal by Fatik Bahadur Thapa, Nepal
7. Group workshop: Key issues and challenges in the practice of shifting cultivation; recommendations for strengthening IP sustainable livelihood practice relating to shifting cultivation and key messages and actions for advocacy

### *Second Day*

Panel presentations: Traditional livelihoods in relation to food security; Roles of indigenous women, and Adaptation to climate change

1. Traditional livelihoods in relation to food security by Dr Prasert Trakansvphakon, IKAP Thailand
2. Roles of women in traditional livelihoods by Ms Jill Carino, CPA Philippines
3. Climate change, REDD and rotational farming – by Ms Luong Thi Truong, CSDM Vietnam
4. Transmission of traditional knowledge on traditional livelihoods to the younger generations – Ms Anne Lasimbang, PACOS Trust Malaysia
5. Traditional occupation and livelihood practices in Northeast India and the impact of conflict: a case study in Ukhrul District, Manipur by Ms Thingreiphi Franthing
6. Traditional livelihood interphasing with market economy in Cambodia; good practices, challenges and recommendations by Ms Femy Pinto, NTFP Cambodia
7. Resin tree and life of indigenous people by Mr. Heng Bunthoeun, Cambodia
8. Promote legal protection for indigenous traditional livelihood in Cambodia by H.E Yim Chung, Director of DEMD, Cambodia
9. Group Workshop: strengthening IP rights on traditional livelihoods, promoting traditional livelihoods and self-determined development; Replication of good practices of traditional livelihoods and adaptation; Food security

### *Third Day*

1. Community solidarity visit
2. Closing session; closing remarks by HE, Minister of Rural Development

## Annex III Proceedings and Description of Activities

### Presentation 1: Indigenous Peoples and Traditional Livelihoods

#### 1. Overview on Indigenous Peoples and Traditional Livelihoods by Ms Rukka Sombolinggi, UNDP RIPP, Thailand

Rukka Sombolinggi gave an overview on indigenous peoples and traditional livelihoods in Asia, including the terminologies used for indigenous peoples in different countries in the region, as well as existing laws and acts in some countries that protect their rights. She discussed the situation of indigenous peoples, particularly in terms of control over land and territories, practice of customary laws and way of life that is dependent on traditional livelihoods, such as shifting cultivation, paddy rice plantation, fishing, handicrafts and arts, cash crop cultivation of coffee and tea, collection of herbal medicines and non-timber forest products (NRFP) from the forest for their own use and for sale.

She identified the challenges in the practice of traditional livelihoods. One is “so called” development aggression, which has weakened or taken away the lands, natural resources, cultures and identities of indigenous peoples. They are also deprived of public services, excluded from full participation in decision making, and suffer from political repression and militarization.

Another major challenge is the increasing demand for cash, which is fuelling the changes from subsistence production to commercial production to meet market demand and resulting in overexploitation of resources, excessive chemical use and limited market access. In this situation most indigenous peoples are victims of fluctuating prices, privatization and loss of precious resources, such as agricultural lands to loan schemes and contract farming. Government policy on development at the national level sets aside indigenous peoples’ technology and takes away control from them especially indigenous women.

#### 2. Overview on Traditional Occupation and relevant Conventions by Ms Stefania Errico, ILO – Geneva;

Stefania Errico provided an overview of relevant ILO Conventions to the protection of indigenous peoples’ traditional occupations, focusing on core provisions of Conventions 111, 169 and 107.

She highlighted Convention 111 (Discrimination in Employment and Occupation) that promotes equality of opportunity and treatment in employment and occupation with a view to eliminating any discrimination. It covers all workers and all sectors, including self-employment and non-wage work. The Convention expressly addresses discrimination based on race, color and national extraction, which would include discrimination on the basis of ethnicity/IPs origin or identity, as well as sex, religion, political opinion and social origin.

She stressed that Convention 169 (Indigenous and Tribal Peoples Convention, 1989) is based on the recognition of indigenous peoples’ aspiration to exercise control over their own institutions, ways of life and economic development and to maintain and develop their identities, language and religions. This Convention includes a number of provisions extremely relevant to the issue of traditional occupations, such as on non-discrimination and special measures, strengthening and promotion of traditional activities, rights to land and natural resources, ownership and possession, displacement, development, consultation and participation, coordinated and systematic action. Other relevant provisions are those on education vocational training, employment, recognition, protection and respect for values, practices and institutions, and recognition of customs and customary law.

She noted that Convention No. 107, 1957 on Indigenous and Tribal Populations is still in force in some Asian countries, such as Bangladesh, India and Pakistan. Its relevant provisions concern participation and development (arts. 2 and 5), special measures (art. 3), land rights (art.11), displacement (art. 12), employment (art.15), vocational training (arts. 16 ff), handicrafts and rural industries (art. 18), education (art. 21 ff), among others. She cited the example of Bangladesh where the **CEACR** requested the

Government to ensure appropriate collaboration and participation of the indigenous communities and their representatives in designing and implementing measures affecting them, in keeping with Article 5 of the Convention.

**Questions and answers:**

**Question:** Phea Sochea from CIYA, Cambodia, asked what would be the benefits of ratifying ILO Convention No. 169.

**Answer:** Stefania responded that this convention provides a solid platform to advance work on indigenous issues and guidelines to governments for the establishment of dialogue with IPs and prevention and solution of conflicts. The Supervisory Bodies of the ILO in their regular work of monitoring the application of the Convention in ratifying States can further guide and accompany the Governments in applying the Convention and addressing the main obstacles. In addition, Government can receive some assistance through ILO technical cooperation programme (PRO169).

In addition to Stefania's comment, Sarah added that ratification of Convention 169 would also provide a comprehensive framework for indigenous peoples' development, on which future plans and policies at the national level could be based. She also mentioned that ratification can also help in mobilizing funds from donor agencies to promote and implement indigenous peoples' rights in the country in question.

**Question:** Mr. Ouk Navan from MoE, Cambodia, requested Ms. Rukka Sombolinggi to elaborate more if Indonesia gives any priority to support or help to the IPs. He said that it is very important as this information is sort of knowledge and experience that she can share, so that other participants from Asia could learn from.

**Answer:** Ms. Rukka Sombolinggi answered that in terms of the policy level, coastal and small islands are more accepted in Indonesia for their lands and natural resources. Draft laws are submitted to the department; they are establishing a panel that synchronizes the IP communities, social development affairs, and traditional knowledge. More than 10 draft laws are submitted to the government. Government is more and more engaging the IP and IP organizations in every program they are planning.

AMAN an IP organization is very much cooperated by the government and their officials. Recently, the UNDRIP when implementing the LUMDONG in Vietnam, they got the implementation priorities. There are lots of benefits much more and more that you spent. If we are talking about the protection of IP, we should see the ways to address the issues, the way to lift up the development of the nation.

**Abun, Malaysia:** Malaysia has not yet ratified ILO Conventions Nos. 169 and 111, so what can the ILO do in Malaysia and the other countries which have not ratified these instruments? to do to get the government ratify these instruments

**Answer, Stephanie:** ILO can provide technical assistance also in countries which have not ratified these Conventions. For example, PRO169 has provided assistance to the RGC to promote indigenous peoples' rights even though it has not ratified Convention No. 169 which at the same time promoting the ratification of this convention. The same is being done for instance in the Central African region.

**Joan:** ILO 169 is very effective in the areas where the IPs have conflicted with others, and this convention is to help in addressing those conflicts on their territories. It is also related to the participation and consultation too. It is a tool to solve the conflict of IPs and the development of the nation. The contribution of the IP is acknowledged by the ratification of this convention.

**Joan:** The president, 2010 - 2015, planned to draft the laws on IP rights in Indonesia. This issue is familiar in Philippines. This is very much related to the climate change that includes the deforestation. AMAN has demarcating their own territories and forest to register for more than 1 million hectares with the control of their customary laws. They have submitted this plan to the government. All they need to do is to recognize

it. The situation is now changing. Indonesia has conflicted on laws. Laws related to lands and mines are contradicted with each others. With the review of the forest law, it is harmonizing this situation. Indonesia has human right commission to conduct the consultation on the ratification of ILO convention 169. The strong movement of IP is now pushing and engaging the government to recognize their rights.

**Nepal:** Nepal has ratified ILO convention No. 111 in 1974 and convention No. 169 in 2007, but the implementation is still poor. The point from the convention, for example, with regard to the shifting cultivation is also not well implemented. I mean that it is working only at the national or policy level, but not at the community level. My question is whether there is any possibility that ILO can work at three levels – community, sub-national, and national?

