



Council of  
Asian Liberals  
and Democrats

# CONFERENCE REPORT

CALD GENERAL ASSEMBLY

Protecting & Empowering

Minorities &

Indigenous  
Peoples:

An Asian Discourse



Friedrich Naumann  
STIFTUNG

FÜR DIE FREIHEIT

11-14 April 2014 | Siem Reap, Cambodia



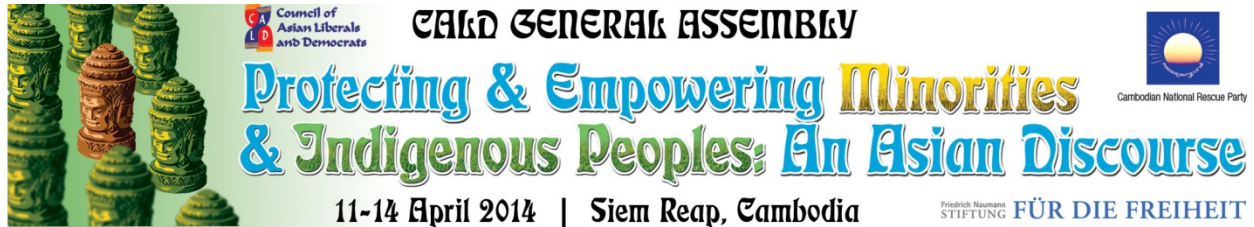
# **Protecting & Empowering Minorities & Indigenous Peoples: An Asian Discourse**

**11-14 April 2014 | Siem Reap, Cambodia**

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## CONCEPT PAPER

States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity.

*Article 1, United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UNDM), 1992*

Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all the human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights and international human rights law.

*Article 1, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), 2007*

## Introduction

The Rohingyas of Myanmar, the Tamils of Sri Lanka, the Moro Muslims of the Philippines – these are just some minority groups in Asia that have occupied the news headlines in recent years. The treatment of the Rohingyas continues to be a speck in an otherwise outstanding political record of the government of Thein Sein; while the plight of the Tamils during and in the aftermath of 2009 Sri Lankan conflict remains to be a subject of international scrutiny. As regards the Philippines, the international community has largely welcomed the recent peace deal between the government and a Moro Muslim separatist group, noting that it could finally pave the way for lasting peace in the southern part of the country.

The Rohingyas, Tamils and Moro Muslims are but a small representation of the vast ethnic, linguistic and religious diversity of the Asian region. Majority of the countries in Asia can be considered as “multicultural societies” – meaning their demographic profile is highly diverse or heterogeneous. The term “multicultural”, however, implies recognition of and respect for cultural diversity, but this has not always been the case. Marginalization of minorities and indigenous peoples remains to be a painful reality in Asia and in other parts of the world.

This reality confronts minorities and indigenous peoples everyday: the *Chams, Khmer Loeu, Chinese, Vietnamese* (Cambodia); the *Southeast and South Asians* (Hong Kong); the *Chinese, Sundanese, Madurese, Minang, Acehnese, West Irians/West Papuans* (Indonesia); the *Chinese, Indians/South Asians, Ib an, Bidayuh, Orang Asli* (Malaysia); the *Barga, Bayad, Buryat, Chantuu, Durbet, Kazakhs and Tsaatan* (Mongolia); the *Malays and Indians/South Asians* (Singapore); *Atayal, Bunun, Kavalan, Tsou, Paiwan, Rukai* (Taiwan); the *Malay Muslims, Karen, Hmong Lahu* (Thailand); and the *Chinese, Tay, Thai/Tai, Muong and Kho Me* (Vietnam). And this list barely scratches the surface of marginalization in the region.

## **Politics of Identity**

The plight of minorities and indigenous peoples can be viewed under the lenses of “identity politics”, which has increasingly defined human relationships in a globalizing (and homogenizing) world. Identity politics, simply put, means a type of politics that is based on aspects of identity such as race, ethnicity, language, religion, gender, sexual orientation, among others. The phrase also connotes the struggle of marginalized groups “to assert or reclaim ways of understanding their distinctiveness that challenge dominant oppressive characterizations, with the goal of greater self-determination” (Stanford Encyclopedia of Philosophy).

Identity politics, therefore, is an inherently loaded concept. There are those who argue that its practice is divisive and creates barriers among otherwise like-minded groups. On the other hand, there are those who claim that diverse identities actually create spaces for negotiation, cooperation and forging of mutually beneficial relationships.

The debate about identity politics spills over to the definition of the concepts “minorities” and “indigenous peoples”.

## **Distinguishing Minorities from Indigenous Peoples**

The terms “minorities” and “indigenous peoples” are highly contested concepts. These contestations are not only significant for theoretical reasons, but also for their practical implications. For one, “difficulties in reaching agreement on definitions can... delay recognition, action and progress in reducing poverty and exclusion, and reinforce discrimination” (Justino and Litchfield, 2003).

Minorities are “people with certain common traits that set them apart from the majority in a society... (They) often suffer from discrimination and they struggle for the protection of their rights and their participation in the larger society” (*ASEAN’s Indigenous Peoples*, 2010). While there is no internationally accepted definition of a minority group, its two most common elements are: (1) shared ethnic, religious, linguistic or cultural characteristics; and (2) position of numerical minority in the overall population of a given state or territory (Justino and Litchfield, 2003). Examples of minority groups include those who speak a minority language, ethnic groups, religious minorities, immigrants, and even sexual minorities.

It has to be noted, however, that, “...there are minority groups who are dominant economically and politically, just as there are minorities who may have economic power but still experience various forms of discrimination, including access to political power. Different minority groups may have different kinds of power, for example, economic and political power, and thus differing levels of influence over public policy and decision-making” (Justino and Litchfield, 2003).

Like minority groups, indigenous peoples also belong to the non-dominant group and constitute a numerical minority in society. Their distinguishing characteristic, however, is “self-identification”. Article 1.2 of the International Labour Organization (ILO) Convention 169 Concerning Indigenous and Tribal Peoples in Independent Countries states that “Self-identification as indigenous or tribal shall be regarded as fundamental criterion for determining the groups to which the provisions of this Convention apply.”

Indigenous peoples’ distinct culture and lifestyle, therefore, differentiate them from other minority groups. Their claims “to ancestral land rights and other natural resource rights, to manage

economic and social affairs using traditional customs, law and practice, and their historical continuity with the land inhabited by their communities, generally distinguish indigenous peoples from other minority groups” (Justino and Litchfield, 2003).

Moreover, indigenous peoples are autochthonous, or descendants of the earliest known inhabitants of a territory. Ethnic minorities, on the other hand, are generally settler populations with more recent links to territory, who share a common identity with groups in at least one other country (Clarke, 2001).

The contestations about minority groups and indigenous peoples are much more pronounced in the Asia, given that many countries in the region are characterized by great ethnic, linguistic and religious diversity.

### **Living at the Margins**

Minorities and indigenous peoples in Asia and in other parts of the globe most commonly experience social exclusion. Social exclusion pertains to the phenomenon of “certain individuals and/or groups being excluded from participation in social relations”, which, in turn, leads to poverty and deprivation (Justino and Litchfield, 2003).

Exclusion may arise as a result of implicit or explicit discrimination against minority groups and/or indigenous peoples, for example, through excluding minorities from citizenship through ethnically biased qualifying criteria; not establishing or adequately implementing and monitoring anti-discrimination legislation and measures; under-funding public services in regions inhabited primarily by minorities or indigenous peoples; or the use of a majority official language in legal, economic, social or political transactions, without provision for minority language (Justino and Litchfield, 2003).

In a study done by Minority Groups International, it was found out that minority groups and indigenous peoples in developed and developing countries are likely to be poorer, and to be the object of social, economic and political exclusion, than any other group. It concluded: “In examining various factors contributing to economic exclusion, such as limited access to education, health care, housing and land, as well as social cohesion, it becomes clear that across diverse regions, minorities and indigenous peoples experience higher levels of poverty, less access to education, health and basic services, and have fewer opportunities for adequate employment. Consequently, minorities and indigenous peoples in many countries are more likely to suffer economic (and social and/or political) exclusion than other groups” (Justino and Litchfield, 2003).

Exclusion can be a result of a country’s quest for economic growth, which can prove “ethnocidal” in its effects on minority groups, and consequently, generate ethnic tensions and other types of conflicts. According to Hettne (1996), the sources of these conflicts include:

- The unevenness of long-term trends such as modernization, proletarianisation, demographic change or urbanization;
- Competition for the control of scarce natural resources;
- Major infrastructural and industrial projects affecting local ecological systems;
- The differential effects of development strategies on majority and minority groups; and
- The distribution of public goods among culturally defined groups.

This reality, according to Justino and Litchfield (2003), is unfortunate because the “persistent poverty among minorities and exclusion of minority groups and indigenous peoples from key

political, social and economic decisions jeopardize the position of those groups in terms of their rights, freedoms and interests, and harm the future prospects of the whole country in terms of economic growth and political stability.”

### **Assimilate or Integrate?**

Countries try to address the marginalization of minorities and indigenous peoples by crafting policies of “assimilation” and/or “integration”. There are definitely overlaps between these two policy directions, but there are scholars and policy analysts who chose to make a crucial distinction between these processes.

Assimilation is a process of integration whereby members of an ethno-cultural community (such as immigrants or ethnic minorities) are “absorbed” into another, generally larger, community. This implies the loss of the characteristics of the absorbed group, such as language, customs, ethnicity and self-identity. It may be spontaneous, which is usually the case with immigrants, or forced, as is often the case of the assimilation of ethnic minorities (Dictionary of Cross-Cultural Terminology).

Integration (also called “inclusion” or “participation”) is more favorably looked at as a policy direction. Essentially, it is the process by which minorities and indigenous peoples become accepted into society, both as individuals and as groups, with the end goal of promoting societal integration and harmony. It pertains to a set of policies aimed at eliminating the exclusion of all disadvantaged groups to enable everyone to have access to, participate in, benefit from, and feel a sense of belonging to the broader society (Rudiger and Spencer, 2003).

The debate between assimilation and integration highlights the need for a process that fosters pluralism and diversity – for a process that truly protects and empowers marginalized communities.

### **From Marginalization to Empowerment**

Instruments and mechanisms that protect and empower minorities and indigenous peoples can be found at the international, regional and national levels.

At the international level, the United Nations adopted the *United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities* (UNDM) in 1992, and the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) in 2007. These, together with the *Universal Declaration on Human Rights* (UDHR), *International Covenant on Civil and Political Rights* (ICCPR), *International Covenant on Economic, Social and Cultural Rights* (UNESCR), *International Convention on the Elimination of All Forms of Racial Discrimination* (ICERD), among others, constitute the international human rights framework that protects and empowers marginalized groups.

Regionally, Association of Southeast Asian Nations (ASEAN) and South Asian Association for Regional Cooperation (SAARC) recognized cultural diversity as a basic principle in the ASEAN Charter and SAARC’s Social Charter respectively (UNDP). In the ASEAN Charter, the regional grouping included as one of its principles “respect for the different cultures, languages and religions of the people of ASEAN, while emphasizing their common values in the spirit of unity in diversity.”

