



International Labour Organization



Statement of the participants of the Asia Regional Seminar

“Experiences and lessons learned concerning the implementation of indigenous peoples’ rights”,

Kathmandu, Nepal April 27-29, 2009

More than 90 representatives of indigenous peoples, government and national human rights institutions from 13 Asian countries, along with representatives of UN agencies and bilateral and multilateral development agencies convened in Kathmandu, Nepal. The Seminar was jointly organized by the Asian Indigenous Peoples Pact (AIPP), the Regional Initiative on Indigenous Peoples’ Rights and Development of the UNDP (UNDRRIPP), the Programme to Promote ILO Convention No. 169 of the ILO (ILO/PRO 169) and the National Foundation for the Development of Indigenous Nationalities (NFDIN).

The aim of the seminar was to discuss and exchange experiences and lessons learned in the Asian region concerning the implementation of indigenous peoples’ rights, as enshrined in the UN Declaration on the Rights of Indigenous Peoples and the ILO Convention No. 169.

The seminar provided the participants a unique opportunity to be inspired and motivated by the efforts of the Nepali government and indigenous peoples and their organizations to include indigenous peoples’ rights in the current state reform process and to implement ILO Convention No. 169, which Nepal ratified in September 2007.

The seminar was privileged with the presence of Chief Guest, Chairperson of the Constituent Assembly of Nepal, Rt. Honourable Subhas Chandra Nemwang and Guest of Honour, Honourable Dipankar Talukdar, State Minister of the Ministry of Chittagong Hill Tracts Affairs of Bangladesh. Both honoured guests strongly encouraged and motivated the other participants through their commitment to working for the implementation of indigenous peoples’ rights in their respective countries.

During the course of the seminar, the participants shared experiences concerning the key challenges and opportunities regarding the implementation of indigenous peoples’ rights at regional, national and local levels, including issues related to the identification and recognition of indigenous peoples; consultation, participation and consent; land, territories and natural resources and key government responsibilities with regard to implementation of indigenous peoples’ rights.

The seminar confirmed that the Asian region has generated valuable experiences and lessons learned concerning the implementation of indigenous peoples’ rights. However, much still remains to be done, in terms of adequate inclusion of indigenous peoples’ rights in constitutions, legislation, policies - and execution of those policies - for ensuring implementation of already existing national and international instruments, laws and policies, which is the minimum standard for survival of indigenous peoples. Although some positive steps are seen with regards to the establishment of institutions, there is still a need to develop and strengthen the institutional mechanisms for implementation of indigenous peoples’ rights, including the allocation of adequate budget provisions by governments and donors.

One particular challenge, shared across countries in the region, is the establishment of permanent mechanisms for consultation, participation and consent of indigenous peoples in all levels of decision-making that affects their lives and communities.

Inspired by the sharing of experiences and good practices, the participants made key recommendations to indigenous peoples’ organisations, governments, donors and other concerned stakeholders in the following areas: using national and international human rights frameworks; meaningful consultation, participation and representation of indigenous

peoples, especially women and youth; strengthening government and indigenous peoples' capacity; recognising land and resources and establishing forms of self determination in practice. The participants also reaffirmed their commitment to work towards the implementation of indigenous peoples' rights, through local and national activities as well as enhanced regional networking.