**Ouk Navan:** I would like to know what are the problems and constraints that your governments are facing to ratify these conventions.

**Yasso Kanti Bhattachan, Nepal:** In Nepal, the government does not provide the consultation after the articles in ILO convention, how can we get the government to implement these conventions? As many IPs have been evicted from their areas without compensation, for example. How can we ensure these peoples can return to their traditional lands, when they do not have any paper of their lands?

**Stefania:** In general terms, it is true that the implementation rests with Governments but this should be done with the participation and involvement of the parties concerned. We have programs in place to promote the implementation of this convention. However, I am not too familiar about the activities which are begin to carried out under our national project in Nepal, but maybe I can ask my colleague Sarah to share some information on that?.

**Sarah:** In Nepal, ILO PRO 169's national program was initially designed to focus on the inclusion of indigenous peoples rights in the new constitution. This included technical advice from ILO based on the provisions of Convention 169 and also collecting information from indigenous peoples and organizations at the community level. There was concern that indigenous peoples' voices, particularly at the grass roots level, would not be adequately heard in the consultation process for state restructuring. The ILO also has a duty to assist the government in the complex task of incorporating the principles of the Convention into the domestic and policy framework of the country. However, actual implementation of the Convention is the responsibility of the ratifying government. Indigenous peoples, civil society organizations, donor and UN agencies can and must work together to support these efforts.

**Devasish:** I think, ultimately, when we try to implement the rights in the treaties, we are lobbying and advocating for the convention 169. As human rights activists and IP rights activists, we have to push and work hard through peaceful means, with our respective governments, to ensure that our rights, as laid out in such treaties, are enforced.

**Albert:** When something happening, when there are signs, the best way to do is to spread the information, whether your government is happy or not happy to do it.

## **Panel Presentation Two: Shifting Cultivation and Indigenous Peoples**

### **1. Shifting Cultivation as a traditional livelihood in Bangladesh and the impacts of the climate change by Goutam Kumar Chakma**

Goutam Kumar Chakma shared the traditional livelihood of hunting and shifting cultivation of indigenous peoples in the Chittagong Hill Tracts as well as legal instruments provided as general and special laws. The general laws entrust land ownership to the government, but special laws provide land ownership to both government and indigenous communities. The CHT Regulation Act 1900 allowed indigenous peoples to practice traditional shifting cultivation, but in 1950 those community rights were abolished by the state

government. The government has also ratified ILO Conventions 111 and 107 but the Bangladesh Constitution in article 152 has nullified the cited CHT regulation that includes the right to practice shifting cultivation (jhum) and community ownership.

He pointed out that shifting cultivation ensures food security; it provides various plant crops and nutrition to support lives. In fallow lands, fruit trees, crops, roots and vegetables continue to grow, which supply feeds for domestic and wild animals, thus helping to prevent conflict between humans and animals. Further it maintains solidarity and traditional leadership in the community, as well as gender equity, as the roles of men and women distribute tasks and responsibilities fairly in the production work. However, the practice of shifting cultivation is changing due to external factors such as population pressure, land grabbing and the market economy which is altering shifting cultivation towards horticulture and tree gardening.

Another challenge is the negative view of government policies that consider this farming system as primitive and causing erosion and forest/environmental degradation. Climate change and its adverse impacts, lack of basic services, unfair prices, and denial of community land ownership are also adversely affecting food security and traditional livelihoods of indigenous peoples.

## **2. Traditional Livelihoods and C 111 – the case of shifting cultivation in Nepal – by Kamal Aryal, ICIMOD, Nepal**

The presentation focused on the farming system in Eastern Himalayas, shifting cultivation in Nepal and policy debate on shifting cultivation, ILO Convention No 111, and the case of Chepang, Nepal and recommendations.

Mr Aryal gave the findings of a case study on how ILO Conventions can be applied to defend the rights of indigenous peoples in practicing shifting cultivation and to gain equal opportunities and equal treatment in accessing employment and occupation. He shared the experience of Chepang, where the traditional occupation is the slash and burn system of cultivation. The major findings of the study are that the land registration process is unclear and unfair, the leasehold forestry and community forestry programme created problems, and provision of appropriate support to the indigenous community is inadequate.

He added that the ILO Conventions, which have a rights-based approach, provide a ground for new environments for practicing shifting cultivation, which is a right of indigenous peoples, whether it fits government policy and development programs or not. Shifting cultivation has specific needs from their distinctive culture, occupations and traditions which need to be protected. The key message he found from this study is to *“allow shifting cultivation to those who wish to do it, and improve it rather than ban and replace it.”*

## **3. Traditional economies in Nepal by Fatik Bahadur Thapa**

Fatik Bahadur Thapa discussed the status of traditional economies in Nepal, the relationship between indigenous peoples and traditional occupations, existing indigenous technology to support their livelihoods, and traditional skills to better respond to current livelihood needs. The indigenous peoples live in endangered, highly marginalized and disadvantaged situations where traditional economies help them survive with limited local income generating activities. The core of the traditional economy is the relation of indigenous peoples to their territories, lands and local resources. Among their traditional occupations are fishing, shifting cultivation, handicrafts, pottery, hunting, liquor and beer making.

The practices of perennial cropping and rotation of cultivation, which are practiced in shifting cultivation, may be replicated by other farmers and directly results in sustainable development. The indigenous peoples have tried to continue and preserve their occupations without financial and technical support from outsiders. The application of traditional occupation has not been technically improved and indigenous peoples lack opportunities to compel them to change their traditional occupation. The continued practice

of their occupation needs more cooperation from different sectors to enable the local community to achieve collective benefits.

#### **Question & Answers:**

**Question, participant from Philippines:** what are your finding of shifting cultivation for productivity and sustainability?

**Kamal, Nepal:** Shifting cultivation is a variety, species. In Chepang, there are around 6 to 7. Activities, issues based discussion is still continue in this region.

**Gautam, Bangladesh:** The issues are generally related to the shifting cultivation areas. Shifting cultivation and IP are closely related. Villagers claim to own those shifting cultivation, and to get their shifting cultivation legally recognized. In 1950, act of the government claims to own those for the development. The relation is that shifting cultivation is related to the land rights, which is a self determination right of IPs. It is also related to ILO C 169. There is no information data to manage on the shifting cultivation. I think the government has not had yet data on that and no initiatives have taken for measurement on this.

**Sambath, Cambodia:** Learning from your presentation, shifting cultivation is still being controlled by the policy and development programs, could you please elaborate more of the control by the government and the policies that negative impact from this control to the traditional livelihood of IPs?

**Ellen from Philippines:** Are there any steps in the past for this occupation?

**Yasso, Nepal:** Gender dimension, is there distribution of land between men and women, how is their roles in land management?

**Raja Devasish, Bangladesh:** My point is that the way the government, forest administration looks at the shifting cultivation is a kind of stereotype. They said that it is deforestation without looking at the steps of fertilization and recovery of the forest. Sometimes, they use market economy basis to look at whether or not shifting cultivation is productive or not productive. Secondly, why they do this and call the shifting cultivation is not productive, but they did not look at how shifting cultivation provide more productive such as other crops and products to the market that can support their livelihoods.

**Ms Jeeranan, Thailand:** I would like to share that shifting cultivation term should be changed to the rotational farming because the shifting cultivation is meant deforestation. I would like to know the experience in Nepal and Bangladesh on rotational period and how they conserve the ecology system. Sometimes, there are some conflicts and difficulty, in the national level or local level for the communication between the IP and the government.

**Kamal, Nepal:** I agreed with Devasish, I just want to go to the IPs issues, particularly the roles of women and men in the family. They are working specially for organizing dialogue, and a policy forum. The vision between shifting cultivators and government are different. The government thinks that the fallow land is the forest, but the villagers found that it is the fertilization period of their rotational farms. We are trying to bring the gap between the two parties to consolidate these parties. Regarding the fallow land, in Nepal, they use from 7 to 15 years period, and 3 years is the maximum of one rotational farm.

**Gautam, Bangladesh:** Shifting cultivation is in the remote areas, they do not go to the market because it is far from the market. The roles between men and women now are divided, men are responsible clearing land, and to choose the place for farming it is done by the women. IP women's in shifting cultivation conserve their roles after their tradition.

