**17th session of the Expert Mechanism on the Rights of Indigenous Peoples**
Tuesday, 9 July 2024
Geneva, Switzerland

**Agenda Item 6: Country Engagement**

***Presented by Ganga Devi Gurung on behalf of Asia Indigenous Peoples Caucus***

Thank you, Madam Chair,

The Asia Indigenous Peoples’ Caucus would like to thank and appreciate Member States who have engaged with EMRIP through the country engagement mandate. Yet, we would like to underline that the Member States of Asia have not engaged with the Expert Mechanism.

The lack of formal recognition of Indigenous Peoples in the region prevents the meaningful realization of the implementation of UNDRIP and its translation in the constitutions, laws and policies. Wherever there are recognition or similar recognition in terms of laws and policies, the implementation of these have been problematic. In fact, there is an increasing efforts from the states to dilute or introduce new legislations that would undermine its existing legal provisions on indigenous peoples rights

To reiterate our earlier statements, the internal colonization of the Indigenous Peoples in the region through the continuation of the colonial policies and laws, colonial institutions and practices embedded in our national systems disregard and violates Indigenous Peoples right to self-determination, to our lands, territories and resources, and to our cultural integrity.

To provide an example, the ASEAN Member states are in the process for developing the ASEAN declaration on environmental rights. However, the current draft of the declaration within the working group shows the absence or systematically removal of the rights of Indigenous Peoples, including the rights to free, prior, informed and consent (FPIC) enshrined in the UNDRIP inspite of the strong recommendations made by Indigenous Peoples and civil society organizations.

We are deeply concern that this situation prevents the formal visits of the Expert Members to advise the states in the region on meaningful and practical implementation of UNDRIP in the region.

In this context, we call upon the Expert Members:

* To undertake constructive dialogues with the Members States on the formal recognition of Indigenous Peoples and in addressing their urgent issues faced by the Indigenous Peoples in the region
* To conduct a country engagement in the Members States of Asia and to advice government on how best to respect, protect and fulfill Indigenous Peoples’ rights.
* To engage immediately with the ASEAN member states through a letter of advice for the inclusion of legal recognition the rights of Indigenous Peoples in the ASEAN Declaration on Environmental Rights in line with their human rights obligation and commitments

Thank you for this opportunity, Madam Chair.