16th session of the UN Expert Mechanism on the Rights of Indigenous Peoples (EMRIP)

17th to 21st July 2023, Geneva, Switzerland

Joint Statement on
Agenda Item 9: Interactive dialogue with UNPFII, the Special Rapporteur on the Rights of Indigenous Peoples, and the UN Voluntary Fund for Indigenous Peoples

On behalf of Asia Indigenous Peoples Caucus

Mr. Chair,

Asia Indigenous Peoples Caucus, appreciate the timely decisions of EMRIP and UNSRIP for your timely report on militarization, monitoring mechanism of UNDRIP, green financing and tourism and the rights if Indigenous Peoples. We appreciate the UN voluntary Fund for Indigenous Peoples for making participation accessible for Indigenous Peoples across the regions.

We have during the discussion on agenda item 3 stressed upon the impact of militarization on Indigenous Peoples. Tourism, green financing, and renewal transition often violate the rights of the Indigenous Peoples to their lands, Territories and Resources, and their right to live a dignified and self-determined life. Often in Asia, militarization is employed to such projects to be implemented without the free, prior and informed consent of the Indigenous communities.

The initiative of the Indigenous Peoples to call out the violation of their rights and their movements for the self-determined development are often followed by increased criminalization, killings, enforced disappearances, arbitrary arrest, detention, intimidation, terrorist tagging, and efforts to suppress such initiatives. The pervasive lack of legal formalization, recognition, protection, enforcement, and monitoring of customary tenure rights and legal protections of Indigenous identity underpins the majority of risks Indigenous Peoples face linked to invasive, colonial, and neo-liberalized conservation activities.

While we support the just transition to renewal energy, it is essential to ensure that renewal energy development will respect and protect the rights of indigenous peoples and adhere to social equity. The current trend on transition to renewable energy is increasing mining and land grabbing in Indigenous territories.

The role of Indigenous Peoples in development such as tourism, green renewal transition, and conservation, among other must be understood and addressed from the framework of the UN Declaration on the Rights of Indigenous Peoples and international and regional human rights instruments. Governments must protect, and business operations must perform their due diligence, respect and engage in collective decision-making, respecting the rights of all concerned, and benefits must be shared equitably, access to remedy mechanisms should be put in place.

Therefore, we urge the UN Special Rapporteur on the Rights of Indigenous Peoples and the Expert Mechanism on the Rights of Indigenous Peoples,
• To call and advise on the State government to harmonize the national policy with the international legal standards, UNDRIP and regional human rights instruments.

• To promote the international legal standards, recognize Indigenous Peoples’ rights to lands, territories and resources, self-determination, cultural heritage and meaningful participation in decision-making, all of which form the basis of our collective identity and their physical, economic and cultural survival.

• To urge businesses to perform their due diligence, respect the rights of all concerned and engage in collective decision-making; and to create and make accessible grievance and remedy mechanisms to ensure justice and the equitable sharing of benefits.