

# **Statement by Indigenous Peoples of Malaysia in conjunction with 50:44 Malaysia independence and nationhood.**

## **Preamble**

Indigenous peoples of Malaysia celebrate this day along with millions of other citizens all over the country to mark the 50<sup>th</sup> Independence and 44 years formation of the federation of Malaysia to reiterate our dignity and survival as peoples. We consist of 80 indigenous peoples from 47 villages and indigenous community organizations from Sabah, Sarawak and Peninsular Malaysia gathered in Central Market Annexe on 13 – 14<sup>th</sup> September 2007.

We see ourselves as survivors in this globalised world, with its ideas that are mainly against our aspirations. Those of us who have survived the pressures of this globalised world have continued to maintain our own societies and systems, our own languages and cultures, our own lands and territories, our own unique relationship with the natural and spiritual world, and our determination to survive and pass our way of life, visions and aspirations to the next generation. We want to maintain our strong collective identity which is rooted in our history and territories which are the foundation of our self-respect, dignity, and freedom, and which emphasizes collective rights over those of the individual.

Indigenous Peoples are often misunderstood, denigrated and subjected to assimilation. But Indigenous Peoples are distinct peoples and do not fit the description as ethnic, religious or political groups. Neither are we minorities or the poor, although we may be all of these. Indigenous peoples are found all over the world with similar characteristics and experiences. We call our other indigenous relatives to embrace our struggle and not look at our endeavors as backward and pointless. We ask the government, policy makers, support groups and individuals to be open to our way of life, visions and aspirations, and to see the value they bring for all peoples. We urge all concerned to pledge for change.

Development aggression has resulted in loss and misery of countless number of communities through logging, large scale plantations, mining, dams, protected areas and infrastructures. We demand for a halt on these so-called development projects that does not respect our rights and institute genuine free, prior informed consent mechanisms before any further projects are carried out on indigenous territories.

Non-recognition of indigenous peoples' own way of life and systems has also affected our dignity and loss for the nation to build a pluralistic society. We the indigenous peoples of Malaysia urge the states and federal government, and all concerned to provide a venue for pluralism to happen.

*At the national level*, it is important to note the united nations plan of action for the Second International Decade of the World's Indigenous Peoples that relies on five key objectives which cut across the various areas of the goal for the Decade established by the United Nations General Assembly, namely strengthening international cooperation for the solution of problems faced by indigenous peoples in the areas of culture, education, health, human rights, the environment and socio economic development.

Of these six areas (culture, education, health, human rights, the environment and socio economic development), we the indigenous peoples of Malaysia would like to highlight a few recommended action plans on human rights that would be significant for the government of Malaysia to take into consideration:

**To launch a review** of national and state legislations to eliminate possible discriminatory provisions with the full and effective participation of indigenous experts;

**Further develop national legislation** for the protection and promotion of human rights of indigenous peoples, including means of monitoring and guaranteeing those rights (*Para 50 & 56 of the said program of action*).

**Consider** to ratify the International Labour Organization Convention 169 concerning Indigenous and Tribal Peoples in Independent Countries;

**Setting up of commissions** and legal support centres could also take up the requests from the Jaringan Orang Asal Se-Malaysia (JOAS)

**Set up an independent National Indigenous Peoples Land Commission** to settle indigenous land claims and the setting up of legal centres which could be established by national authorities to inform and assist indigenous peoples regarding national and international legislation on human rights and fundamental freedoms

**Carry out activities** for protecting those rights and freedoms (54 & 55), apart from the commendable work that SUHAKAM has played. Set a time frame to deal with IP issues.

**Call for the overhaul and restructuring** of Orang Asli Affairs Department by handing over governance to the Orang Asli themselves

**Halt all arbitrarily** issuance of licenses, permits and leases over indigenous territories. Revoke existing licenses, permits and leases granted over the said territories that was obtained without the free and prior informed consent of the indigenous peoples communities.

**Speed up** the demarcation of the territories with full and effective participation of the indigenous communities and allocate adequate resources to support these undertakings.

**Speed up and improve** the system to issue identification and citizenship documents to indigenous peoples that still without it.

**Respect the rights to unique** identity and do away with assimilation policies and actions of all concerned bodies.

**Preserve and promote** indigenous languages, traditional knowledge, history and culture by mainstreaming indigenous peoples aspirations in national education system.

**Declare every 9<sup>th</sup>** day of August as national public holiday in Malaysia to commemorate world indigenous Peoples day as proclaimed by the United Nations.

There fore in solidarity, we the Indigenous Peoples of Malaysia call our government to take action on our demands to address these issues that is important in order for us to progress together. We want to have effective participation to the nation's development and to walk hand in hand together with all Malaysians to reach our goals and aspirations. As we celebrate the 44<sup>th</sup> year of the Malaysian federation, let's not forget that the Indigenous Peoples had an important role during the birth of this beautiful nation.