The Social Charter, on the other hand, indicated that States should “ensure tolerance, non-violence, pluralism and non-discrimination in respect of diversity within and among societies” and

“ensure that disadvantaged, marginalized and vulnerable persons and groups are included in social development.”

Nationally, the creation of Council of Indigenous Peoples in Taiwan, for example, guarantees the consistent and progressive formulation and execution of indigenous policies, and coordinated planning for the full-scale development of indigenous society. In Hong Kong, an institutional innovation under the Home Affairs Department is the establishment of Committee on the Promotion of Racial Harmony, Ethnic Minorities Forum and Race Relations Unit.

Despite these advances at the international, regional and national levels, much more needs to be done to protect and empower minorities and indigenous peoples.

### **The CALD General Assembly 2014**

In recognition of the need to further advance the rights of marginalized communities, the Council of Asian Liberals and Democrats (CALD) has chosen the theme relating to the protection and empowerment minorities and indigenous groups in Asia for its 2014 General Assembly Conference in Siem Reap, Cambodia on 11-14 April 2014. The general objective of the conference is to assist CALD member-parties and other stakeholders in formulating policy responses to protect and empower minorities and indigenous peoples. More specifically, the event hopes to achieve the following specific objectives:

1. understand the demographic profile of select Asian countries in terms of their ethnic, linguistic, and religious diversity, as well as in other forms of differentiation;
2. comprehend the root causes of economic exclusion and discrimination of minorities and indigenous peoples in these countries;
3. recognize the advantages and disadvantages of policies promoting the assimilation or integration of these marginalized communities;
4. identify the instruments and mechanisms available at the international, regional and national levels and how they can be used to protect and empower minorities and indigenous peoples; and
5. draft a CALD resolution or statement that clarifies the organization's stance with regard to the issues confronting marginalized communities.

The Conference is divided into five (5) sessions, excluding a special session on women, which, to a large extent, share many of the issues and problems of marginalized communities.

#### ***Session I: Profiling Asia's Minorities and Indigenous Peoples***

This session hopes to: (1) distinguish “minorities” from “indigenous peoples”; (2) determine the different types of minorities (ethnic, linguistic, religious, etc.); and (3) sketch the demographic composition of select Asian countries in terms of their diverse identities.

Two culturally diverse countries, the Philippines and Myanmar, will be discussed in this session. The Moro Muslims of the Philippines will be examined in light of the recent passage of the Comprehensive Agreement on the Bangsamoro (CAB). In the case of Myanmar, its minorities and indigenous peoples will be profiled in relation to the country's search for inclusive peace.

#### ***Session II: Looking into the Causes of Economic Exclusion and Discrimination***

In this session, the root causes of economic exclusion and discrimination will be examined in order to: (1) understand better the nature of the problem, both in times of peace and in armed conflicts, and (2) identify ways of addressing the economic and social exclusion of marginalized groups.

Thailand, Cambodia and Sri Lanka will be discussed in this session. The conflict in southern Thailand involving the Pattani Muslims will be analyzed side-by-side with the conditions of the Tamils during and in the aftermath of the 2009 Sri Lankan war. The plight of Cambodia's minorities and indigenous peoples will be viewed in the context of Cambodia's quest for development.

### ***Special CALD Women's Caucus Session***

Women are one of the most vulnerable sectors of society. In this session, the vulnerabilities of women will be highlighted by looking at Cambodia's "development aggression". Development aggression describes efforts to "modernize" indigenous peoples' ways of life, usually through large-scale industrial projects on indigenous lands. Rather than improving their lives, such projects often force people out of their homes and into remote areas with poor soil, destroying traditions that have sustained them for centuries (Pace, 2010).

### ***Session III: Responding to Marginalization: Assimilation vs. Integration***

This session aims to: (1) differentiate policies of assimilation and integration by looking into the instances/cases when they were implemented; and (2) identify best practices in these cases, particularly the conditions which led to their success.

Two countries with clear ethnic policies will be looked at – Malaysia and Singapore. The affirmative action taken by these countries were widely hailed as a manifestation of a successful ethnic policy. But to what extent these policies really address the root causes of the problem? What can Myanmar, which is currently crafting its ethnic policy, learn from the experiences of these two countries?

### ***Session IV: Protecting and Empowering Minorities and Indigenous Peoples: What Party Leaders and Policy-Makers Can Do***

The purpose of this session is to highlight the policies that party leaders and policy-makers can use in protecting the rights and developing the sense of empowerment of these marginalized groups.

The speakers from Taiwan and Hong Kong will share their experiences on how their respective countries, by establishing relevant institutions and crafting the necessary policies, protect and empower their minorities and indigenous peoples.

### ***Session V: Crafting CALD's Position on the Issues of Minorities and Indigenous Peoples (World Cafe)***

In this world café session, the conference participants will be asked to provide their input in the draft CALD statement/resolution on the issues of minorities and indigenous peoples. The questions to be addressed are the following: What are the main issues being confronted by minorities and indigenous peoples in Asia today? What are the international, regional and national instruments or mechanisms that can be used to address the abovementioned issues? What can CALD and its member-parties realistically do in order to improve the plight of minorities and indigenous peoples in Asia and in their respective countries.





## PROGRAMME OF ACTIVITIES

### **11 April 2014, Friday**

Variable      Arrival

Check in at the hotel

#### **Borei Angkor Resort and Spa**

#0369 Road 06, Banteay Chas,

Siem Reap, Cambodia

Tel: +855 63964406

Fax: +855 63963436

[www.boreiangkor.com](http://www.boreiangkor.com)

16:00

#### **Cambodia's Political Stalemate: The Way Forward**

*A forum on Cambodia's ongoing political crisis and the various proposals for its resolution*

*Venue: Bokor Ballroom, Borei Angkor Resort and Spa*

#### **Mr. Khim Sophanna**

Program Manager

Friedrich Naumann Foundation, Cambodia Office

#### **Prof. Dr. Lao Mong Hay**

Chief of Legal Unit, Center for Social Development

Delegate to the Paris Peace Conference on Cambodia

#### **Mr. Nay Vanda**

Deputy Head of Human Rights and Legal Aid

Cambodian Human Rights and Development Association

*Open Forum*

18:00

End of the Forum

18:30

Assembly at the hotel lobby

19:00

#### **Welcome Dinner**

*Hosted by CNRP*

**Neary Khmer Restaurant**

Salakansang Village, Svaydongkum Commune, Siem Reap, Cambodia

[www.nearykhmerrestaurant.com](http://www.nearykhmerrestaurant.com)

**12 April 2014, Saturday**

*Venue: Bokor Ballroom, Borei Angkor Resort and Spa*

08:30 Registration

09:00 **CALD Executive Committee Meeting**

*Presiding Officer*

**Hon. Sam Rainsy**

Leader of the Cambodian Opposition

Chairperson, Council of Asian Liberals and Democrats

12:30 Lunch

*Borei Cafe*

14:30 **Opening Ceremonies**

*Session Chair*

**Hon. J.R. Nereus “Neric” Acosta**

Presidential Adviser for Environmental Protection, Philippines

Vice President for International Affairs, Liberal Party of the Philippines

Secretary General, Council of Asian Liberals and Democrats

*Welcome Addresses*

**Hon. Sam Rainsy**

Leader of the Cambodian Opposition

Chairperson, Council of Asian Liberals and Democrats

**Mr. Hans-Georg Jonek**

Project Director

Friedrich Naumann Foundation, Cambodia and Vietnam

15:00 **Session I: Profiling Asia’s Minorities and Indigenous Peoples**

*The terms “minorities” and “indigenous peoples” are highly contested concepts. The contestations are much more pronounced in the Asia, given that many countries in the region are characterized by great ethnic, linguistic and religious diversity. In this regard, this session hopes to: (1) distinguish “minorities” from “indigenous peoples”; (2) determine the different types of minorities (ethnic, linguistic, religious, etc.); and (3) sketch the demographic composition of select Asian countries in terms of their diverse identities.*

*Session Chair*

**Hon. J.R. Nereus “Neric” Acosta**

Presidential Adviser for Environmental Protection, Philippines  
Vice President for International Affairs, Liberal Party of the Philippines  
Secretary General, Council of Asian Liberals and Democrats

*Speakers*

Muslims in the Philippines and the Comprehensive Agreement  
on the Bangsamoro

**Hon. Francis Gerald Abaya, MP**

Member of the Philippine House of Representatives  
Liberal Party of the Philippines

Myanmar’s Ethnic Divide and the Search for Peace

**Hon. Than Ngwe, MP**

Member of Myanmar Parliament  
National League for Democracy, Myanmar

Peace and Myanmar’s Economic Reforms

**Hon. Naing Ngan Lin**

Member of Myanmar Parliament  
National League for Democracy, Myanmar

Open Forum

*Conference Group Photo*

16:30

Coffee/Tea Break

16:45

**Session II: Looking into the Causes of Economic Exclusion and  
Discrimination**

*Minorities and indigenous peoples in Asia and in other parts of the globe most commonly experience economic exclusion and discrimination. Marginalization becomes more evident in times of civil war or ethnic conflicts, when the plight of these groups turns from bad to worse. In this session, the root causes of such marginalization will be examined in order to: (1) understand better the nature of the problem, both in times of peace and in armed conflicts, and (2) identify ways of addressing the economic and social exclusion of marginalized groups.*

*Session Chair*

**Ms. Jaslyn Go**

International Liaison  
Singapore Democratic Party

## *Speakers*

### The Malay-Muslim Quandary in the Pattani Region

#### **Hon. Kasit Piromya**

Former Minister of Foreign Affairs, Thailand

Democrat Party of Thailand

### Cambodia's Indigenous Peoples and Land Rights

#### **Mr. Latt Ky**

Head of Land and Natural Resources Section

Cambodian Human Rights and Development Association

### The Tamils During and After the War

#### **Dr. Newton Peiris**

National Organizer

Liberal Party of Sri Lanka

Open Forum

18:00 End of Day 1

19:00 **Book Launch, Dinner and CALD Chair Handover Ceremonies**

*Venue: Poolside, Borei Angkor Resort and Spa*

*Launch of 20 Speeches that Define Asian Liberalism and Democracy*

*Opening Remarks*

#### **Hon. J.R. Nereus “Neric” Acosta**

Presidential Adviser for Environmental Protection, Philippines

Vice President for International Affairs, Liberal Party of the Philippines

Secretary General, Council of Asian Liberals and Democrats

*Review of the Book*

#### **Mr. Hans-Georg Jonek**

Project Director

Friedrich Naumann Foundation, Cambodia and Vietnam

*Dinner*

*CALD Chair Handover Ceremonies*

*Closing Remarks*

#### **Hon. Sam Rainsy**

Leader of the Cambodian Opposition

Immediate Past Chairperson, Council of Asian Liberals and Democrats

**13 April 2014, Sunday**

*Venue: Bokor Ballroom, Borei Angkor Resort and Spa*

08:30 Registration

09:00 **Special CALD Women's Caucus Session**

*Session Chair*

**Hon. Mu Sochua, MP**

Chairperson, CALD Women's Caucus  
Cambodia National Rescue Party

*Presentation*

**Ms. Kimsour Lim**

Cambodian Youth Activist

10:00 **Session III: Responding to Marginalization: Assimilation vs. Integration**

