

Agenda Item 10:
Dialogue with Special Rapporteur and Chair of EMRIP
on Indigenous Human Rights Defenders
Scheduled for 1 May, 10 am-1 pm, 3-6 pm

This statement is on behalf of PACOS Trust, an Indigenous peoples' organisation from Sabah (East Malaysia), and the ICCA Consortium, an international association dedicating to the appropriate recognition and support of territories and areas conserved by indigenous peoples and communities (also known as ICCAs).

Indigenous peoples are on the frontlines of defending their territories against unwanted industrial activities, from logging and monoculture plantations to mining and dams. Hundreds of people are being killed with impunity, particularly in countries such as the Philippines and Honduras.

All too often, Indigenous peoples are also forced to defend their territories against top-down and militarised conservation measures, for which they face harassment, eviction, arrest, and even death. Just as we demand accountability of corporate actors, the governmental and non-governmental organisations and donors who perpetrate conservation injustices must also be held accountable.

We acknowledge the Special Rapporteur for focusing one of her 2016 reports on the impacts of conservation measures on indigenous peoples' rights. And we salute Prof. John Knox, the Special Rapporteur on human rights and the environment, for his boldness in giving utmost attention to land and environmental defenders in his latest report.

We gratefully acknowledge the hard work of several members of the ICCA Consortium – including the Forest Peoples Programme and Natural Justice – to address conservation injustices through the Whakatane Mechanism and the development of human rights standards for conservation. The ICCA Consortium is also developing a solidarity and action fund for environmental and human rights defenders, which we hope will be operational in the next year. We express our support for and willingness to collaborate with the UN mechanisms on these important issues.

We recommend the following to the Special Rapporteur, the Chair of EMRIP and the Permanent Forum:

1. To convene an Expert Meeting and develop an Expert Report to operationalize the complementary recommendations of the Special Rapporteurs on the Rights of Indigenous Peoples and Human Rights and the Environment, specifically on the issues of the impacts of conservation measures on indigenous peoples' rights and indigenous human rights and environmental defenders.
2. To convene a joint meeting thereafter, in collaboration with other UN special procedures, the UN Working Group on Business and Human Rights, and the human rights treaty bodies, and issue recommendations on the complex issues faced by indigenous human rights and environmental defenders.
3. To urge UN member states to cooperate with UN special procedures on country visits and other diplomatic requests in the pursuit of Indigenous peoples' access to justice.

4. To invite UN member states to participate constructively in the UN negotiations towards a binding instrument on human rights and transnational corporations, including by recognising Indigenous peoples' rights, especially where they are defending their rights, territories and the commons against unwanted activities.

In closing, we invite everyone in this hall to join us in honouring the memory of our compatriot Bill Kayong, a native rights activist from the East Malaysian state of Sarawak, who was murdered in June 2016. Five people have been charged but the trial is still ongoing. We appeal to all land and environmental defenders gathered here to support our call as we urge the prosecution and judiciary to ensure due process and justice for Bill and his family.

Thank you, Madame/Mister Chair, for the opportunity to share this statement with the Forum.