**Rukka, UNDP:** I just want to add that why we need to conserve the shifting cultivation and how it relates to IP. For example in Indonesia, many people are dependent on the forest, and women are very much related

to the forest because they use the forest. When IPs are losing their traditional way, the indigenous women are also losing their roles in decision making.

#### **D. Proceedings of the Workshop: Second Day**

Panel presentation 2: Traditional Livelihoods in relation to food security and role of indigenous women and adaptation to climate change

##### **1. Traditional livelihoods in relation to food security – Dr. Prasert Trakansvphakon, IKAP, Thailand**

Dr. Prasert Trakansvphakon presented the situation of the indigenous peoples/communities in Thailand, including the terminologies used to refer to them, areas where they live, historical stereotypes and discrimination still reflected in many laws, government policies and programmes that view them as drug producers and/or a national security and environment threat. He described their current practices in resource use and management: community forest management, rotational farming, terrace paddy fields, agro-forestry, collection of non-timber products, food consumption and expenditure. He cited studies showing that rotational farming and agro-forestry contribute to reducing greenhouse gas emissions.

This traditional livelihood is now facing many challenges since many governments in Southeast Asia prohibit the practice of shifting cultivation. The discrimination against indigenous occupations and cultural rights creates conflict between indigenous peoples and the government over land and natural resource management. Climate change has also increased government's prejudices against shifting cultivation, which is blamed for causing carbon emission. In fact however rotational farming is not a cause of climate change or smog problems because fields are burned only for a short period of time in only 2-3 days in a year, and with a burning period of only 1-2 hours per day.

He noted some opportunities provided for in the Constitution of Thailand 2007, especially sections 43 and 66, which declare that traditional and local communities are entitled to manage local resources. This policy serves to safeguard indigenous peoples who practice traditional livelihoods in their ancestral territories from arrest or detention. Thus in a way it supports the biodiversity of highland communities, especially in preserving genetic and species diversity of seeds and plants. It further supports self-sufficiency or alternative agriculture, instead of cash crop production, and communal land titling.

##### **2. The roles of Indigenous women in traditional livelihoods - Jill Carino, Philippines**

Jill Carino discussed the roles of indigenous women in traditional subsistence agriculture, small-scale mining, handicrafts – weaving, healing, conflict resolution, and transmission of traditional knowledge. Apart from agricultural production, women do other traditional occupations as secondary sources of income and livelihood such as backyard gardening, livestock raising, handicrafts, small-scale mining and other off-farm jobs.

She pointed out that indigenous women possess traditional skills and knowledge in indigenous farming systems, and take the responsibility for nurturing the land, resources and culture that they pass on to the next generation. They also assist in conflict resolution within their own communities as well as with other communities. However their roles and contributions in agricultural production are inadequately appreciated and acknowledged. Their work in the informal economy, such as weaving, is not also recognized, denying them rights to fair wages and labor benefits.

##### **3. Climate Change, REDD and Rotational Farming in Vietnam – by Ms Luong Thi Truong, Viet Nam**

Luong Thi Truong talked about land and forest conversion in Vietnam for agricultural and aquacultural production. The government cut down forests to make way for coffee plantations and dams that increased migration, new settlements, market demand of timber and fuel woods as well as poverty.

She explained that the main livelihood of indigenous peoples in Vietnam is based on rotational farming which provides food security, including in rice, corn, cassava, beans, taro, arrowroot, white radish, and others. They plant other vegetables for food such as cabbage, eggplant, tomato, pumpkin, chayote, bamboo shoots, ginger, saffron, pepper, chilli, onion, garlic, fruit and other plants such as tea, tobacco, poppy, fiber, dyes. They rear some domestic animals such as buffalo, cows, pigs, dogs, cats, horses and poultry. Rotational farming therefore not only provides food security for ethnic groups in mountainous areas but is also a means to preserve indigenous peoples' knowledge in farming and traditional seeds, gene diversity and traditional cultures. This system of farming is closely related to ancestral worship which uses rice, chickens and pigs throughout the cultivation period that remains unchanged to date.

Further, she discussed the UN-REDD (Reduced Emissions from Forest Degradation and Deforestation) pilot programme in Vietnam for 2009-11. The objective is to reduce emissions from deforestation and forest degradation and to promote socio-economic development and poverty alleviation in forest areas through sustainable management of existing natural forests and reforestation. She recommended that at the local level shifting cultivation/rotational farming should be included in the programme policy for indigenous peoples; and in particular, as part of conservation of the customary laws and traditional knowledge in REDD implementation.

### **Question & Answer:**

**Addition from a participant:** We need to be very clear on forestry and rotational farming because of the IP farming system and process are to regenerate fertilization by allowing forest regeneration. IP sees that the fallow lands are not forest, and they are the land use areas that include forest and land. However, the government finds the fallow lands are forest, and with this concept, you cannot come back to your land use areas. Rotation farming is the process of cultivation.

**Question:** How many women are in the REDD process? We have women officials fewer occupy at the government position. And how much REDD can support to IPs?

**Loung Thi Truong, Viet Nam:** Fortunately, I involve with many teams in the process of UN-REDD in Lam Dong province. The IPs is very happy to protect the forest. We can see that IPs have not yet understood what the REDD is because the process is short and they did not provide enough times and information to the community such as about the negative impact etc. However their forest will be conserved by REDD, and they will be so happy.

**Devasish:** To share on strategy dealing with the conception of shifting cultivation and particularly for IP traditional occupation, one regard to the swidden terminology, we should move away the terms used with the negative perception, like burn and slash etc. I like the promotion the IP traditional occupation. The shifting cultivation is very powerful if you compare shifting cultivation with the rice paddy which is modernized. We can find this in the research of Chiang Mai University. We are also trying to get the other experience from Bangladesh. The customary law does not include in the formal system, but high practice in for example in CHT. No recognition of land rights is going across Asia, so what we need to do more is on how we can deal on this with the regional level.

**Ouk Navan, Cambodia:** I would like to ask the question to Dr. Prasert with regard the climate change. You said that the rotation field can absorb the carbon some amount, for me, it is hard to agree with this assumption. My point is that when you cut and burn it, you will increase the carbons that already store in such forest. The burning forest is always increasing the carbon. So could you please explain more on this because, I think, when you cut the forest in one hectare, and then it will impact or reduce the capacity of the forest to absorb the carbon?

**Dr. Prasert, Thailand:** First, I would like once again to use the rotational farming instead of shifting cultivation. Concerning to the climate change, some people believe and some other do not believe. But with regard to the research process that I have made, the forest is the first priority for green and carbon absorb. The agro forestry or rotation farming is part of the carbon reducing. It is decreasing the pesticide,

and other fertility production. In the context of the rotational farming in Thailand, the time for burning is only from the beginning and end of March. But the forest burned itself and other burning are much longer than this. It is not a big area, but the small area is also burning. It is all the time burning and produces black carbon, but it also produces white carbon.

**Yasso, Nepal:** The livelihood of IPs in other countries and Nepal are not so different, but women roles might be something else. So I want to know the roles of women and men in other works like income generation etc.?

**Answer:** In general, the family income, in whatever manner, is controlled by women or men, but in IP concept, the income is controlled by the family. However, only men works are recognized as the labor, but women are not considered in formal wages. The evaluation of the women labour, is not really value in the family that base on the wages. Men jobs are more evaluated as wages. However, in IPs traditional occupation and their concept, women and men jobs are considered as family support.

### Panel presentation 3:

#### 1. Transmission of traditional knowledge on traditional livelihoods to the younger generations – Anne Lasimbang, PACOS Trust, Malaysia

Ms Lasimbang presented an overview of indigenous peoples at the national level, their traditional livelihood activities, good practices and lessons learned from two indigenous community projects, key issues and challenges, and recommendations.

She discussed the herbal healing project of an indigenous community in Sabah where the people use herbal medicine sourced from the community forest. The traditional knowledge on herbal healing however is disappearing as it is not being transmitted from the healers who hold this knowledge to the young generation. The community project aimed to reverse this. Among the good practices and lessons learned from the project are community empowerment, supply and demand (ecotourism), networking and linking communities with the market system, and awareness on indigenous peoples' rights as contained in UNDRIP and ILO Conventions. The role of indigenous women is also valuable as they actively take part in passing on traditional knowledge to the youth.

However the non-recognition of traditional livelihoods (healing, crafts, fishing, carpentry and others) is a big challenge to indigenous peoples in Malaysia.

