

## **SINAR RESMI DECLARATION, 8<sup>th</sup> August 2009**

The Indigenous Peoples' Alliance of the Archipelago (AMAN) held a national consultation of indigenous communities from 5-8 August 2009 on Climate Change and Reducing Emissions from Deforestation and Forest Degradation (REDD). This was followed by AMAN's national strategic meeting.

The participants at these two gatherings were AMAN's founders, all members of AMAN's Council and the Executive Board plus regional and local executive and council members.

We express our thanks to the Banten Kidul indigenous community in Kasepuhan Sinar Resmi, Sukabumi district, who offered their customary domain as the venue for the meetings. We express our solidarity with them following the detention of Banten Kidul people over a dispute with the Gunung Halimun and Salak National Park authorities and press the police and local government to release them immediately.

We, the Indigenous Peoples of the Archipelago, whose homes are in the mountains and forests, including the coasts and small islands, feel the impacts and threats of climate change. We are very well aware that climate change now threatens not only the survival of Indigenous Peoples worldwide but the future of the human race.

It is our opinion that the global climate change we are now experiencing is the result of the failure of a development model which is contingent on using up natural resources with no consideration for sustainability. Greed and control over resources have resulted in the powerlessness of our national decision-makers in the face of pressure from industrialised nations.

We assert that Indigenous Peoples have, so far, been able to manage and protect their resources sustainably throughout the generations. There is no denying the close connection between nature as the source of life and livelihoods where Indigenous Peoples safeguard nature for our grandchildren's future.

We affirm that Indigenous Peoples' rights are recognised and protected internationally by the United Nations Declaration on the Rights of Indigenous Peoples and nationally by clauses 18b and 28i of Indonesia's 1945 Constitution; the law on the management of coasts and small islands (No 27/2007); and the Resolution of the People's Consultative Assembly, Indonesia's highest legislative body, on Agrarian Reform and Natural Resource Management (TAP MPR No 9/2001).

For these reasons, we, the Indigenous Peoples of the Archipelago:

1. Call on governments of the industrialised countries listed in Annex 1 of the Kyoto Protocol immediately to take substantial steps to reduce their emissions to 45% of 1990 levels by 2020 and to 95% by 2050, in support of the fundamental aims of the United Nations Framework Convention on Climate Change (UNFCCC);
2. Stress that the UNFCCC, as a United Nations Convention, is subject to the decisions of the UN General Assembly which adopted the Declaration on the Rights of Indigenous Peoples. Countries which have signed up to the UNFCCC must therefore acknowledge and protect the Indigenous Peoples' rights contained in its policies;

3. Stress that all initiatives relating to adaptation and mitigation of the impacts of climate change must be based on the principles of Free, Prior and Informed Consent (FPIC). This entails carrying out consultations and guaranteeing Indigenous Peoples' involvement in decision-making;
4. Affirm that all initiatives on Reducing Emissions from Deforestation and Forest Degradation (REDD) must guarantee the acknowledgement and protection of Indigenous Peoples' rights, including protecting our rights to land, customary domains and ecosystems and providing maximum opportunities for indigenous communities;
5. Agree and insist that, in the absence of such guarantees, Indigenous Peoples will reject the implementation of all REDD plans and any other climate change mitigation initiatives;
6. Urge the World Bank, in particular, to implement the UN Declaration on the Rights of Indigenous Peoples in all Bank policies relating to REDD and to hold consultations with Indonesian indigenous communities immediately.

Within the national context we:

1. Urge the Indonesian government to withdraw the 1999 Forestry Law (No 41) and replace it with one which recognises and protects Indigenous Peoples' rights;
2. Urge the Indonesian government to amend clause 33/sub-clause 3 of the 1945 National Constitution which reads "The earth, water and all the natural wealth contained therein are to be controlled by the State to be used optimally for the prosperity of the people". The word 'controlled' must be changed to 'protected';
3. Urge the Indonesian government to implement, with immediate effect, clauses 18b and 28i of the Constitution; the law on the management of coasts and small islands (No 27/2007); Resolution No 9/2001 of the People's Consultative Assembly on Agrarian Reform and Natural Resource Management; plus the UN Declaration on the Rights of Indigenous Peoples;
4. Call on all levels of the Indonesian government not to grant permits to any parties for the exploitation of forests or other natural resources which lie within our customary lands without the consent of the indigenous community concerned, given through a mutually agreed mechanism;
5. Urge the Indonesian government to act immediately to promote public awareness and consultations on climate change and REDD with indigenous communities;
6. Demand that the principles of Free, Prior and Informed Consent are implemented in all decision and policy-making processes at all levels of governance – national, regional and in local communities;
7. Urge the Indonesian government to set up forthwith a Ministry of Indigenous Peoples Affairs;
8. Urge all levels of the Indonesian government to act immediately to resolve conflicts over land and natural resources in customary domains by using a human rights approach;

9. Urge the Indonesian government to implement the UN Declaration on the Rights of Indigenous Peoples within Indonesian laws and regulations;
10. Urge the Indonesian government to stop issuing individual land ownership certificates on the customary lands of Indigenous Peoples.

Finally, we call for, urge and demand that the government passes a law on The Recognition and Protection of Indigenous Peoples' Rights in Indonesia as soon as possible.

As the Indigenous Peoples of the Archipelago, we are prepared to work with the government and all other relevant parties to realise the fulfilment of our rights in Indonesia.

This Declaration was agreed by consensus by all participants at AMAN's National Strategic Meeting, 8<sup>th</sup> August 2009 in Kasepuhan Sinar Resmi, Sirna Resmi Village, Sukabumi, West Java.