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**IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 60/251
OF 15 MARCH 2006 ENTITLED “HUMAN RIGHTS COUNCIL”**

**Written statement* submitted by the International NGO Forum on Indonesian
Development (INFID), a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[28 February 2007]

* This written statement is issued, unedited, in the language(s) received from the
submitting non-governmental organization(s).

Call to the UN to ensure the fulfillment of the Rights of Indigenous Peoples¹

Within International Scope, the formulation or definition of indigenous people is stated in the ILO convention No. 169/1989 (Article 1). The emphasizing of the convention toward indigenous people was placed on the indigenous people as a nation community who possess the rights to decide their political, economic, social and cultural civilian rights.

Therefore the indigenous people's civilian political rights as well as the fulfillment of their economy, social and cultural civilian rights as a component or a nation within the position of state, need to be protected.

Indonesia as a sovereign nation is actively involved in the discussion of indigenous people's aspirations in the international arena, which since September 2005 has ratified two international conventions, i.e. political as well as economy, social and cultural civilians. Moreover, Indonesia has also been involved in the working group for indigenous people in the UN.

Yet in reality, in Indonesia the indigenous people are still the nation's component whose political rights kept being violated the entire year long and their economy, social, cultural rights kept being neglected. Such problem occurs due to the deeply rooted system of the state that has not entirely acknowledged the position and rights of the indigenous people.

On the other hand, extractive and uniformed approach to development has also caused negative impact on the life of the indigenous people. Most of the development has been made based on the aspiration of the mainstream groups. Such development structure completely has no benefits for the existence and survival of the indigenous people's life and living.

Another existing fact, the Indigenous People's aspirations often are not represented in the decision making process in the development or they do not get any of the benefits or advantages of the process. In fact as citizens, the indigenous people should also enjoy fair and equal rights and obligations. The Indigenous People should gain the freedom to self protection and self determination as well as to refuse changes that has negative impacts on the political civil life as well as the future of their economy, social and culture.

When observing the present political-economy policies, as the fact is, then the destruction of indigenous people's living system can be seen through various development aspects in Indonesia, i.e.: **legal and institutional aspect** of the Indigenous People where the traditional trial and institutions are not acknowledged in a state, the acknowledgement is given only when the state or big corporation has political or economic interests on them, the indigenous people's law and institution is often being made use to legitimate the state and corporation's interests; **environmental and natural resources aspect** in this case the state often neglect the Indigenous People's rights of livelihood resources every time the state wishes and carries out an effort or projects such as forestry, mining, agricultural enterprise etc., the existence of the Indigenous People is completely ignored; **social aspect** of the annihilation of the Indigenous People's collectivity rights; the aspects of **culture and science** where the local wisdom and intellectual property of the indigenous people are annihilated from their life structure.

¹ WALHI (Friends of the Earth Indonesia) also shares the views expressed in this statement.

Negligence of the indigenous people's rights occurring during 2006 in Indonesia has left deep wounds for the indigenous people. Such thing occurred in West Kalimantan, Central Kalimantan, Southeast Sulawesi, Central Sulawesi, North Sulawesi, West Nusa Tenggara, East Nusa Tenggara, Jambi, and some other areas; they often were harshly treated, their land was forcefully snatched and they were even evicted without any compensation, they lived in the flow of hazardous waste resulting from the disposal of the gigantic corporation, in fact some of the indigenous people were tortured and suffered other unnatural treatments, even murdered for defending their rights.

Based on the fact mentioned above, we demand the UN Human Rights Council to take pushing action for all parties involved, particularly the government of Indonesia to take the following demands into consideration:

- (i) To hand back the rights on natural resources that belonged to the indigenous people that were taken over due to the use and abuse of State authority;
- (ii) Restoration of the victims' condition.
- (iii) The indigenous people should have the rights to decide their own priorities relating to the process of development. This will affect the life, belief, institutions, spiritual condition, and the land where they live, including to exercise the control on their own economy, social and cultural growth.
