

1. Indigenous strategy and their right to land

Indigenous people have always had a special relationship to land. Land is not only the source of their sustenance but also the basis of their cultural and social identity, as the home of their ancestors and site of their religious beliefs. Indigenous people had ownership of their lands and ancestor domains long before the advent of modern states. *Therefore modern states should admit and officially recognize indigenous land rights in terms of legislation and enforcement.* In this way, they can fulfill their responsibilities under the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) Article 26 which states that “Indigenous peoples have the right to the land, territories and resources which they have traditionally owned, occupied or otherwise used or acquired”, that they “have the right to own, use, develop and control” such lands, territories and resources”, and that “States shall give legal recognition and protection to these lands, territories and resources...with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned”. Otherwise, violations against the legal rights and livelihood security of indigenous peoples will continue, and poverty, the gap between the rich and the poor, and social and political conflicts will worsen.

2. Supermarket or garden market: towards small scale farmer and their livelihood sovereignty in Mekong Context

The traditional diversified cultivation and self-sufficiency of indigenous peoples is a cultural and economic heritage which should be respected and preserved. On the basis of their unique cultural traditions and expert local knowledge, indigenous peoples have long been maintaining a stable harmonious relationship with nature. States should take effective measures to recognize and protect this heritage. In this way they can fulfill their responsibilities under the UN Declaration on the Rights of Indigenous Peoples Article 31 which states that “Indigenous people have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora”. But the free market is creating a scramble for resources, putting extreme pressure upon the resources, cultures and livelihoods of indigenous people. Lack of support from governments for their viable traditional ways of life is resulting in forced changes towards mono-crop production and market-dependency in terms of both inputs, such as chemical fertilizer, pesticide, new seeds, etc., and the selling of agricultural produce. Often indigenous people are the losers in these transactions as they forced from being independent landowner-producers to become dependent landless servants of outside businessmen. States, and the world as a whole, are also losers as indigenous ecological knowledge and valuable human cultural heritages are lost.

3. Tangible conflict and hidden land grabbing: towards indigenous rights

Assuring land and natural resources ownership, and maintaining traditional cultivation techniques and lifestyle of indigenous peoples are indispensable conditions for the protection of their traditional knowledge, beliefs and cultural rights. With these rights intact, indigenous peoples will be more confident to maximize their input into integrated development processes, and the social, political and economic costs of government-enforced development will be eliminated. States will also be able to fulfill their responsibilities under the UN Declaration on the Rights of indigenous Peoples Article 23 which states that “Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development” and to administer such development “through their own institutions”; and Section 32 which states that “States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources”. Where

governments expropriate the rights of indigenous people to self-determine their development, they must accept full responsible for the risks of conflict. Governments will never be able to settle the problems of inequality, disrespect, and conflicts between different ethnic groups, and between ethnic groups and the State, until they respect the competence of indigenous peoples to manage their own development and settle their own conflicts in accordance with their own customary laws and practices, as is their right.