

# Policy Development in Malaysia's Indigenous Peoples' Rights

**SASOF Sabah, Malaysia**  
Da Nang, Vietnam  
25 June 2018



## International Policies

- International convention adopted by the United Nations in 1992
- Legal side binding for Malaysia since 1993
- Two articles are important for homebuyers: Article 8 (j) and Article 10 (c)
- Many CBD decisions since 2004 require Parties (including Malaysia) to recognise a diversity of governance types in protected area systems (including governance by Indigenous Peoples and local communities),
- and also to recognise territories and areas conserved by Indigenous Peoples and local communities (also known as "ICCAs") outside of the protected area system.

## International Policies

United Nation-Convention of Biological Diversity

- The Strategic Plan for Biodiversity 2011-2020 and Aichi Biodiversity Targets require the recognition of traditional knowledge and customary practices of Indigenous peoples and local communities (Aichi Target 18).

## International Policies

Aichi Target

- In addition, Aichi Target 11 requires 17% of terrestrial areas and 10% of coastal/marine areas to be conserved through equitable systems of protected areas and "other effective area-based conservation measures". According to experts, it will be very difficult (or impossible) to achieve these targets without recognising and supporting ICCAs.
  - Aichi Target 11 includes numerical targets for protected areas and "other effective area-based conservation measures" (or "conserved areas" for short), which can include ICCAs. PAs can also include ICCAs as one of the four main governance types recognised by IUCN and CBD (i.e. PAs governed by government, private, communities and mixed).

## International Policies

Aichi Biological Target

- ASEAN Senior Officials Forum (ASOF) 2013 Strategy on Social Forestry in Climate Change & Biodiversity Conservation
- ASEAN Social Forestry Network (ASFN)--potentially reduce conflicts related to tenure rights, promote equity, and food security and contribute towards climate change adaptation and mitigation.

## International Policies

ASEAN Level



## National Policies

## National Policies

Malaysia context

In Malaysia, at least three national and state policies explicitly recognise ICCAs:

1. The National Policy on Biological Diversity 2016-2025 calls for a doubling in the number / size of ICCAs by 2025 (Indicator 6.3), including by creating a network of ICCAs, recognising them as an integral part of our protected area network, and supporting Indigenous peoples and local communities in their roles as custodians of biodiversity.

# National Policies

Malaysia context

2. The Sabah Biodiversity Conservation Strategy 2012-2022 calls for the significant increase by 2022 of land managed as ICCAs (Target 1.3), including by documenting and recognising ICCAs, establishing an ICCA Network and collaborating with indigenous communities on conservation within Protected Areas and Forest Reserves. It further requires strengthening the capacity of indigenous communities to manage their ICCAs (B5.3.4).

# National Policies

Malaysia context

3. Sabah's Strategic Plan of Action for the Heart of Borneo Initiative 2014-2020 calls for the establishment of an ICCA Network among the three Heart of Borneo countries (Malaysia, Indonesia and Brunei) and collaboration with indigenous communities within Protected Areas and Forest Reserves.



**KOTOHUADAN, TERIMA KASIH, THANK YOU  
CĂM O'N BAN**



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