#### 2. Traditional Occupation and Livelihood Practices in NE India and the Impact of Conflict: a case study in Ukhrul District, Manipur, India by Ms Thingreiphi Franthing, NE India

Thingreiphi Franthing shared the practice of shifting cultivation (Jhum) in Northeast India, wet terrace land (rice paddy) cultivation, trading and collection of NTFP and small game hunting, the mainstay of tribal economy. The community way of farming in the upland areas is characterized by short 'cultivation phase' and is followed by relatively long 'forestry phase' referred to as 'fallow period.' The systematic cycle with one year cultivation phase is commonly known as *pamlou*, meaning field with trees, and the intensive Jhum with 3-5 years cultivation phase is known as *kanglou* or dry field. The *pamlou* major portions of the village territory are reserved for Jhum cultivation and the activity involved is communal in nature. The *kanglou* in the past was associated with alder based cultivation, and predominantly found in areas where people also practice wet-terrace cultivation. They are found in the foothills where road connectivity is comparatively better and there is a higher level of market influence. The intensification is possible through the mixture of innovations. Mulching, diversion of water, contour bounding, and burying of biomass rather than burning are well adopted practices to prevent soil erosion.

She noted that shifting cultivation contributes to biodiversity conservation as it produces many kinds of food, maintains collective efforts, ensures social security and observation of traditional norms and practices, and addresses equity in resource allocation. Jhum products are also organic, which is the best for health, and are resilient.

The challenges in Manipur are ethno-nationalism and armed conflict in the region, lack of market linkages, land alienation and loss of forest areas, state policies, erosion of the roles of traditional institutions, and tapping market value in potential niche crops.

#### **Panel presentation 4:**

##### **1. Traditional Livelihood inter-phasing with market economy in Cambodia; good practices, challenges and recommendations – by Femy Pinto, NTFP, Cambodia**

Ms Femy Pinto presented her organizational activities that include organizing of community-based organizations and NTFP enterprise activities, capacity-building through technical assistance from partner NGOs and donor programmes, sustainable NTFP management, setting up of internal control and sustainable production system (focus: sustainability, traceability and quality), enterprise management, marketing (community, provincial and national level), networking among communities and among NGOs, and liaison with government agencies and private sector.

Next to agriculture, the collection of NTFP is an important part of the traditional livelihood of indigenous peoples in Mondulkiri province in northeast Cambodia. Ms Pinto focused on honey collection and trade by indigenous communities in Mondulkiri, which has a population of about 50,000 and an area of 1.5 million hectares. The honey project is located within the Mondulkiri Protected Forest, an expanse of 300,000 hectares, and part of a larger protected area in the northeast region of the province. The indigenous Bunong communities managing Prey Rodang and Prey Krung Ratuon (forests) started their honey enterprise in 2007.

Part of the good practices and lessons learnt from the project were the organization strategies that included assuring product quality and benefit, promoting traditional skills and improving tools and techniques, organizing groups at community levels, monitoring the forests, protecting the community forests, having dialogues with local authorities and government agencies, promoting cultural pride and revival, dealing with competition and unfair trade. With regard to the challenges and issues, the communities must assure that their resources are sustainable and get legal recognition of community boundaries, access to finance, capacity to meet market demands, and access to the long-term market.

##### **2. Resin Tree and life of Indigenous People-by Mr. Heng Bunthoeun, Cambodia**

Heng Bunthoeun presented the general situation in Mondulkiri province, indigenous peoples' livelihood strategies, impacts and issues of logging, community suggestions for community forest (CF) and participatory land use planning (PLUP), positive impacts from CF and PLUP, marketing issues for liquid resin, shifting from liquid resin trade, challenges and recommendations.

In Mondulkiri, the mostly Bunong community have been practicing shifting and paddy rice cultivation, NTFP collection especially resin, and cash crop production. However, they face many challenges that include illegal logging which is directly impacting the community's resin production and livelihoods.

Due of logging, many large resin trees, almost all from the community forest, have been lost. The villagers were forced by the company to tap younger trees which produce less resin than older and larger trees. The company has also destroyed other resources of the community, such as fish and wildlife through use of harmful methods such as electric shocks. All these are decreasing income generation and creating insecurity of livelihood from shifting cultivation among the indigenous communities. To overcome the

impacts of logging, it is important to increase indigenous peoples' participation and ownership to development activities and assure their legal recognition through communal/ collective land titles.

He highlighted other recommendations including the need for public consultations prior to approving any development project or concession to any company, improving laws and policy for sustainable livelihood management, and establishing good relations, coordination and collaboration between government, companies and civil society organizations.

### **3. Promote Legal Protection for indigenous traditional livelihood in Cambodia – by H.E Yim Chung, Director of DEMD, Cambodia**

Mr Yim Chung provided general information on Cambodia, government laws, policies and achievements as well as challenges in relation to indigenous peoples' development. The Ministry of Rural Development works to promote the rights of indigenous communities. Other agencies are involved: the Ministry of Interior takes charge of the registration of indigenous communities as legal entities; the community then registers their land as a collective ownership with the Ministry of Land.

He cited some achievements in this regard, such as identification of 31 indigenous communities as legal entities, registration of 17 indigenous communities following the issuance of collective land titles, and the completion by three communities of collective land titling. After the self-identification process and collective land registration, support of community needs follows that will secure their rights to lands and natural resources, reduce poverty and promote local governance.

#### **Question & Answer:**

**Albert:** I have a question to Mr. Yim Chung. I want to know the process of the collective land registration and land titling provided to the communities?

**Yim Chung and Nun Pheany:** The land registration needs to go through the legal entity registration, but the land cannot be registered in both individual and collective type. There are two cases that RGC gives to the communities to choose, if the communities want the communal land title, then they will register their community as legal entity first, but if not they can apply to the individual process.

**Sandra:** Honey and resin, I am not familiar with the product process?

**Femy Pinto:** Many honey sold in the supermarket in Cambodia that are mostly from abroad not from us. We have highlighted our label to make sure that the customer could remark our quality. The simple process has been done by the community already.

**Heng Bunthoeun:** Resin, there is no factory for refinery, so we need to sell to Viet Nam. So what we need to do is how we can store this product to get a better price. We have not yet thought of the process to refine it.

**Athing, NE India:** What is behind the traditional honey process? For sustainability, do you have any capacity building program?

**Femy Pinto:** The honey in Mondulkiri is already good, so we do not need to dry it any more. We just want to make sure that the honey sold by the communities is already dried. It is already a traditional knowledge that IPs know accurately the age of the hive for collecting honey. They made consultation among their communities for not collecting honey from some certain trees or hives and establish a network. There are national network and in local level this Mondulkiri network an example of the honey network.

**Truong, Viet Nam (VN):** According to the land law, 1995 VN government allocated lands to IPs individually. When they have land certificate, they could sell their land, and many IPs sold their land. Finally, after their land is gone, they go further to the forest. This meant that the people from lowland come again and take

their land. It seems that they push to IPs to go deeper into the jungles. Recently, the government has warned that the IPs land is not able to sell to someone. My question is that if there is any experience like that in Cambodia?

**Nun Pheany:** After getting the collective land title, no one can sell the land. The one who sells and buys the land of IP is illegal. The individual IP can sell their land like the other citizen, so that to protect their land the RGC pushing collective land registration. As the collective land registration take long process, the government has issue a warning to stop land sale in the legal entity of the IP communities.

**Rukka Sombolinggi:** The aim of the development framework is to give the benefit to the IP or NTFP producers, is there anything to deal with the traders or the middle men?

**Femy Pinto:** It is less compliance with this, because there are more traders on honey, so the honey is more with the best sale. The traders or buyers were buying from the communities with low price, within two years, they can raise price up. They consolidate their honey and affecting the price to be higher, and it is positive to the community group. At the community level, they are able to get the right price.

**Pisey, UNESCO:** With regard to the resin, we have many obstacles related to the markets; my question is that what is the legal process of taking the resin from the communities to the market? What is the benefit from the resin? What are the authorities' interventions for the resin trade of the communities?

**Heng Bunthoeun:** Given to the process to sell the resin, the association is just to help to collect the resin, but the traders must be legal and allowed by the forestry administration. The association does not need any legal support on this. One tree can produce 1.5 liters per day, and each family has about 200 trees. The association has shared the join venture of the IPs community members.