*Countries try to address the marginalization of minorities and indigenous peoples by crafting policies of assimilation and/or integration. Policies of assimilation and integration, however, are not always seen as mutually reinforcing. This session, therefore, aims to: (1) differentiate policies of assimilation and integration by looking into the instances/cases when they were implemented; (2) identify best practices in these cases, particularly the conditions which led to their success.*

*Session Chair*

**Hon. Rene Relampagos, MP**

Member of the Philippine House of Representatives  
Liberal Party of the Philippines

*Speakers*

Affirmative Action Policy for *Bumiputera*

**Mr. Lau Yew Wee**

Chairman of Service Centre Division Kuala Terengganu  
Parti Gerakan Rakyat Malaysia

Ethnic Tensions Behind the Façade of Ethnic Harmony

**Dr. Wong Wee Nam**

Singapore Democratic Party

Crafting Myanmar's Ethnic Policy

**Mr. Nyo Ohn Myint**

Technical Team Member  
Myanmar Peace Center

Open Forum



11:30	Coffee/Tea Break
11:45	<p><b>Session IV: Protecting and Empowering Minorities and Indigenous Peoples: What Party Leaders and Policy-Makers Can Do</b></p> <p>Instruments and mechanisms that protect and empower minorities and indigenous peoples can be found at the international, regional and national levels. The purpose of this session is to highlight the policies that party leaders and policy-makers can use in protecting the rights and developing the sense of empowerment of these marginalized groups.</p> <p><i>Session Chair</i></p> <p><b>Mr. Gan-Ochir Zunduisuren</b> Secretary for Foreign Relations of the Party Civil Will Green Party of Mongolia</p> <p><i>Speakers</i></p> <p><u>Legal-Political Developments Advancing the Rights of Indigenous Peoples in Taiwan</u> <b>Mr. Shih-chung Liu</b> Director, Department of International Affairs Democratic Progressive Party of Taiwan</p> <p><u>Improving the Plight of Minorities in Hong Kong and/or China</u> <b>Mr. Tsoi Yiu Cheong</b> Vice Chairperson Democratic Party of Hong Kong</p> <p>Open Forum</p>
13:00	<p>Lunch</p> <p><i>Borei Cafe</i></p>
14:30	<p><b>Session V: Crafting CALD's Position on the Issues of Minorities and Indigenous Peoples (World Cafe)</b></p> <p>In this world café session, the conference participants will be asked to provide their input in the draft CALD statement/resolution on the issues of minorities and indigenous peoples. The questions to be addressed are the following: What are the main issues being confronted by minorities and indigenous peoples in Asia today? What are the international, regional and national instruments or mechanisms that can be used to address the abovementioned issues? What can CALD and its member-parties realistically do in order to improve the plight of minorities and indigenous peoples in Asia and in their respective countries?</p>

*Session Chair*

**Hon. Saumura Tioulong, MP**

Member of Cambodian Parliament  
Cambodia National Rescue Party

*Table Hosts*

**Hon. Prakob Chirakiti**

Former Member of Parliament  
Democrat Party of Thailand

**Hon. Lawrence Fortun, MP**

Member of the Philippine House of Representatives  
Liberal Party of the Philippines

**Ms. Sophie Hsu**

English Editor, Department of International Affairs  
Democratic Progressive Party of Taiwan

Open Forum

16:00 Coffee/Tea Break

16:15 **Closing Ceremonies**

*Session Chair / Synthesis*

**Hon. J.R. Nereus “Neric” Acosta**

Presidential Adviser for Environmental Protection, Philippines  
Vice President for International Affairs, Liberal Party of the Philippines  
Secretary General, Council of Asian Liberals and Democrats

*Closing Remarks*

**Hon. Sam Rainsy**

Leader of the Cambodian Opposition  
Immediate Past Chairperson, Council of Asian Liberals and Democrats

17:00 End of Day 2

Free Night

**14 April 2014, Monday**

Variable Check-out of the hotel

Departure of participants



## EXECUTIVE SUMMARY

### Session I: Profiling Asia's Minorities and Indigenous Peoples

- Seeking an agreement with minorities and indigenous people can help pave the way towards national unity where customary rights and traditions will be respected and taken into consideration.
- Defining structures of power-sharing, wealth-sharing, normalization, and transitional mechanisms are helpful processes that help set the principles of an agreement with minorities.
- In ethnic disturbances and clashes, the rules according to law should be equal in the eyes of the groups involved. Perpetrators must be punished accordingly and security personnel must be thorough in handling the conflicts. Border conflicts must not be allowed to expand into national scales. NGOs and international NGOs giving aid to emigrants one sidedly should be ceased.
- Having reasonable share of natural resources and equal access to economic opportunities and citizens' rights can contribute largely to the achievement of lasting peace in a multi-ethnic society.

### Session II: Looking into the Causes of Economic Exclusion and Discrimination

- Economic exclusion and discrimination are causes of a country's history of expansion and centralization as well as bad administration and decision making.
- There is a need for bureaucrats to be dedicated and to embrace the understanding of cultural and religious differences in order to fully serve the people.
- Citizens and the grassroots communities have the capacity to defend and fight for the rights of minorities and ethnic groups through access to information and transparency measures that provide knowledge and understanding on human rights, law, and democracy.
- Engaging in inclusive dialogues can help governments achieve reconciliation with minority and ethnic groups.

### **Special CALD Women's Caucus Session**

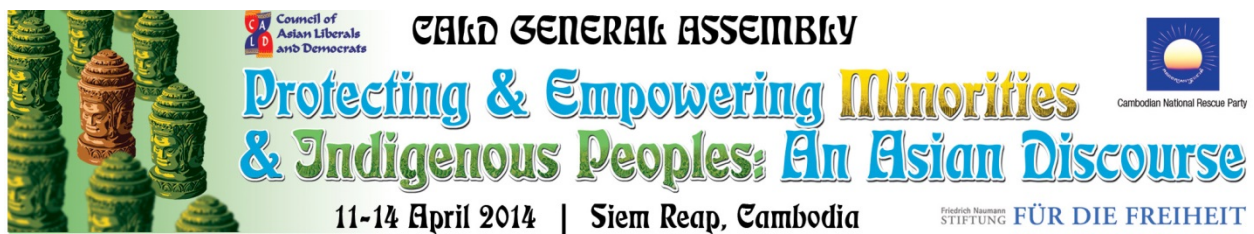
- Constant, effective, and modern means of communication help empower the youth, particularly the women, to be part of discussions and initiatives that shape the prospects of societal issues.
- Indigenous people are capable of producing relevant changes in society and in their sphere of influences.

### **Session III: Responding to Marginalization: Assimilation vs. Integration**

- Institutions that promote integration among races could assist the indigenous people in increasing their income and productivity.
- Socio-economic affirmative action programs help increase the share of indigenous employment in modern industrial sectors, increase the indigenous share in corporate ownership, and increase the number of indigenous entrepreneurs and managerial control.
- While different lifestyles, language problem, and competition for jobs are factors that could cause further ethnic tensions, education, media, and community engagement help promote multiracialism and diversity.
- Engaging in inclusive and honest dialogues can help governments build genuine reforms and achieve reconciliation with minority and ethnic groups.

### **Session IV: Protecting and Empowering Minorities and Indigenous Peoples: What Party Leaders and Policy-Makers Can Do**

- There are means to engage and empower indigenous groups in the decision making of governments: establish committees to help reconcile with indigenous people, reinforce equal rights on political participation, job and education, acknowledge their identity in society, abide by internationally accepted laws and principle on minority rights, among others.
- There is always a balance between national security and human rights perspectives.
- In countries where there is a rising number of minorities, there is a need to look at legal reforms and policy amendments to monitor, protect, and report human rights conditions.



## CONFERENCE REPORT

### **Opening Ceremonies**



The conference commenced with the Opening Ceremonies chaired by Hon. J.R. Nereus "Neric" Acosta, Philippine Presidential Adviser for Environmental Protection, Vice President for International Affairs of the Liberal Party of the Philippines (LP) and Secretary General of the Council of Asian Liberals and Democrats (CALD). He said that the conference was the first time that CALD adopted minorities and indigenous peoples as a theme to seek to define the kind of purposes that member parties in CALD would wish for minority and indigenous peoples' rights. Acosta thanked everyone for coming to what he described as the "beautiful capital, the former old capital of

the Khmer Empire, the beautiful Siem Reap."

### **Welcome Address**

#### **Hon. Sam Rainsy**

Leader of the Cambodian Opposition

Chairperson, Council of Asian Liberals and Democrats

Sam was elated to see old friends from Asia as well as friends from Germany, from the FNF, which have been very supportive in strengthening liberal and democratic ties in the region. Sam gave a little background about Angkor Wat, the capital of the great Khmer Empire. The Khmer Empire he said reached its highest point in the 12th to 13th century. But since then, they were defeated by the Thai and the Vietnamese and this caused their country to become smaller and smaller. In the southern part of Vietnam, in Kampuchea Krom, "Kampuchea" means Cambodia and "Krom" means south. This means, Sam elaborated, that the southern part of Vietnam used to be the southern part of Cambodia, but these parts of Cambodia was officially annexed by Vietnam in 1949 after 400 years of fierce resistance by the Cambodians but finally lost 21 provinces to Vietnam. Sam said that the Cambodian minority residing now in Vietnam are the south Cambodians and these Cambodians feel the persecution in that area. He said "it is painful to become a minority in your own land" especially when a lot of settlers come in successive waves to outnumber the original masters of the land.



Sam said this is the reason why this conference is very important. It is important to discuss how we could protect and empower minorities and indigenous people. He said he expects valuable contribution from all the delegates. He also wished them a fruitful and pleasant stay in Siem Reap.



**Mr. Hans-Georg Jonek**

Project Director

Friedrich Naumann Foundation, Cambodia and Vietnam



Jonek, though a new addition to the FNF regional family, said he is not a "rookie" in matters concerning liberalism in Southeast Asia. He is grateful to be part of this conference, participating his second time in a CALD event. The first was the conference that marked the 20th Anniversary of CALD in Manila. He said he was very impressed in terms of the whole event itself, the presentations, the participating personalities, and the range and scope of the regional network of liberal partners. He shared how that Manila event, though very successful, was clouded by the devastation of the Typhoon Haiyan that brought destruction of properties and loss of thousands of lives.

Suffering and hardships, Jonek explained, also relates to the main issues of the current conference in Siem Reap. "Protecting, empowering minorities and indigenous people, implies that minorities and indigenous people either are vulnerable, respectively unprotected or needed of strengthening of their positions and more intensive integration into their respective society," he explained.