**Sao Vansey:** My concern seems to be a proposal. Related to the participation in the conservation or development, we are promoting the social and economical development. I have observed that the government and other agencies have been cooperating with each other's quite well. The method of the empowerment approach for the community, I suggest to the donors is that there should be flexibilities on the project implementation, so that the communities can maintain their tradition and culture. #####

## Annex IV Speeches at Inaugural Session, 16 August, 2010

### Address by Raja Devasish Roy Member-Designate, UN Permanent Forum on Indigenous Issues (2011-13)

#### Introductory Remarks

Your Excellency, Mr. Some Seon, Secretary of State, Ministry of Rural Development, Mr. Hem Puthey, representative of the Provincial Governor, Ms. Dam Chanthy, Executive Director of the Highlander Association, Mr. Albert Kwokwo Barume, ILO Geneva, Senior Specialist on Indigenous Peoples' Issues, friends, colleagues, ladies & gentlemen,

It is indeed an honour for me to be here today, and to speak to you, in one of the oldest historical cities of the world, and a city in whose rich heritage the people of Cambodia, including the indigenous peoples of Cambodia, can be justly proud of.

I also feel extremely happy that today we have, along with the representatives of the Government of Cambodia, some of the most important Asia-based United Nations agencies and non-governmental organizations working actively on indigenous peoples' issues.

#### Cambodia's Increased Engagement on Indigenous Issues

Cambodia's recent trend of increased engagement with UN agencies and NGOs dealing with indigenous peoples' issues is encouraging indeed. It is good to recall that Cambodia has ratified the ILO Convention No. 111 dealing with *Discrimination in Employment & Occupation*, it has voted in favour of the UN Declaration on the Rights of Indigenous Peoples, during its adoption by the UN, it has fairly progressive national legislation on land-related issues, and not the least, the ILO's pro-169 has an office in the country, enabling it to cooperate with the Government of Cambodia on matters of mutual interest and mandate.

#### PRO-169, UNDP-RIPP, AIPP

PRO-169 within the ILO and UN-RIPP within the UN have been pioneering ventures in Asia with regard to indigenous peoples' rights. And I am happy to see increased cooperation with indigenous peoples' organizations in the continent. I would like to take this opportunity to say "Thank You" to our friend and colleague, Ms. Birgitte Feiring, former Chief Technical Adviser, for her inspiring leadership in PRO-169. We wish her well in her new work in Denmark, and also welcome our new friend, Albert. "Welcome to the tribe, Albert!" And of course, the presence of the Asia Indigenous Peoples Pact Foundation, the leading regional organization of indigenous peoples, makes this meeting more meaningful, participatory and inclusive, along with that of indigenous participants from several countries of Asia, including the hosts, Cambodia.

#### Traditional Occupations and "Traditional Scientific Knowledge" (Agenda 21)

Traditional occupations, like many other branches of traditional knowledge of indigenous peoples, is static, and not dynamic, and includes innovations and adaptations, as acknowledged in such global documents as

Agenda 21 and the Convention on Biological Diversity, which emerged during or in the aftermath of the Global Earth Summit in Rio de Janeiro, Brazil, in 1992. Agenda 21 refers to indigenous peoples' knowledge as "traditional scientific knowledge". Therefore, such knowledge is not either static, and certainly not primitive, in any way. We have to deal with these myths and distortions in order to promote and maintain traditional occupations.

### **UN Opens its Doors to Indigenous Peoples**

The Rio Summit in 1992 also opened up the doors of the UN and other inter-governmental global processes of environment and development to non-state actors, including indigenous peoples. This process has since been taken forward from the 1990s to the 2010s, in scope, level and extent, including in the sphere of human rights, through the establishment of specialized bodies and mechanisms (such as the UN Permanent Forum on Indigenous Issues, the UN Expert Mechanism on the Rights of Indigenous Peoples and the UN Special Rapporteur on the Human Rights and Fundamental Freedoms of Indigenous Peoples), the adoption of an *International Day for the World's Indigenous Peoples*, the adoption of an *International Year of the Indigenous People* and two successive decades for indigenous peoples (we are still within the Second Decade) and the adoption of the UN Declaration on the Rights of Indigenous Peoples.

### **The Need for States' to Open Up to their Indigenous Peoples**

Somewhat mirroring the example of the United Nations, the challenge in this regard facing the United Nations member states, including those in Asia, is also to open up its doors to their indigenous peoples, including where appropriate, by breaking down walls. It is important that states honour and respect the indigenous peoples' *right to Self-determination and to Non-discrimination*, as espoused by the UN Declaration on the Rights of Indigenous Peoples, and by honouring the principles of *Consultation, Participation and Consent*, which some refer to as the "buzz words" of ILO Convention 169 (on Indigenous and Tribal Peoples). While respecting indigenous peoples' identities and rights, we should bear in mind that indigenous peoples' historical role in state-building, environment protection and development are often overlooked and United Nations-acknowledged, which eminent Norwegian anthropologist, Dr. Tone Bleii, calls "collective historic memory lapse and distortions" and "selective history writing and school curriculums..".

### **Traditional Occupations and Climate Change**

The future of traditional occupations of indigenous peoples is related to, shaped by, and dependent upon, a number of factors. These include (i) right to land, territories and resources; (ii) market mechanisms and access to capital; (iii) the role of the state; and (iv) the threat of *Climate Change*.

### **Right to Land, Territory and Resources**

In the case of indigenous peoples' right to their Land, Territory and Resources, the crucial issues that confront them and the states that they live in include: (a) the formal recognition of the concerned right (there are interesting examples from the Philippines through the Indigenous Peoples Rights Act of 1997 and the experience of the National Commission on Indigenous Peoples), (b) effective remedies for land disputes (including restitution), such as through the resolution of disputes in a quick, fair and inclusive manner (e.g., the Chittagong Hill Tracts Land Disputes Resolution Commission in Bangladesh through the

Chittagong Hill Tracts Land Disputes Resolution Commission Act of 2001 is an important best practice example) and (c) a strong role of indigenous peoples in land management and administration ( best practice examples include the autonomous district councils in Northeast India through the 6<sup>th</sup> Schedule to the Constitution of India)

### **Market Mechanisms**

Market mechanisms are by their very nature challenging, because they can operate as both opportunities – because the free market mechanism does not understand discrimination based on race, ethnicity, etc. – and as impediments – because land-alienated indigenous peoples often have little access to titled private land and capital. However, states, indigenous peoples, United Nations agencies, NGOs and others must continue to engage in the market, to bring about a situation of advantage in favour of indigenous peoples. We must find new ways to provide much needed credit to marginalized indigenous farmers, enhance market linkages on the basis of indigenous demands, provide opportunities of value addition (storage and preservation of farm produce, processing and packaging), and so forth.

### **Climate Change**

Climate Change is among the major issues facing traditional occupations of indigenous peoples. Many such occupations are threatened by likely Climate Change-induced phenomena, including the following: (i) Ice Melt (in the polar caps and mountainous areas, including the Himalayas, which are the sources of many rivers in Asia), (ii) Droughts, Floods, Storm Surges; and (iii) Sea water rise. Because of their marginality, indigenous peoples' communities are likely to be disproportionately affected in an adverse manner by these changes. These must be accounted for in our plans and programmes. Indigenous peoples must continue to engage in the international processes on Climate Change in a robust manner, including in the sphere of REDD-plus, as it has an opportunity of acknowledging indigenous peoples' right to Land, Territory and Resources and to their traditional occupations.

Finally, I thank again the organizers for their hard work, thank the Cambodian governmental representatives for their kind presence here today, and greet all participations so that they have a fruitful seminar here over the next three days.

Thank you very much.

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### **Introductory Remarks by ILO Dr. Albert Barume, Senior Specialist on Indigenous and Tribal Peoples' Issues, ILO**

Excellency, Seom Son, Secretary of State, here representing the Minister of Rural Development, his Excellency Chea Sophara,  
Mr Hem Vuthy, Representative of his Excellency the Governor of Siem Reap,  
Representatives of various government institutions,

Representatives of United Nations agencies and organisations from across Asia,  
Representatives and leaders of indigenous communities,

Distinguished guests, dear colleagues, ladies and gentlemen

On behalf of the International Labour Organization (ILO), I would like to say how pleased we are to be here, in the beautiful province of Siem Reap, for this important regional seminar on Indigenous Peoples and Traditional Livelihoods. Together with the United Nations Development Programme's Regional Initiative on Indigenous Peoples (UNDP-RIPP) and Asia Indigenous Peoples Pact (AIPP), we, as co-organizers, thank the Government of Cambodia for its support to this initiative and its warm welcome extended to all the participants. We also express our gratitude to all indigenous communities, our colleagues and partner organizations, who have worked so hard to make this event happens. We are equally grateful to the Spanish Agency for International Cooperation and Development for providing funds for this workshop.