Jonek shared the story of the Romani, which last 8 April, five days before the conference, celebrated the International Romani Day to raise awareness on the issues affecting the Romanic people. He said the Romani or Roma are a diasporic ethnicity of Northwest Indian origin living mostly in Europe and the Americas. They are widely dispersed and mostly concentrated in Central and Eastern Europe. Jonek said that persecution and discrimination against the Romanic people continue to this day. "The conditions in which many Romas are forced to live are endemic indictment of years of official neglect and discrimination," he explained. He added that the Amnesty International even published in its report "We seek for justice; Europe's failure to protect Roma from racist violence." These kinds of situations indicate how problematic and complex, and yet very essential the theme of the conference is.

Jonek, welcomed everyone to the conference on behalf of the FNF and its outgoing regional director, Dr. Rainer Adam. He concluded his remarks with what Adam said during the CALD's 20th Anniversary celebration: "CALD's recent development has been promising and I'm proud that I have been able to contribute. My heart is in CALD too. FNF continues to believe in CALD and I sincerely believe that the best is yet to come. I hope so for freedom and democracy in Asia, I hope so for the future of liberalism and I hope so for the people of this magnificent continent."

***Session I: Profiling Asia's Minorities and Indigenous Peoples***

The session aimed to: (1) distinguish "minorities" from "indigenous peoples"; (2) determine the different types of minorities (ethnic, linguistic, religious, etc.); and (3) sketch the demographic composition of select Asian countries in terms of their diverse identities. Two culturally diverse countries were highlighted in this session, the Philippines and Myanmar. Hon. Francis Gerald Abaya, MP, from the Liberal Party of the Philippines discussed the Moros of the Philippines and examined the recent passage of the Comprehensive Agreement on the Bangsamoro (CAB). Hon. Than Ngwe, MP, and Hon. Naing Ngan Lin, MP, from the National League for Democracy (NLD) tackled the minorities and indigenous peoples in their country and how the society, their party, and the government address the sensitivities and issues in order to achieve inclusive peace. Acosta served as the chair of the session.



### **Muslims in the Philippines and the Comprehensive Agreement on the Bangsamoro**

#### **Hon. Francis Gerald Abaya, MP**

Member of the Philippine House of Representatives  
Liberal Party of the Philippines

Abaya talked about the Muslims in the Philippines, their concerns and issues, and the Comprehensive Agreement on the Bangsamoro. He started with the background on the term "Moros," coined by Spanish colonizers to refer to Muslims in Mindanao and Sulu and is divided into 11 ethno-linguistic group dominated by the Maranaos, Tausugs, and Maguinadao. They are governed by Qur'anic laws and Islamic concepts.

According to anthropologist and historian on the Moro people, Dr. Najeeb Mitry Saleeby, the "Moro Problem," refers to the "method or form of administration by which the Moros and other non-Christians who are living among them, can be governed to their best interest and welfare in the most peaceful way possible, and can at the same time be provided with appropriate measures for their gradual advancement in culture and civilization, so that in the course of a reasonable time they can be admitted into the general government of the Philippine islands as qualified members of a republican national organization." Abaya presented three main issues vis-à-vis the Moro Problem namely: 1) the opposing constitutional paradigms of the Philippine government and the Bangsamoro Islamic system; 2) problems arising from war-torn lands; and 3) distrust in democracy.



With the recent development in addressing the Moro Problem and years of conflicts in Southern Philippines, Abaya shared the Aquino government's efforts to achieve inclusive and sustainable peace through the Bangsamoro Framework Agreement (BFA). The BFA outlines the general features of the political settlement between the Philippine Government (GPH) and the Moro Islamic Liberation Front (MILF), defines the structure and powers of the Bangsamoro entity, and sets the principles, processes and mechanisms for the transition until the regular election. Abaya said that the BFA is not yet the final peace agreement because both the GPH and MILF will have to further exhaust details on power-sharing, wealth-sharing, normalization, and transitional mechanisms that will form the annexes to the actual Agreement. The power sharing will include

details of the reserved powers by the Central Government and the devolved or exclusive powers by the Bangsamoro. Wealth sharing would refer to the information concerning the power of the Bangsamoro to create its own sources of revenues, to have a share in the revenues derived from natural resources, and to create a Fiscal Policy Board and an intergovernmental sustainable development. Abaya said that the agreement would not only pave the way for national unity, it will also give the Filipinos of the Bangsamoro assurance to a fair and equitable share in taxation, revenues, and the fruits of the national patrimony. The normalization and transition would create a Transition Committee, composed of eight members selected by the MILF and seven members selected by the GPH, that would work on the draft Bangsamoro Basic Law. After the drafting of the Basic Law, it will be submitted to Congress for deliberation then it will be signed by the President. A plebiscite follows afterwards in the envisioned core territory of the Bangsamoro. Elections for the new Bangsamoro government will be held in 2016. A transitory period will be in effect to bridge the period between the plebiscite and the 2016 election. At the moment, the current governing body in Mindanao, the ARMM, shall continue to function until an Executive Order is passed and ratified. Abaya clarified that the Bangsamoro is not an amendment to the ARMM. Abaya also shared the features of the Bangsamoro Government. It will have a ministerial form of government and its relationship with the GPH will be asymmetrical. Its geographical coverage will be determined through the plebiscite in the envisioned core territory of the Bangsamoro. With the BFA, indigenous peoples' rights will be respected and the customary rights and traditions will be taken into consideration in the formation of the Bangsamoro's justice system.

Abaya said issues on constitutionality are still being discussed, however, the GPH said that the Comprehensive Agreement on the Bangsamoro was crafted within the framework of the Philippine Constitution.

### **Myanmar's Ethnic Divide and the Search for Peace**

#### **Hon. Daw Than Ngwe, MP**

Member of Myanmar Parliament

National League for Democracy, Myanmar



Ngwe discussed about the ethnic minorities in Myanmar. At the moment, she said, official statistics state that they have eight major ethnic races recognized by the government (Kachin, Kayah, Kayin, Chin, Mon, Bamar, Rakhine, and Shan) and 135 distinct minority groups. The year 2014, however, is the year of census in Myanmar so they are still in process of completing a more updated list. In addition to this, there are other ethnic groups demanding to be counted. Ngwe shared that minorities in her country came from the east and west, relocated due to pressures from their homeland two to three generations ago. She said the wave of people coming into

Myanmar kept their faith, culture, traditions, and identity, but their Citizenship Law of 1982 prevents them from being officially recognized as citizens.

Ngwe also gave a brief historical background on how her country went through the colonization of the British Empire in three different occasions: 1824, 1854, and 1886. According to her, the arrival of the British government introduced commerce and trade in Myanmar and with this development, Indians and Chinese experts on commerce, laborers, and skilled workers immigrated to the country and stayed for generations. This is the reason why Myanmar has a sizeable amount of minorities, Ngwe explained. Also, millions of illegal emigrants were able to cross the Burmese border before and they settled in Rakhine and other areas. And with a lot of

minorities, a lot of disturbances followed. Moreover, the British government did not allow the Burmese people to visit other places in their own country, thus they lost the opportunity to mix and interact with other ethnic groups.

During the independence in 1948, Ngwe narrated how Bo Gyoke Aung San or more popularly known as General Aung San, the father of the democracy icon Daw Aung San Suu Kyi, faced difficulty in organizing various ethnic groups. But with patience and perseverance, General Aung San was able to convene the "Pin Lone" or the "Panglong" Conference in 1947 with leaders of ethnic groups "expressing solidarity and support for a united Burma." According to Ngwe, this historical conference became the foundation for their future democratic state. After this took place, years of prosperity followed, but still marred with armed rebellion from other groups due to differences in ideologies and government policies. Currently, Ngwe said they are still facing a lot of obstacles to achieve lasting peace - even to achieve an initial cease fire agreement has been very difficult. The religious tensions in the western part of Rakhine state, in particular, are worsening. The Rakhine people (Buddhist and majority in the state) and the Rohingya (Muslims and originally from Bengal/Bangladesh) have encountered back and forth roiting and clashing. Ngwe shared the opinion of Daw Suu on finding a solution to the problem. She said: 1) The rules according to law should be equal in the eyes of both Muslims and Rakhine; 2) Perpetrators must be punished accordingly; 3) Security personnel must be thorough in handling the conflicts; 4) Border conflict must not be allowed to expand into national scales; 5) complete and effective fencing of the borders; and 6) NGOs and international NGOs giving aid to emigrants one sidedly should be ceased.

Ngwe suggested that the international community must relay the message about cross border issues to the countries of origin of illegal emigrants. "If the international community cooperated in this endeavor, I believe that we can find agreeable solution to this problem," she added. She also echoed the insight of Daw Suu that religious conflicts were not controlled due to the lack of rule of law on the government side. Local authorities should implement plans and projects as prescribed by the law from the very beginning.

### **Peace and Myanmar's Economic Reforms**

#### **Hon. Naing Ngan Lin**

Member of Myanmar Parliament

National League for Democracy, Myanmar

Naing thanked the organizers for inviting NLD to participate in the conference. His paper focused on peace and the economic reforms of the country. He started his presentation by reiterating that, indeed, there are a lot political and economic reforms happening in Myanmar since 2010. How effective are the reforms and who benefits from it are questions that needs to be discussed rather than answered. He said, there cannot be lasting peace in a multi-ethnic society without the reasonable share of natural resources and without equal access to economic opportunities and citizens' rights.



Naing narrated briefly how the "divide and rule" British colonial legacy led to the rise of ethnic conflicts and civil war after the 1948 independence. And during the revolution, he noted how ethnic nationalities were given favorable treatment and how the military were given high ranking positions. He said, these explain why the ethnic militia posses military skills. The ethnic conflicts as well as the rise of communism caused the collapse of the civilian government. These events set the firm dominance of a single military-backed party from

1962 to 2010 triggering further instability and tightening of the country's democratic space. Ministries were controlled by the military and generals and their allies monopolized the lucrative processes in licenses and contracts. The country suffered economic exploitation and exclusion, Naing explained. And ethnic minorities suffered the most as their socio-economic lives continued to be marginalized.

Naing also presented the situation in Rakhine State where 270,000 are workers, of which 77% are daily waged workers such as street vendors and "carry drivers." Most people live through resource-based economic activities such as agriculture and fisheries. Due to the recent conflicts between the Rakhine and Bengali, they are faced with difficulty in earning money because of lack of opportunities and disruptions in market places. The emergence of Indians and Chinese, that make up 2% and 3% of the population of around 60 million, respectively, are being seen as "unfair dominance at the expense of the local people." They are also taking advantage of weaknesses and mismanagement of the current government institutions. Naing said that in 2012, clashes continue to affect livelihoods - certain Rakhine leaders urged the people not to conduct economic interactions with the Bengali population. Naing said, economic exclusion is two-fold: by discrimination or by self-isolation.

Naing also talked about the citizenship issue, which he thinks needs urgent action. "We urgently need to moderate our citizenship law and create its related programs like citizenship ceremonies," Naing explained. The Rakhine Investigation Commission, for example, recommended the government to help people to be fully integrated into the society by "testing their knowledge of our country, local customs, and our language." Educational resources about culture, practices, social norms, and such must be available.

As Myanmar continues in its democratization process, the country needs to balance the pressures from the international community and from the local religious movement in addressing concerns on the treatment of the the Islamic population vis-a-vis human rights standards. Naing is thankful that they are now able to participate in the Parliament in order to push for enforcement mechanisms on land reform issues that continue to create conflicts in society. Naing said, it is vital to push for a reform process that is effective and efficient to help ensure political stability and to help forge constitutional guarantees for equitable sharing of resources.

## ***Session II: Looking into the Causes of Economic Exclusion and Discrimination***

Session II examined the root causes of marginalization and how minorities and indigenous people in Asia and in other parts of the globe experience economic exclusion and discrimination, especially in times of civil war and ethnic conflicts. Ms. Jaslyn Go, international liaison of the Singapore Democratic Party (SDP), was the chair of the session. The speakers included Hon. Kasit Piromya, former Minister of Foreign Affairs of the Kingdom of Thailand and adviser to the leader of the Democrat Party (DP) Thailand; Mr. Latt Ky, head of the Land and Natural Resources Section of the Cambodian Human Rights and Development Association; and Dr. Newton Peiris, national organizer of the Liberal Party of Sri Lanka (LPSL).

Before giving the floor to the speakers, Go read a message from Dr. Chee Soon Juan, Secretary General of the SDP who was not able to fly in and join CALD in Siem Reap. Chee said: "My dear friends at CALD, on behalf of my colleagues at the SDP, let me take this opportunity to say hello again. As our countries continue to make great strides towards liberal democracy, CALD can take great pride in being an integral part of this changing region. It is therefore befitting that the Assembly is held in Siem Reap, Cambodia because of the unwavering dedication to the values of human rights of democratic leaders such as Sam



Riansy. The Cambodian people can look forward to a future with hope. The sacrifices that a Cambodian defender of democracy has made in the face of persecution are a testament to everything that is noble and good in the human spirit. Courage does overcome fear and intimidation. It is in this spirit that your friends in Singapore, especially in the SDP, admire what you have achieved in Cambodia. We look forward to a breakthrough to the not so distant future in the current negotiation between CNRP and the Cambodia People's Party (CPP) and to a Cambodia that will take its rightful place in the league of successful and prosperous democracies in Asia. This gives me to leave my friend, Sam Rainsy, a big salute and bigger embrace for all that he has done. It is an honor to stand with him and with all our CALD colleagues as we continue with our eventful and rewarding journey towards justice, peace, and democracy. Yours in solidarity, Chee Soon Juan."



### **The Malay-Muslim Quandary in the Pattani Region**

#### **Hon. Kasit Piromya**

Former Minister of Foreign Affairs, Thailand  
Democrat Party of Thailand

In his presentation, Piromya described the various ethnic minorities in Thailand and the problems that contribute to discrimination. He also shared why peace and security in the South is a continuing problem.

The first group of minorities and indigenous people in Thailand are the hill tribes, similar to the hill tribes in Myanmar, Laos, and Vietnam and the Southern part of China and the Northeastern part of India. There are around 50 to 100 various types of people in the hill tribes. The second group would be Morgans or the gypsies of the Andaman Sea. They could be considered as the real indigenous people of Southeast Asia and Thailand. The third group would be the Forrest people, which they call Rambutan because of their curly hair. Piromya also described the two groups of displaced Thai people as a result of the demarcation of the borderline between the British and French empires. On the Thai-Burma side are the Thai Muslims who have been stranded at the end of the second World War inside Myanmar. They moved back to Thailand but have not received their citizenships yet. They are Muslims, but they can speak Thai. Piromya said, he has been pushing for the Thai Muslim to have automatic citizenship. The other group is the Thai-Khmer side with around 100,000 population.

In Thailand, there are about 8,000,000 Muslims and about 1.2 million are in the deep south. The majority of the Thai-Muslims are in Bangkok. The Thai-Muslims in the deep south would be the Malay stock mixed with the Muslims that came from India and Pakistan. Up in the north are Chinese-Muslims as well. They also have the Iranian stock where General Sonthi Boonyaratglin came from. Sonthi was a Muslim general who overthrew Thaksin Shinawatra through coup d'état. People speak Yawi, a Malay dialect in the deep south, but the rest of the Thai-Muslim around Bangkok speak Thai. Piromya thinks that they have been a very open society given that General Sonthi is a Muslim, former Foreign Minister Dr. Surin Pitsuwan is a Muslim, and the Speaker of the Parliament, Mr. Wan Muhammad Nor Matta, is a Muslim.

Piromya also shared the problems that contributed to the lack of peace and security in Southern Thailand. He said the history of Thailand's expansion and centralization is one factor. In the late 19th century, with the expansion of the French and British colonization, King Rama IV and King Rama V centralized Thailand. Piromya explained that in the old days, for one to be secured, you got to have more people. What happened in Thailand was a normal process of the historical expansion of power. When they were defeated by the Cambodians, they took a lot of Thais to Cambodia. When the Burmese defeated them twice, they took half a million back to Mandalay. It was a normal practice that once you win a battle you have to amass people. Another effect of the centralization and expansion of the Thai Kingdom in the late 19th century was the demise of the Sultanate of Pattani. He said some of the monarchs and sultans were imprisoned for some time and that really hurt the people in the south. History reminded the Muslims down south in Pattani for the loss of their identity and their kingdom. Piromya added that besides the loss of independence, the people in the south were compounded by the ways of Thai administration in the past 100 years. The administration sent bad policemen, soldiers, and civil servants down South as a way of punishment. They did not send the best of the bureaucrats to the hinterlands of Thailand. Instead, they sent those with bad records and these people eventually became the mafia in those provinces. According to Piromya, the Thai administration that time exercised a bad form of administration and political decision. "They did not observe or respect the local identities. They were not sensitive to the local language and religious beliefs," he emphasized. The insensitivity coupled with bad administration, led to the call for independence of the Pattani province. Another problem was the spread of extreme thinking among the Muslim world against the western domination or globalization. The third major problem was Thaksin Shinawatra's administration. Thaksin said that the insurgencies and separatists are just ordinary robbers and thieves and that he will get rid of them within three months. That kind of pronouncement from the highest authority of the country did lead to a lot of further discontent, Piromya said. Thaksin's war on drugs, the iron-fisted drug suppression plan, led to 3,000 extrajudicial killings without due process. A lot of the people that died were Muslims minorities and also people from the hill tribes up in the North.



Piromya stressed that Muslims down south did not get the best of the services of the Thai government because the deep south is an area for illegal and lucrative businesses that have been carried out by men in uniform. They get cheaper petrol and palm oil from Malaysia and they sell them double the price. A lot of illegal drugs and human trafficking are also happening in the south. All of these, Piromya said, are under mafia control and there are turf wars as well. When wars escalate the police just blames the separatists and insurgents and does not really solve the actual problem. There is no security in the south and because of this, the Thai-Muslims are excluded and discriminated from the services of the government because of high risk security issues. As a result, basic infrastructure could not go in fully. Unless and until security is put in place, the socioeconomic development would not happen in the south. Piromya

said, they need the best of the bureaucrats to be dedicated and to embrace that understanding of the cultural and religious differences in order to fully serve the people.

Piromya said the Thaksin government did not have a strong political will. What the Thaksin government wanted to do is to only increase the voting population and start a selective negotiation with the Muslims, armed and unarmed elements, with the help of the present Malaysian government. The negotiation has been going on for almost two years now, but there is no development at all. The government is not gaining support because its objective is only to get the votes and not bring peace and security. When the Democrat Party was in government under Abhisit Vajjajiva, they set up a Special Cabinet for the deep south, a first after 30 years, and allotted 2 billion Baht for socioeconomic development. They have also invited the spiritual leaders and the religious leaders to participate in the development projects. They have expanded the work and services of the Islamic Bank of Thailand and have introduced the dual language teaching, the Yawi-Malay language, together with the Thai language. They have also introduced the draft Shariah Law for the Muslim to use to in order for the heritage and culture to go on.

### **Cambodia's Indigenous Peoples and Land Rights**

#### **Mr. Latt Ky**

Head of Land and Natural Resources Section  
Cambodian Human Rights and Development Association



Ky presented the background of the Cambodian Human Rights and Development Association or ADHOC and his tasks in the organization. He also presented the local and international laws and principles that guide ADHOC's plan of action and how they carry out their functions in the society. Ky also shared his insight on the challenges that they need to address both in the ADHOC and in the bigger scheme of upholding human rights in Cambodia.

ADHOC was formed in 1991 by former prisoners who were fighting for human rights against the Cambodian society with a mission to "strengthen the capacity of ordinary citizens, enable them to defend their own rights and lobby and advocate for better governance and full respect for human rights that every citizen can practice." Ky explained that "ADHOC is tasked to address the absence of basic rights, freedoms and liberties in Cambodia by providing people with knowledge and understanding of human rights, law and democracy and of how to defend these rights and freedoms themselves." ADHOC also empowers the citizens and the grassroots community through initiatives and advocacies of the central office in Phnom Penh and 23 provincial offices in Cambodia. Ky's responsibility falls on the Land and Natural Resources Rights Program, which focuses on land grabbing violations. He said they are professional in handling their investigations.

According to Ky, indigenous people are reported to be inhabiting in 15 provinces and the legal protection accorded to them are based on local and the international laws. The local laws include the provisions from the 1993 Cambodian Constitution, the 2001 Land Law, and some provisions from the Forestry Law, Air Protection Law, and the Environmental Protection Law. As for the international laws, they abide by the charter set by the United Nations as well as by the international laws ratified by Cambodia.

Overall, the human rights impact that Ky noticed throughout his fieldwork included the destructions of the environment, the encroachment of the land farms, and also the

encroachment on culture and spiritual significance. Ky also shared the challenges that Cambodia has to address in order to further uphold human rights in the country. Ky said the effective and efficient implementation of laws and support for greater transparency in institutions and its processes would help provide solutions for the poor, the minorities, and the victims of land rights violations. These would also help provide the public the access to information in order for them to know more about the economic land concessions and the implementing laws that need to be taken into account.

### **The Tamils During and After the War**

#### **Dr. Newton Peiris**

National Organizer

Liberal Party of Sri Lanka



Peiris provided a lot political background and historical context in his presentation focusing on the state of the Tamils during and after the war. He described the Sri Lankan Tamil people or Ceylon Tamils as natives of Sri Lanka and most modern Tamils claim descent from residents of Jaffna Kingdom, a former kingdom in the north of the island. Almost 70% of Sri Lankan Tamils live in the Northern and Eastern provinces. Tamils are mostly Hindu, but with significant Christian population. Genetic studies indicate that Tamils are closely related to Sinhalese ethnic group though they are culturally and linguistically distinct. The arrival of Protestant missionaries in 1814 was a primary contributor to the development of the political awareness among Sri Lankan Tamils. The Methodist and the Anglican churches led to the awareness of Tamils to think of themselves as a community - they created their own social groups, built their own schools and temples, published their own literature, among others. This development "paved the way for their emergence as a cultural, religious, and linguistic society in the mid-19th century."