Allow me to present briefly the co-organizing organizations of this workshop. The United Nations Development Programme's Initiative on Indigenous Peoples is a programme dedicated for indigenous peoples in Asia Pacific established in 2005. It provides space for policy dialogue between indigenous peoples and governments at national and regional levels. Created in 1992, the Asia Indigenous Peoples Pact (AIPP) is a federation of indigenous organizations and movements with 30 members in 13 Asian countries. AIPP continues to strengthen the solidarity and cooperation of indigenous peoples in Asia in promoting their collective rights, sustainable development and bio-diversity protection.

We hope that the following three days will be an opportunity to learn about and share experiences across countries in the Asian region on the issue of indigenous peoples and traditional livelihoods and occupations. Although contexts differ from country to country, indigenous peoples across Asia, and indeed the world, remain one of the major social challenges for several countries. In celebration of this year's International Day of the World's Indigenous Peoples, the ILO's Director General, Mr Juan Somavia, highlighted the plight of indigenous peoples, whose "health, education, employment and other indicators, [are] commonly... well below national averages. The consequences of climate change and environment degradation threaten their very existence".

Traditional occupations of indigenous peoples, such as fishing, shifting cultivation, pastoralism, weaving and other crafts are often seen by many as outdated and incompatible with modern concepts of 'development'. This has resulted in very little attention being given to ways of improving, protecting and using such practices in search for solutions to global and national challenges such as climate change and economic growth.

The task ahead of us is to try and move away from passed oversights and, as recently articulated by the UN Permanent Forum on Indigenous Issues, work for models of development that are respectful of cultures and identities, including those of indigenous peoples, through active participation and full consultation.

Over the past six years, the ILO's programme to promote its Convention 169, known as PRO 169, has attempted to address some of these issues through its numerous national and sub-regional projects, which are currently being implemented in Cambodia, the Philippines, Nepal, India and Bangladesh with financial support from the governments of Denmark, Norway, Spain and the European Commission. As the ILO, we believe Convention 169 provides an appropriate legal framework for national dialogue, social cohesion and partnership between national actors.

Towards these ends, capacity building of relevant government officials and institutions, with a view to increasing understanding and awareness of indigenous peoples' issues, has been at the center of PRO 169's activities in Asia.

This is also an opportunity to commend our host country, the Kingdom of Cambodia, for its laws, policies and programmes on lands and forests, which are being implemented in consideration of indigenous peoples' land rights and traditional occupations as guaranteed by ILO Convention 169 and the United Nations Declaration on the Rights of Indigenous Peoples. In this regard, I would for instance highlight the ratification in 1999, by the Government of Cambodia, of the Convention No. 111 on discrimination in employment and occupation, which is relevant to the protection of indigenous peoples' right to traditional occupations.

Since 2005, PRO 169 has enjoyed good collaboration with the Cambodian Ministry of Rural Development, the Ministry of Interior and other Government institutions, as the Programme provided support to implementation of domestic legal framework on the protection of indigenous communities' identity, land rights and traditional occupations.

The ILO encourages the Government of Cambodia to build on the progresses already made at home and go one step further to ratify the Convention 169. In the same vein, we call upon the international community to provide the Government with needed support in any relevant undertaking.

On that note, I once more thank each and every participant and hope that this seminar will provide a fruitful forum for discussions and sharing of experiences, best practices and lessons learned from various countries on the issue of indigenous peoples' traditional livelihoods.

I Thank You.

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**Opening Speech by H.E Soem Son**  
**Secretary of State**  
**Representing H.E Chea Sophara, Minister of Ministry of Rural Development**

Excellencies, Ladies and Gentlemen,

On behalf of H.E Chea Sophara, Minister of Rural Development (MRD), and myself, I have great pleasure today to attend this opening with your excellencies, and all, ladies and gentlemen. I warmly welcome all of you who come from a number of countries in Asia including Bangladesh, Nepal, India, Myanmar, Philippines, Indonesia, Malaysia, Thailand, China, Laos and Vietnam. I also welcome the presence of Development Partner representatives, UNDP, national and international organizations, NGOs, and IP organizations from other countries and Cambodia, who are here today. This is the first time that the wonder of Angkor territory of Siem Reap province, Kingdom of Cambodia, hosts a meeting to discuss indigenous peoples' issues

Having heard the programme and objectives and other speeches, I consider the seminar a good opportunity for Cambodia and all of you, who are concerned about the indigenous peoples in Asia, to share experiences, good lesson learnt/best practices of those countries that have concerns over occupational issues and difficulties of indigenous peoples. Based on the Millennium Development Goals (MDG) of the United Nations and Development Coals of the Kingdom of Cambodia, it becomes a

compass for us toward poverty alleviation and development of indigenous communities in the Kingdom of Cambodia. Under the smart leadership of Samdech Akamohasena Padey Decho Hun Sen, Prime Minister of Kingdom of Cambodia, the process of development of legislation and appropriate policies for development is underway to combat poverty among indigenous peoples and gain prosperity equally with other citizens of the national community. To achieve these goals, the Royal Government of Cambodia is implementing Phase two of Rectangle Strategy which has good governance as the core pillar. We believe that good governance will bring sustainable development and equity for all. Good governance can take place as long as it ensures full participation, and in today's context, it is to have consultation with and participation from indigenous peoples and other stakeholders.

The full participation of indigenous peoples depends on their capacity. Therefore, strengthening their capacity, both individual and community, is the key task that needs strong attention. Strengthening their capacity for appropriate knowledge and skills to generate additional income on top of traditional occupations, strengthening their capacity to acquire legal status as lawful community and indigenous identity in writing which is recognized by MRD, by-laws/internal rules and so on -- are what we should do and need to respond to. The government does not ignore or isolate indigenous communities from development projects. In contrast, we are implementing these affairs.

Excellencies, Ladies and Gentlemen

Traditional and all other occupations are the means of surviving and maintaining dignity. If there is no occupation, there is no income, and no income means we cannot make a living with dignity as human beings. The indigenous community is the most vulnerable among vulnerable groups, especially indigenous women. From this situation, the Ministry of Rural Development in the name of the Royal Government of Cambodia has developed action plans for training indigenous communities to enable them to have appropriate capacity. They need to be consulted and to participate in decision making on various development projects within their areas, especially to make sure that traditional occupations and other IP occupations are respected and well protected.

The MRD and the Government of Cambodia have achieved many things, including the Land Law 2001, Forestry Law 2002, National Policy on Indigenous Peoples Development (NPIP), Sub-decree on Procedure of Registration of Indigenous Community Land, Circular on Implementation of National Policy and Identification of Indigenous Community coordinated by the Department of Ethnic Minority of MRD, which is also the coordinator to implement other public affairs and services concerning indigenous peoples in Cambodia. The NPIP has a provision on general and sectional policies, which include culture, education, vocational training, healthcare, environment, land, agriculture, water resources, infrastructure, justice, tourism and industry, mine and energy. Furthermore, we have adopted some international standards as our framework related to indigenous peoples including ILO Convention No 111 on Discrimination in Employment and Occupation which the Cambodian government ratified in 1999, and the 2007 UN Declaration on the Rights of Indigenous Peoples.

In the last two years, we have conducted research/study and determined 31 indigenous community identities, and registered 13 communities as legal entities, which is legally the key step to obtain collective land title. There are many indigenous communities which are ready to undertake self-identification and request for recognition from the MRD, and register their community as legal entities with the Ministry of Interior (MoI). These achievements will create opportunity for them to practice their traditional occupations such as shifting cultivation; non-timber forest product collection like resin, rattan, honey; traditional hunting and other subsistence occupations such as selling vegetables and community products. It will create opportunity for them to have appropriate occupations to make a living and receive other public services today and in future.

However, we still have difficulty in practice especially in building the capacity of indigenous communities to rise from poverty. Technology and national and global economic growth can cause some negative impacts, such as making them give up traditional occupations for other livelihoods in the free market economy, chainsaw machines for shifting cultivation, wildlife hunting for the market and logging to sell wood to businessmen.