The relations between the majority Sinhalese and minority Tamils have been strained after Sri Lanka gained independence from the British in 1948. The series of ethnic and political tensions from 1956 to 1983 led to the advancement of militant groups advocating independence for Tamils. "Sri Lanka has been unable to contain its ethnic violence as it escalated from sporadic terrorism to mob violence, and finally to civil war," Peiris explained. The Sri Lankan Civil War has several underlying causes according to Peiris and some of them are: 1) "the ways in which modern ethnic identities have been made and remade since the colonial period," 2) rhetorical wars over archaeological sites and place name etymologies," and 3) "the political use of the national past."

The civil war that ended in 2009 resulted to deaths of more than 100,000 people, however, allegations of atrocities committed by the Sri Lankan military and the rebel Liberation Tigers of Tamil Eelam (LTTE) in the final months continue to float. The civil war also led the migration of around 800,000 Tamils to Canada, India, and Europe and most left as political and economic refugees. Currently, one-third of the Tamils live outside Sri Lanka.



## ***Special CALD Women's Caucus Session***

Women are one of the most vulnerable sectors of society. In this special session, the vulnerabilities of women were highlighted through the perspective of a young female activist named Kimsour Lim. The session also briefly discussed Cambodia's "development aggression," which describes efforts to "modernize" indigenous peoples' ways of life, usually through large-scale industrial projects on indigenous lands. Hon. Mu Sochua, MP, chairperson of the CALD Women's Caucus and member of the Cambodia National Rescue Party (CNRP), asked Kimsour questions about the help that she extends to the women of Areng Valley as a youth and a passionate activist that responds to the call of society.

Mu introduced Kimsour as a young women who was a victim of forced evictions in 2009 when the government forced communities out to sell the territories to rich companies. She said despite the hurdles, Kimsour finished highschool and is determined to get a higher education soon. Kimsour is a member of a youth group of 300 members that promote various causes that encourage passion, compassion and peace.



### **Ms. Kimsour Lim**

Cambodian Youth Activist

Kimsour does not have an idea about Areng Valley and their indigenous community to begin with. It was through her involvement and communication with the youth group, Khmer Empire Youth, that sparked the awareness about the challenges that people, particularly the women, in Areng experience. She said they teach the women their rights and communicate to them the important information regarding societal issues such as the construction of a Chinese Hydro-electric Dam.

Areng Valley is a remote area according to Kimsour. It's 80 kilometers from the provincial town and 40 kilometers from the district. The road condition is very poor and has very limited access. The limits to transporation access also causes limited access to information. Kimsour said the women in Areng get easily intimidated by local official because they do not know what their right are. Part of the goal of Kimsour and her youth group is to educate and inform so they spend a lot of time with the indigenous people in Areng to educate them about their rights. Since there is no mobile coverage and phone access, communication is not an easy task. She and her youth team spend nighths in Areng to sustain the communication with the community. Kimsour has a



Facebook page that is very popular and very effective as a means to communicate to networks. They travel to the district from Areng just to get the information dissiminated through Facebook.

Through Facebook, she said, they are able to communicate to Cambodians living overseas the problems and issues that confront the indigenous people of Areng Valley. Moreover, they coordinate closely with *I love Cambodia Hot News Facebook Page* because it has lots of friends and is a popular page that creates online news traffic. As a youth group, they embrace the initiative of identifying problems and thinking of ways to solve them. When they discovered problems regarding the contruction of the Chinese Hydro-electric Dam, a protest was organized and a lot of motorcycles participated by taking a kilometer ride from Areng to the provincial town to the government know that they do not want a hydro-dam in Areng. Part of the collective protest were indigenous people living in Areng. Because of the constant time being spent in Areng and the consistent communication with the communities, the indigenous people are now knowledgeable of their rights and are now active partners of the youth group.



### ***Session III: Responding to Marginalization: Assimilation vs. Integration***

Countries try to address the marginalization of minorities and indigenous peoples by crafting policies of assimilation and/or integration. Policies of assimilation and integration, however, are not always seen as mutually reinforcing. This session aimed to differentiate policies of assimilation and integration by looking into the cases when they were implemented. The discussions also tried to identify best practices in these cases, particularly the conditions which led to their success. Hon. Rene Relampagos, MP, a member of the Philippine House of Representatives representing the LP, chaired the session. The speakers were Mr. Lau Yew Wee, Chairman of Service Centre Division Kuala Terengganu of the Parti Gerakan Rakyat Malaysia; Dr. Wong Wee Nam of the Singapore Democratic Party; and Mr. Nyo Ohn Myint, Technical Team Member from the Myanmar Peace Center.



Relampagos explained that the session will look at policy approaches, through assimilation and integration and will also try to identify the best practices, which help led to their success. Providing further background, Relampagos explained that assimilation is taking something in and making it like the rest, or the "melting pot approach" to some. It is a process in which ethnic

racial and cultural distinctions between groups disappear because one group is absorbed sometimes by force into another group's culture or because two cultures blend to form a new culture. Integration on the other hand is taking something in and making it part of the rest, or the "salad bowl approach." Indeed, in addressing the issue of the inevitable marginalization of these minority groups and indigenous peoples, policies play an important role. Relampagos said "Ours, as leaders, is the challenge of striking a balance between the majority and the minority population - a balance, of maintaining nationalism, unity and harmony on one hand and at the same time, respecting diversity, culture and identity, a balance that will insure participation, protect rights, promote and preserve culture and maximize economic growth, a balance that will make the most of the potentials and opportunities presented by these multi-cultural situations."

### **Affirmative Action Policy for *Bumiputera***

#### **Mr. Lau Yew Wee**

Chairman of Service Centre Division Kuala Terengganu  
Parti Gerakan Rakyat Malaysia

Lau discussed the New Economic Policy (NEP) of Malaysia that promotes integration among races. It was implemented in 1970 to 1990. As a multi-racial country with Malay or the *Bumiputeras*, the Chinese, Indian and other minority groups, integration in Malaysia is the way forward. According to Lau, NEP is a socio-economic restructuring affirmative action program that aims to eradicate poverty through robust economic growth especially among the *Bumiputera* (indigenous people) and to restructure society to disassociate economic functions with any ethnic group. NEP is a result of economic inequality in Malaysia that resulted to a racial riot in 1969.



Lau explained three strategies that were introduced by NEP to reduce poverty and raise the socio-economic status of *Bumiputera*. First, improve the quality of life of the poor by providing social services such as housing, health, education, and public utilities. Second, increase the income and productivity of the poor by expanding their productive capital by adopting modern techniques and providing better facilities such as land, redevelopment of crops, irrigation, improved marketing, and credit, financial and technical assistance. Lastly, increase the employment for inter-sectoral mobility out of low productivity areas and activities. The third strategy can be attained through education, training, and provisions for financial and technical skills to facilitate the movement of the poor into the modern sector of the economy.

Lau also explained the three levels of the structure of society vis-a-vis *Bumiputera* with the purpose of increasing the share of indigenous employment in modern industrial sectors, increasing the indigenous share in corporate ownership, and increasing the number of indigenous entrepreneurs and managerial control. In addition to this, institutions were developed by the government to assist the indigenous people in increasing their income and productivity: 1) Rubber Industry Smallholders Development Authority or RISDA focuses on the rubber industry smallholders development, 2) MAJUIKAN increases fish production and reduces economic imbalance among fishermen, and National Livestock Authority or the MAJUTERNA, which focuses on cattle farming.

The success of NEP are manifested in the positive developments of indigenous people vis-à-vis the Chinese, the wealthiest and biggest minority in Malaysia. Some of the noteworthy improvements are: 1) absence of any major riots since 1969; 2) employment in various sectors are less fragmented with indigenous involvement in tertiary sectors increasing from 22% vs.

38% (Chinese) in 1970 to 41% vs. 47% (Chinese) in 1990; reduction in income and wealth inequality with indigenous mean income increasing from 172 in 1970 to 931 in 1990 compared to the Chinese with 394 in 1970 to 1582 in 1990; 3) sharp reduction in absolute poverty with poverty declining to 17.1% (1990) from 42.4% (1970); and 4) the increase of indigenous people's ownership share of capital in limited companies from 2.4% in 1970 compared to 27.2% by the Chinese to 19.3% in 1990 and the Chinese with 45.5%.

**Table 1: Incidence of Poverty in Peninsular Malaysia (%), 1957-2012**

	1957	1970	1976	1984	1992	1997	2002	2007	2012
<b>Ethnic</b>									
<b>Bumiputeras</b>	70.5	64.8	46.4	28.7	17.5	9.0	9.0	5.1	2.2
<b>Chinese</b>	27.4	26.0	17.4	7.8	3.2	1.1	1.0	0.6	0.3
<b>Indians</b>	35.7	39.2	27.3	10.1	4.5	1.3	2.7	2.5	1.8
<b>Strata</b>									
<b>Urban</b>	29.7	21.3	15.4	8.5	4.7	2.1	2.3	2.0	1.0
<b>Rural</b>	59.6	58.7	45.7	27.3	21.1	10.9	13.5	7.1	3.4

**Table 2: Ownership of share capital of limited companies (%), 1970-2004**

	1970	1975	1980	1985	1990	1995	2000	2004
<b>Bumiputeras</b>	2.4	9.2	12.5	19.1	19.3	20.6	18.9	18.9
<b>Chinese</b>	27.2	N/A	N/A	33.4	45.5	40.9	38.9	39.0
<b>Indians</b>	1.1	N/A	N/A	1.2	1.0	1.5	1.5	1.2
<b>Foreigners</b>	63.4	53.3	42.9	26.0	25.4	27.7	31.3	32.5

*Source: Economic Planning Unit*

**Table 3: Employment by occupation and ethnic group, 1970-2000**

	<b>Bumiputras</b>			<b>Chinese</b>			<b>Indians</b>		
	1970	1990	2000	1970	1990	2000	1970	1990	2000
<b>Professional</b>	46.9	60.5	63.9	39.5	29.1	25.8	10.8	7.7	7.6
<b>Managerial</b>	24.1	28.7	37.0	62.9	62.2	52.3	7.8	4.0	5.5
<b>Sales</b>	26.7	29.9	37.3	61.7	58.4	49.8	11.1	6.8	6.8
<b>Services</b>	44.3	57.8	57.7	39.6	26.8	21.8	14.6	9.5	8.5
<b>Agricultural</b>	72.0	69.1	61.2	17.3	13.8	10.3	9.7	7.3	6.9
<b>Production</b>	34.2	43.6	44.7	55.9	39.6	33.8	9.6	10.8	10.0

*Source: Economic Planning Unit*

Despite the economic gains, Lau also shared the imperfections of NEP in education inequality since it deprived deserving non-indigenous people of education due to the introduction of the university quota that limits non-indigenous students entry into local universities. NEP lead to brain drain because of the preferential treatment to the indigenous. It also deferred Foreign Direct Investment (FDI) through the Industrial Coordination Act of 1975, which stipulates that all manufacturing firms that had paid-up capital or mores that RM 250,000 were required to comply with the 30% Bumiputera Ownership Requirement. Also, priorities were given to the indigenous contractors when awarding government contracts.

### **Ethnic Tensions Behind the Façade of Ethnic Harmony**

**Dr. Wong Wee Nam**

Singapore Democratic Party



Wong discussed the ethnic tensions behind the facade of ethnic harmony. He first described Singapore being a small, rich, stable, efficient, and safe country where law and order is a priority and foreign investments are widely encouraged. Foreign workers feel comfortable as well working in Singapore. Singapore's racial composition includes Chinese 74.2%, Malays 13.2%, and Indians 9.2%. Chinese are mainly Buddhist/Taoist and Malays are almost all Muslim while Indians are mainly Hindu. According to Wong, each race is not homogeneous meaning Chinese are made up of Hokkiens, Teoshews, Cantonese, Hainanese, and Hakkas. Malays are Boyanese or Javanese. Indians are made up of Hindus, Tamils, Sikhs, Ceylonese, among others.

Ethnic conflicts started on 21 July 1964 and a Malaysian racial riot sparked in 13 May 1969. Conflicts also followed during the assassination of Indira Gandhi on 31 October 1984. According to a study on the indicators of racial and religious harmony by the Institute of Policy Studies (IPS) at the Lee Kuan Yew School of Public Policy and OnePeople.sg, "firm legal measures safeguard against religious and racial tension. The promotion of multiracialism through education, media, housing, community engagement and other channels has instilled the value of diversity to Singaporeans." In addition to this, the study indicated that "the pursuit of racial and religious harmony also entails that there is minimum social exclusion of minorities."

While racial conflicts in Singapore are being discussed and addressed, Wong explained that demographic changes, however, can contribute to create new tensions, as foreigners flood the island city for example. The different lifestyles, the language problem, and competition for jobs are factors that could cause further ethnic tensions, but none are unmanageable as long as the public concerns are heard and addressed.

### **Crafting Myanmar's Ethnic Policy**

**Mr. Nyo Ohn Myint**

Technical Team Member

Myanmar Peace Center



Nyo thanked CALD and CNRP for organizing and hosting the conference. Being a former college teacher in Rangoon (Yangon) 23 years ago and a former bodyguard and spokesperson of Daw Aung San Suu Kyi before NLD was formed, Nyo left home to live in exile due to the politically repressed situation in Burma. But in 2010, the political landscape changed when the new president, General Thein Sein, decided to introduce the government to reform and dialogue particularly in the field of ethnic conflicts, which includes 6 decades of civil war with the Karen, the longest in the world. He explained that Myanmar currently needs to address two political landscapes: 1) ethnic political movement and 2) democratic political movement. Nyo

narrated how Myanmar was able to exert effort in reaching a peace agreement before through the Panglong Agreement of 1947 initiated by General Aung San, father of modern-day Burma

and father of Daw Aung San Suu Kyi. The purpose of the Agreement is to establish autonomy for the people of Chin, Kachin and Shan. He tried to unite for independence, but the Panglong Agreement was never installed. Now, the current government under President Thein Sein is trying to reach reconciliation by establishing a new political landscape through dialogue. Some supporters of the NLD, however, became concerned on the new approach of the government vis-a-vis their party and the opposition in general. Daw Aung San Suu Kyi is willing to engage and to move the country towards real reform.

Nyo, who was invited by the government to be a member of the technical team of the Myanmar Peace Center, was able to conduct 241 meetings with various ethnic groups. Those meetings were a mix of negotiations and facilitations to achieve peace in the country. President Thein Sein, he explained, believed in the principle of building trust. That strategy was able to move them towards initial peaceful dialogues with the Karen National Union (KNU), an organization that waged war against the central government of Burma since 1949. It was group that pushed for independence until 1976 then called for a federal system instead. President Thein Sein has already met with KNU twice and the chief peace negotiator of the government was invited and attended the Karen New Year celebration in the Karen stronghold area, a very important and historical gesture between the two groups.

Nyo said, as negotiators and messengers of peace, it is important for them to learn from the ethnic cultures and principles. To be allowed to have political space and not be identified as second class citizens are the the top concerns of ethnic groups. Equality, Nyo said, is a guiding principle that can set the success of future negotiations. The Rakhine conflict in 2011 and 2012, for instance, is considered a political conflict rather than a religious one between muslim minorities who wanted to have more political space. Nyo added that when Daw Aung San Suu Kyi attended the Myanmar Peace Center's peace presentation, she highlighted trust-building as the key to end the armed conflicts.

In Myanmar, there are two major challenges that leaders and stakeholder face: 1) the struggle to push for genuine reforms and tranform Myanmar to a democratic country; and 2) to end all ethnic conflicts, push for reconciliation, and establish last peace in the country. And to push for reconciliation, the government's action plan must include the following guideposts: the approach must be all inclusive, there must be power-sharing and resources-sharing, equality, nationwide ceasefire agreement, political framework, political dialogue, and national peace accord.



#### ***Session IV: Protecting and Empowering Minorities and Indigenous Peoples: What Party Leaders and Policy-Makers Can Do***

Instruments and mechanisms that protect and empower minorities and indigenous peoples can be found at the international, regional and national levels. The purpose of this session was to highlight the policies that party leaders and policy-makers can use in protecting the rights and developing the sense of empowerment of these marginalized groups. Mr. Shih-chung Liu, Director of the Department of International Affairs of the Democratic Progressive Party of Taiwan (DPP), and Mr. Tsoi Yiu Cheong, Vice Chairperson of the Democratic Party of Hong Kong, shared their views and insights regarding such policies. Mr. Gan-Ochir Zunduisuren, Secretary for Foreign Relations of the Civil Will Green Party of Mongolia, served as the chair of the session.



#### **Legal-Political Developments Advancing the Rights of Indigenous Peoples in Taiwan**

##### **Mr. Shih-chung Liu**

Director, Department of International Affairs  
Democratic Progressive Party of Taiwan (DPP)

Liu thanked everyone for the honor of being part of the panel and the opportunity to exchange views with the participants. His presentation included a comparison of the experiences of Taiwan vis-a-vis other CALD countries, the concrete policies of the DPP on how they addressed minority rights issues when they were in power, and the preparations they have done to ensure that once they become in power again, they can immediately push forward and advance progressive policies to ensure minority rights and indigenous people can be further safeguarded. He also hoped to briefly discuss immigrants and women's rights.

Unlike most of the Asian countries, Taiwan as a society has experienced less ethnic divisions and religious conflicts. He said they had more homogeneity in societies when it comes to ethnic groups. However, he said the developments on minority rights happened after decades of struggle to achieve democracy. "We come through in different periods of foreign colonies: Portuguese, Japanese, and then we went through the authoritarian-dictatorship rule," Liu explained. He said the authoritarian government used indigenous people's rights as a simple political tool for election to further enhance their legitimacies.



Liu provided a brief picture of the composition of the population in Taiwan: 70% of the population in Taiwan are Hokkien, roughly 15% are Hakka originally from the Guangdong province in China, and only 7% or 8% of the population are the first generation people who originally came from mainland China. The so-called aboriginal, the indigenous people, count for only 2% - 2.3%. As for the composition of religions in Taiwan, 40% of the people are Buddhist. They also have Taoist, Christian, Catholic, and Muslim.

When DPP was in power, Liu said they set out a cabinet committed to and in charge of the indigenous people's affairs or the aboriginal's people's affairs. They appointed the former president of my party, President Chen Shui-bian, as the first Aboriginal Minister to take over extended autonomies to the indigenous people and tribes based on international standards. Liu clarified that although Taiwan is not a member of the United Nations (UN), the UN International Covenant on Civil and Political Rights as well as the UN International Covenant on Economic, Social and Cultural Rights became a partner for them to produce the necessary laws and concrete policies to improve the rights of the indigenous people. The DPP also enhanced and further developed social welfare to the indigenous people by reinforcing equal rights on political participation of the indigenous people. These efforts helped in strengthening the identity of the indigenous people. Through legislation, the indigenous people were allowed to put their aboriginal name in their ID cards. Liu said that under DPP's watch, the government has successfully launched a ratification campaign when it comes to indigenous people rights -- establishing a TV station for the benefit of the indigenous people.

DPP stepped down in 2008 and they tried hard to regain power when they campaigned in 2012. Among the key points during the 2012 campaign on indigenous people were the following: call on the government to establish a national committee in reconciliations that would help reconcile with indigenous people; call on the government to investigate the unfair treatment during the past in terms of illegal land acquisitions and language and cultural discrimination; call for the President of Taiwan to apologize formally to the indigenous people for the wrong things that happened in the past; call on the government to abide by the UN Declaration of Aboriginal People's Rights and also by Taiwan's constitution so that they can push forward indigenous' autonomy in Taiwan; and call for further strengthening of equal opportunities for indigenous people's education, job, and political participation. DPP also incorporated issues of climate change in their policies towards indigenous people because they mostly reside in remote areas, in the mountains, and their safety is a top priority of the party. While the government is pushing for the relocation of tribes and indigenous people, DPP is pushing for relocation only when the new site as their future homeland is protected. A new homeland where the issue of climate change is addressed in order for them to have a safer environment. Liu also shared the rising public awareness on nuclear waste and in the past few years there has been a growing anti-nuclear waste movement developing in offshore islands where social groups as well as young aboriginal and indigenous people reside. He also said DPP has worked in empowering and protecting other minorities including the Hakka people. The Hakka people comes at around 15% of the population. In the old days, when it comes to electoral politics, the indigenous people -- the Hakka people always voted for the government KMT because of decades of brainwashing. But when DPP came to power in 2000, they tried several unique campaign strategies to seek votes from the aboriginal people. They focused more on the young indigenous people who were inspired by political changes in Taiwan so they had become more and more independent. When DPP was in power from 2000-2008, they made sure that quarter of our cabinet ministers are women. They had their first female Vice President and they nominated their first female Presidential candidate. They also support gay marriage, but it is an on-going discussion in Taiwan. Also, with the increasing number of Chinese spouses as immigrants coming into



Taiwan, DPP has made a crucial decision, through legislation efforts, to make sure that even Chinese spouses get friendlier treatment in Taiwan. DPP thinks that there can be a balance between national security and human rights perspectives.

### **Improving the Plight of Minorities in Hong Kong and/or China**

#### **Mr. Tsoi Yiu Cheong**

Vice Chairperson

Democratic Party of Hong Kong

Tsoi, who served as Chairperson of Amnesty International Hong Kong and is currently a community organizer in the Society for Community Organization, thanked CALD and the host party for inviting him. In his presentation, he described the ethnic minorities currently residing in Hong Kong and showed a comparison of their demographics in 2001, 2006, and 2011. He also enumerated the problems being encountered by racial minorities with focus on the new immigrants from Mainland China. Tsoi also presented avenues on how to improve the situation of ethnic minorities.