Excellencies, Ladies and Gentlemen

National and international standards are just references but the main thing is implementation in practice. For Cambodia, a special protection are the current efforts of the MRD, Government and all development partners in implementing these with the view that indigenous society is a permanent one, not temporary, and with respect for human rights, and their participation and full consultation through their representative body or community representatives and women. Indigenous peoples are citizens having equal freedom and rights with other members of the national community, who need to have a decent occupation for living. They are not things or objects to be conserved, but need respect for their decisions, as well as protection and recognition. However, we cannot perform our duties perfectly, we need to have collaborations, human resources and financial assistance for present basic needs of indigenous communities such as food, clean water, roads, bilingual educations, training of necessary skills, establishment of community forestry and indigenous community organizing and so on.

All of these are the lessons learnt and experiences of Cambodia which we would like to share with your Excellencies, ladies and gentlemen in this seminar. I hope that this 3-day seminar will explore some more good lessons, experiences and recommendations from you to use for possible implementation in your respective countries or communities.

As I reach the end of my speech, I would suggest and offer a message that experiences and good lessons of one country are sometimes not good to be applied in another country, hence, we need to examine and consider the context of each country and following principles of good governance and rule of law to ensure full participation and consultation of indigenous communities in development projects within their areas. This is one of the means and methodologies to alleviate their poverty and maintain their culture and good tradition as well as providing them with land title/ownership, which is one of the bases for development.

Finally, I wish your Excellencies, ladies and gentlemen best wishes and happiness, and I now announce the opening of the Regional Seminar on Indigenous Peoples and Traditional Livelihoods.

Thank you.

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## **Annex V Closing Speech**

### **Closing Speech**

**by H.E Chea Sophara**

**Minister of Ministry of Rural Development and High Representative of Samdeach Akamohasena  
Padey Decho Hun Sen, Prime Minister of Kingdom of Cambodia**

Excellencies, Ladies and Gentlemen,

Today I have the great pleasure to attend the closing ceremony of the Regional Seminar on Indigenous Peoples and Traditional Livelihoods, with all of you, ladies and gentlemen, within our wondrous and glorious land of Angkor Wat.

In this great opportunity, on behalf of the royal government of Cambodia, Ministry of Rural Development and myself, I warmly welcome all of you who have come as representatives of ministries, technical officers of state institutions, territorial authorities, national and international partner organizations, representatives of indigenous peoples organizations from various countries in Asia, representatives of NGOs to attend this very important workshop.

At the end of this important 3-day seminar, I extend my appreciation to all of my colleagues at the Department of Ethnic Minority of the Ministry of Rural Development that closely cooperated with the International Labor Organization, AIPP and UNDP-RIPP in organizing this seminar. At the same time, I would like to deeply thank the contributions of technical experts on indigenous peoples affairs from other countries, experts of state institutions, international organizations, United Nations, development partners and all of us who are strongly interested in the development and prosperity of the Kingdom of Cambodia.

On behalf of the royal government of Cambodia, Ministry of Rural Development and myself, I have the great pleasure and pride to thank all of you for the interest in the development process of the kingdom of Cambodia. From empty hands 31 years ago, after the road of hardship, the Kingdom of Cambodia has stepped forward gradually by historically achieving many things for the nation for the sake of national reconstruction in all areas beginning from year zero. We have coped up with the attempt to return of the genocide Pol Pot regime, protecting out national achievement for the sake of peace, national reconciliation, democracy and development. The Kingdom of Cambodia enjoys peaceful national unity, political stability, and strong security, and steps forward following the right track of democracy and rule of law. The areas of economic development, social welfare, culture, education, health care are in progress.

Cambodia has gone through the phase of reconstruction and is stepping ahead for its development. The Cambodian people have explored all means to get over the trauma from the war and genocide regime, and we are living in harmony in the family, community and national society. In this regard, the Kingdom of Cambodia has built international relationships broadly and with equity of rights and participating with the countries in the region and the world as well. Cambodia is a member of the world heritage committee which is a great achievement after the glorious Khmer property of Preavihear temple has been accepted as a world heritage. All of these are great achievements which derive from our national effort and the honest support of our friends and the international community. This shows that Cambodia is moving forward in the right direction.

In 2009, Cambodia was affected by the global financial crisis which made the royal government pay higher attention to keep economic growth steady and encourage investment in the priority areas to bring economic progress and achieve poverty reduction for the people. In the third forum of Cambodian development cooperation in early June this year, donor countries and development partners have allocated

development assistance of 1097 million US dollar to Cambodia, which clearly indicates the trust of international development partners in the royal government.

Looking at indigenous communities, the Royal Government of Cambodia has considered them as the most vulnerable among the vulnerable groups, especially the indigenous women. The main occupation for livelihood is traditional shifting cultivation with slash and burn of forest areas for rotational farming, non-timber forest product collection, hunting, fishing and animal raising -- livelihoods that fully depend on natural resources. Roads and means of transportation remain difficult and inadequate. Health, education and knowledge are limited.

With the actual situation of indigenous peoples as mentioned above, the Government of Republic of Cambodia and State of Cambodia during the decade of the 80s and early 90s paid attention to indigenous peoples development by strengthening committees and northeastern development to speed up the development of all areas of indigenous peoples. In practice, the government gives priority to education by encouraging students in northeast provinces to get a secondary school certificate and enroll in universities in Phnom Penh through a rational proportion. In the energy sector, the small-scale Ochum hydropower with a capacity of 1000 KW, which was constructed in December 1990 and put into operation on 7 January 1993, serves the rubber processing, wood workshops and other electric needs of the local and indigenous peoples in Ratanakiri province.

After national elections in 1993 the Royal government of Cambodia formed an inter-ministerial committee to collaborate with UNDP to formulate the indigenous peoples' development project. The project, coordinated by MRD as then the implementing agency, was the base for establishing the department of Ethnic Minority Development under MRD which aims at improving the living standards of indigenous peoples as well as maintaining their culture, good traditions, customs and beliefs. To achieve the above objective and ensure smooth implementation and harmonization of all sectors, the Royal Government has passed a National Policy on indigenous peoples' development aimed at building Cambodia with social cohesion, good welfare, high education, cultural integrity, non-illiteracy and poverty.

To achieve the above goals and better management of development, the Government has set a relevant provision in the general and sectional policy, which includes culture, education, vocational training, healthcare, environment, land, agriculture, water resources, infrastructure, justice, tourism and industry, mine and energy.

The Royal Government of Cambodia, led by Samdech Akakmohasena Padey Decho Hun Sen, the Prime Minister, has considered existing international instruments as the key tool to serve as the compass, road map and minimum standard. The Royal Government of Cambodia does not allow the indigenous peoples to be isolated or to be in poor conditions but does all it can to improve their living standards to be equal to the whole population through development of all sectors. Some of those are the responsibility of the Ministry of Rural Development, such as rural roads construction, clean water supply, rural sanitation, local health care and community rural credit to generate income for the household. The Royal Government has paid attention to the promotion of indigenous peoples via development projects pursuant to a poverty reduction strategy, legal development, royal decree, sub-decree, policy and other legal instruments such as the land law 2001, forest law 2002, national policy on indigenous peoples development; and policy on land registration; use rights of indigenous peoples were passed in the plenary session of Council of Ministers on 24 April 2009.

Ladies and Gentlemen

What we have done is not enough. The Royal Government of Cambodia will continue to speed up indigenous peoples' development in accordance with the rectangular strategy of the royal government,

taking into account changes and real progress in livelihood, sustainable natural resource management, and economic development in their areas. At the same time, the MRD will develop action plans, broad extension of national policy on indigenous peoples' development in a number of provinces which have indigenous peoples.

National and sectional policies earlier mentioned are the great efforts of our Royal Government in indigenous peoples' development within indigenous territory. The active and collaborative participation of indigenous peoples will assist to improve their communities and will make a big change.

I thank your excellencies, ladies and gentlemen, representatives of ministries, technical officers of the state institutions, territorial authorities, national and international partner organizations, IP organizations in Asia, representatives of NGOs who have attended this seminar and shared good suggestion on the topics, indigenous peoples and traditional livelihoods.

On behalf of Royal Government of Cambodia, Ministry of Rural Development and myself, I will try to have the recommendations of this seminar included in policy concerning the above topics for contribution to poverty reduction of indigenous peoples, improvement of their living standards, provision of better education and health care services as well as maintaining their cultures.

I wish your Excellencies, ladies and gentlemen, national and international participants from various countries, good health and success in all your tasks and happiness for your families.