With regard to new immigrants from Mainland China, Tsoi said discrimination, welfare, and employment are the problems they encounter. The Anti-discrimination Law does not protect new immigrants due to their origin and unfortunately, there are cases of immigrants from the Mainland being discriminated by Hong Kong people from time to time. They also experience unequal social welfare rights with restrictions to enjoy the right to social security and housing. In matters of employment, they earn much less than the Hong Kong residents. With regard to the 4,000 asylum seekers, torture claimants and refugees currently present in Hong Kong, do not have an identity, a resident status, nor a right to work.

Tsoi explained that with the rising numbers of minorities, there are avenues to look at in order to improve their situations. One would be to have legal reforms as well as policy amendments in education and welfare. Hong Kong must also actively participate in the International Human Rights Monitoring Mechanism to monitor, protect, and report human rights conditions globally.

表 3.1 2001 年、2006 年及 2011 年按種族劃分的少數族裔人士數目 Table 3.1 Ethnic minorities by ethnicity, 2001, 2006 and 2011						
種族 Ethnicity	2001		2006		2011	
	數目 Number	百分比 %	數目 Number	百分比 %	數目 Number	百分比 %
亞洲人（非華人） Asian (other than Chinese)						
印尼人 Indonesian	50 494	14.7	87 840	25.7	133 377	29.6
菲律賓人 Filipino	142 556	41.4	112 453	32.9	133 018	29.5
印度人 Indian	18 543	5.4	20 444	6.0	28 616	6.3
巴基斯坦人 Pakistani	11 017	3.2	11 111	3.2	18 042	4.0
尼泊爾人 Nepalese	12 564	3.7	15 950	4.7	16 518	3.7
日本人 Japanese	14 180	4.1	13 189	3.9	12 580	2.8
泰國人 Thai	14 342	4.2	11 900	3.5	11 213	2.5
韓國人 Korean	5 263	1.5	4 812	1.4	5 209	1.2
其他亞洲人 Other Asian	7 572	2.2	7 851	2.3	7 038	1.6
小計 Sub-total	276 531	80.4	285 550	83.4	365 611	81.0
白人 White	46 584	13.5	36 384	10.6	55 236	12.2
混血兒 Mixed						
華人父母 With Chinese parent	16 587	4.8	14 932	4.4	24 649	5.5
其他混血兒 Other Mixed	2 854	0.8	3 160	0.9	4 352	1.0
小計 Sub-total	19 441	5.7	18 092	5.3	29 001	6.4
其他 <sup>(1)</sup> Others <sup>(1)</sup>	1 394	0.4	2 172	0.6	1 335	0.3
總計 Total	343 950	100.0	342 198	100.0	451 183	100.0
全港人口 Whole population	6 708 389		6 864 346		7 071 576	

註釋：(1) 這些數字包括「黑人」、「拉丁美洲人」等。

Note: (1) The figures include "Black", "Latin American", etc.

## Session V: Crafting CALD's Position on the Issues of Minorities and Indigenous Peoples (World Café)

In this world café session, the participants were asked to provide their input in the draft CALD statement/resolution on the issues of minorities and indigenous peoples. The guide questions were the following: What are the main issues being confronted by minorities and indigenous peoples in Asia today? What are the international, regional and national instruments or mechanisms that can be used to address the abovementioned issues? What can CALD and its member-parties realistically do in order to improve the plight of minorities and indigenous peoples in Asia and in their respective countries? The table hosts and facilitators of the world café discussion were Hon. Prakob Chirakiti, former Member of Parliament from the DP Thailand; Hon. Lawrence Fortun, MP, a Member of the Philippine House of Representatives representing the LP; and Ms. Sophie Hsu, English Editor from the Department of International Affairs of the DPP Taiwan. The results of the discussion were utilized as guides and reference to draft the the CALD resolution on Minorities and Indigenous Peoples, the final version of which is enclosed below.



***On Issues of Minorities and Indigenous Peoples in Asia***



***On Instruments to Address Issues of Asian Minorities and Indigenous Peoples***



***On The Role of CALD***



***CALD Resolution No. 4 S. 2014***

***CALD Resolution on Minorities and Indigenous Peoples***

The Council of Asian Liberals and Democrats (CALD):

Guided by the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UNDM), Declaration on the Rights of Indigenous Peoples (UNDRIP), and by other international human rights instruments such as the Universal Declaration on Human Rights, Genocide Convention, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, International Convention on the Elimination of All Forms of Racial Discrimination, among others;

Reaffirming that one of the basic aims of CALD as a network of liberal and democratic parties is to promote and encourage respect for human rights and fundamental freedoms, without distinction as to race, ethnicity, sex, language, religion and other forms of social differentiation;

Recognizing that while CALD subscribes to the principle of majority rule as a framework for democratic governance, it is more fundamentally bound by the respect for the rights of all human beings and the inherent dignity and worth of every individual person;

Bearing in mind that Asia is one of the most diverse regions in the world, and that most, if not all, countries in the region are characterized by significant cultural diversity;

Taking note that Asia's two key sub-regional inter-governmental bodies, the Association of Southeast Asian Nations (ASEAN) and South Asian Association for Regional Cooperation (SAARC) endorsed respect for cultural diversity in their respective charters;

Aware that despite this endorsement, a significant number of minorities and indigenous peoples in Asia, as in other parts of the world, still experience economic exclusion and discrimination, and that some of these groups are threatened by forcible assimilation and even annihilation;

Recognizing that while there are no universally accepted definitions of minorities and indigenous peoples, minorities can be broadly defined as groups of people with common traits that set them apart from the majority in society, while indigenous peoples are descendants of the earliest known inhabitants of a territory who have a distinctive culture and way of life;

Noting that the lack of agreement in defining minorities and indigenous peoples can have negative repercussions on efforts to address poverty and social exclusion of these marginalized communities;

Hereby:

***On Issues of Minorities and Indigenous Peoples in Asia***

Affirms that the marginalization of minorities and indigenous peoples impacts negatively on the rights, freedoms and interests of these groups, which, in turn, diminishes their countries' potentials for economic growth and political stability;

Underlines that fundamental rights and freedoms of minorities and indigenous peoples should be respected and promoted at all times – most especially their right to practice and preserve their culture, to use their language, to profess and practice their religion, to have access to education and healthcare, and to participate actively in political affairs;

Recognizes the importance of extending special protection to women and children belonging to minorities and indigenous peoples as they can be considered as 'minority within a minority', making them most vulnerable to discrimination and abuse;

Recognizes further the plight of the members of lesbians, gays, bisexuals and transgender (LGBT) community, which, to a large extent, share the same experiences of marginalization and exploitation;

Supports the right of indigenous peoples to autonomy and self-government on matters involving their internal and local affairs, provided that these are within the framework of their respective country's constitution and laws;

Acknowledges that many indigenous peoples are not recognized as such, and that this reality has led to violation of their rights as communities with distinct identities;

Upholds the indigenous peoples' right to ancestral land and natural resources, their right to use these in pursuing their development goals, as well as their right to just financial and psychological compensation should these be appropriated for public use;

Emphasizes the need to observe Free, Prior and Informed Consent (FPIC) of indigenous communities especially in relation to the planning and implementation of development projects affecting them;

Condemns development aggression and forced resettlement, which destroy not only the indigenous peoples livelihood but also their identity and way of life;

***On Instruments to Address Issues of Asian Minorities and Indigenous Peoples***

Calls for the more effective implementation of UNDM, UNDRIP and relevant international and regional human rights instruments with regard to the rights of persons belonging to minorities and indigenous peoples;

Emphasizes the need to review the national legal framework of each Asian country with a view of ensuring compliance to international and regional instruments and commitments protecting marginalized groups;

Encourages governments and civil society groups to translate the most important provisions of these agreements and other relevant laws into a language/dialect most understandable to the concerned marginalized communities;

Urges the creative and dynamic marketing and promotion of the issues of minorities and indigenous peoples to make these issues better understood and appreciated by the general population;

Encourages ASEAN, SAARC and other Asian sub-regional groupings to move beyond endorsement of cultural diversity and adopt specific standards and policies for minorities and indigenous peoples;

Urges Asian countries to establish effective mechanisms at the local, national and regional/sub-regional levels that institutionalize the full and substantive participation of minorities and indigenous peoples on matters that concern them;

Underlines the importance of dialogues at the local, national and regional/sub-regional levels with representatives of minority groups and indigenous peoples to address issues leading to their marginalization;

Encourages the participation of women in dialogues and peace negotiations relating to the issues and concerns of minorities and indigenous peoples;

Supports the creation of local, national and regional/sub-regional mechanisms that can provide comprehensive and reliable information about the number and profile of minorities and indigenous peoples in their respective areas/constituencies;

Encourages the deployment of multi-sectoral international, regional, national or local environmental assessment teams to conduct truthful and independent evaluation of the impact of development projects to minorities and indigenous peoples;

Affirms that one way to address discrimination against minorities and indigenous peoples is by engendering multiculturalism in education;

### ***On The Role of CALD***

Encourages CALD member-parties to review the policies of their respective countries in relation to minorities and indigenous peoples, and to take the necessary actions should these policies prove inadequate in realizing their commitments to UNDM, UNDRIP and other relevant international/regional human rights instruments;

Requires CALD member-parties to examine their platforms of government and to ensure that these incorporate the issues and concerns of minorities and indigenous peoples;

Urges CALD member-parties should have a specific mechanism to monitor compliance of its members to various instruments protecting and empowering marginalized communities;

Suggests to CALD member-parties to appoint a task person or party officer on minorities and indigenous peoples who can participate in CALD-organized small group meetings regarding the issue, and who can report progress to their respective parties or to the CALD Executive Committee;

Suggests to CALD and its member-parties to cooperate with ASEAN, SAARC and other relevant international/regional/sub-regional groupings to come up with more specific policies protecting and empowering minorities and indigenous peoples;

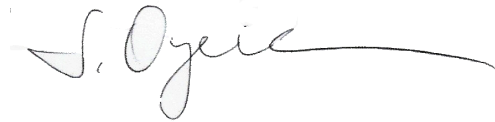
Encourages CALD member-parties to utilize both the mainstream and social media, as well as CALD Women's Caucus and CALD Youth, to discuss the issues and problems of minorities and indigenous peoples;

Urges CALD to utilize its website and social media accounts to share information and publish articles, position papers and opinion pieces on the plight of marginalized communities;

Encourages CALD to increase its exposure and commitment to the issue of rights of minorities and indigenous peoples, particularly by urging prominent CALD members to become champions/advocates for minority and indigenous peoples rights; and

Urges CALD to conduct follow-up conferences and workshops dealing with minorities and indigenous peoples, and to engage intergovernmental organizations, civil society groups, and other relevant stakeholders in these events.

For the Council of Asian Liberals and Democrats:

A handwritten signature in black ink, appearing to read 'Oyun Sanjaasuren', with a long horizontal stroke extending to the right.

**Oyun Sanjaasuren**  
Chairperson

13 April 2014





[www.cald.org](http://www.cald.org)