I wish you a safe trip in returning to your homes, and I now announce the closing of the Regional Seminar on Indigenous Peoples and Traditional Livelihoods.

Thank you.

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## Annex VI

**Asia Regional Seminar on Traditional Livelihoods and Indigenous Peoples**  
**16 – 18 August, Siem Reap Province, Cambodia**

**National and International Participants;**

| <b>SL. No</b> | <b>Name</b>          | <b>Country</b> | <b>Name of the Institution/Organization</b>  |
|---------------|----------------------|----------------|--|
| 1.            | Mr. Chhith Sam Ath   | Cambodia       | NGO Forum on Cambodia                        |
| 2.            | Mr. Mam Sambath      | Cambodia       | Development and Partnership in Action        |
| 3.            | Mr. Lay Sophea       | Cambodia       | Development and Partnership in Action        |
| 4.            | Mr. Heng Bunthoeun   | Cambodia       | Development and Partnership in Action        |
| 5.            | Ms. Femy Pinto       | Cambodia       | Non Timber Forest Product                    |
| 6.            | Mr. Sao Vansey       | Cambodia       | Indigenous Community Support Organization    |
| 7.            | Mr. Pheap Sochea     | Cambodia       | Cambodian Indigenous Youth Association       |
| 8.            | Mrs. Nguon Iv        | Cambodia       | Organization to Promote Kouy Culture         |
| 9.            | Ms. Dam Chanthy      | Cambodia       | Highlander Association                       |
| 10.           | Ms. Ven Samin        | Cambodia       | Indigenous Representative Active Members     |
| 11.           | Mrs. Katrin Seidel   | Cambodia       | Henrich Boll Foundation                      |
| 12.           | Ms. Sophary Pich     | Cambodia       | Plan International                           |
| 13.           | Mr Chhin Seng Nguon  | Cambodia       | Ministry of Interior                         |
| 14.           | Mr. Em Veasna        | Cambodia       | Ministry of Interior                         |
| 15.           | Mr. Kong Chanthan    | Cambodia       | Ministry of Interior                         |
| 16.           | H.E Chea Sophara     | Cambodia       | Ministry of Rural Development                |
| 17.           | H.E Sim Sonn         | Cambodia       | Ministry of Rural Development                |
| 18.           | H.E Yim Chung        | Cambodia       | Ministry of Rural Development                |
| 19.           | Mr. Soth Soeun       | Cambodia       | Ministry of Rural Development                |
| 20.           | Mr. Chhun Sivitha    | Cambodia       | Ministry of Rural Development                |
| 21.           | H.E Nun Pheany       | Cambodia       | Ministry of Land                             |
| 22.           |                      | Cambodia       | Ministry of Environment                      |
| 23.           |                      | Cambodia       | Ministry of Agriculture                      |
| 24.           |                      | Cambodia       | Ministry of Culture and Art                  |
| 25.           |                      | Cambodia       | Ministry of Mining                           |
| 26.           | H.E Sou Phirin       | Cambodia       | Governor of Siem Reap                        |
| 27.           | Mr. Heng Ngoun Eang  | Cambodia       | Department of Rural Development in Siem Reap |
| 28.           | Mr. Sok Sothoun      | Cambodia       | Department of Rural Development in Siem Reap |
| 29.           | Mr. Michael Engquist | Cambodia       | DANIDA                                       |
| 30.           | Ms. Nil Vanna        | Cambodia       | World Bank                                   |
| 31.           | Mr. Kiet Leng Hour   | Cambodia       | EU   |
| 32.           | Mr. Putu M.Kamayana  | Cambodia       | ADB  |

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|-----|--------------------------------|-------------------|---|
| 33. | Mr. Franz Volker Mueller       | Cambodia          | GTZ   |
| 34. | Mr. Sek Sophorn                | Cambodia          | ILO- Cambodia   |
| 35. | Ms. Mane Yun                   | Cambodia          | ILO- Cambodia   |
| 36. | Mr. Chea Phalla                | Cambodia          | ILO- Cambodia   |
| 37. | Ms. Kim Kanhchana              | Cambodia          | ILO- Cambodia   |
| 38. | Natharoun Ngo                  | Cambodia          | UNDP-Cambodia   |
| 39. | Raja Devasish Roy              | Bangladesh        | Designate Member, UNPFII  |
| 40. | Mr. Goutam Kumar Chakma        | Bangladesh        | CHT Regional Council  |
| 41. | Mr. Ajay A. Mree               | Bangladesh        | Joyenshahi Adivasi Parishad                                     |
| 42. | Mr. Wu Jiawei                  | China             | Kangmei Institute of Community Development and Marketing        |
| 43. | Mr. Li Jidou                   | China             | Honghe Prefectural Nationality Research Institute               |
| 44. | Mr. Salem Gamango              | Orissa, India     | PREM  |
| 45. | Ms. Thingreiphi Franthing      | NE India          | Naga Peoples Movement for Human Rights                          |
| 46. | Mr Xavier Kujur                | Jharkhand, India  | Jharkhandis Organization for Human Rights, (JOHAR )             |
| 47. | Ms. Thingreiphi Franthing      | NE India          | Naga Peoples Movement for Human Rights                          |
| 48. | Mr Anthony Debbarma            | Tripura, NE India | Borok Peoples Human Rights Organization (BPHRO)                 |
| 49. | Ms. Somphone Outhammavong      | Lao PDR           | Community Knowledge Support Association ( CKSA )                |
| 50. | Mr. Khampanh Keovilaysak       | Lao PDR           | Global Association for People and Environment ( GAPE )          |
| 51. | Ms Anne Lasimbang              | Malaysia          | PACOS Trust   |
| 52. | Ms Susanna Mariam Aloysius Dom | Malaysia          | Institut Pribumi Malaysia Sarawak (IPIMAS)                      |
| 53. | Mr Arjun Lama                  | Nepal             | NGO-Federation of Nepalese Indigenous Nationalities (NGO-FONIN) |
| 54. | Mr Fatik Bahadur Thapa         | Nepal             | MAGAR STUDIES CENTER  |
| 55. | Ms Yasso Kanti Bhattachan      | Nepal             | NATIONAL INDIGENOUS WOMEN'S FEDERATION (NIWF)                   |

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|-----|-------------------------------|--------------------------|--|
| 56. | Ms Jacqueline K. Cariño       | Philippines              | Cordillera Peoples Alliance (CPA)  |
| 57. | Datu Saway Victorino L.       | Philippines              | PANAGTAGBO Mindanao  |
| 58. | Mrs. Amphorn Daenphongphi     | Thailand                 | “Chawmohue” Karen Women’s Group,   |
| 59. | Miss Jeeranan Lachee          | Thailand                 | Inter Mountain Education and Culture Association in Thailand (IMPECT)              |
| 60. | Mrs. Luong Thi Truong         | Vietnam                  | Centre for Sustainable Development in Mountainous Areas - CSDM                     |
| 61. | Ms Luong Hai Yen              | Vietnam                  | Vietnamese Thai Network for Indigenous Knowledge Conservation and Promotion - VTIK |
| 62. | Ms Joan Carling               | Philippines/<br>Thailand | Asia Indigenous Peoples Pact (AIPP)  |
| 63. | Mr. Binota Moy Dhamai         | Bangladesh/<br>Thailand  | Asia Indigenous Peoples Pact (AIPP)  |
| 64. | Ms. Eleanor Dictaan Baan – Oa | Philippines              | Asian indigenous Women's Network (AIWN)  |
| 65. | Mr Ivan F. Torafing           | Philippines              | Asia Pacific Indigenous Youth Network (APIYN)                                      |
| 66. | Mr Kamal Prasad Aryal         | Nepal                    | International Center for Integrated Mountain Development (ICIMOD)                  |
| 67. | Mr Prasert Trakansuphakon     | Thailand                 | Indigenous Knowledge and Peoples Foundation (IKAP)                                 |
| 68. | Ms Rukka Sombolinggi          | Thailand/<br>Indonesia   | UNDP, Regional Centre in Bangkok   |
| 69. | Mr. Albert Kwokwo Barume      | Switzerland              | ILO, Geneva Office   |
| 70. | Ms. Stefania Errico           | Italy/<br>Switzerland    | ILO, Geneva Office   |
| 71. | Mr. Abhilash Kanti Tripura    | Bangladesh               | ILO, Bangladesh Country Office   |
| 72. | Ms. Sandra O Yu               | Philippines              | ILO - Bangkok  |