



**SOUTH AFRICAN NATIONAL STATEMENT TO THE  
16<sup>TH</sup> SESSION OF THE UNITED NATIONS PERMANENT FORUM ON  
INDIGENOUS ISSUES (UNPFII),  
DELIVERED BY THE  
DIRECTOR GENERAL OF COOPERATIVE GOVERNANCE AND TRADITIONAL  
AFFAIRS, DR CHARLES NWAILA  
01 MAY 2017,  
NEW YORK**

Agenda Item 10: "Dialogue with the Special Rapporteur on the rights of indigenous peoples and the Chair of the Expert Mechanism on the Rights of Indigenous Peoples with regard to **indigenous human rights defenders**"

*Check against delivery*

Madame Chair,

South Africa welcomes this timely dialogue with the Special Rapporteur and the Chairperson of the EMRIP. Indeed, human rights defenders who are active on matters concerning the lives and rights of indigenous peoples have faced and continue to confront numerous challenges as they carry out their important work to highlight the plight of their communities.

In pursuit of an inclusive and a democratic society, Madame Chair, South Africa has established state institutions to support our democracy-comprising among others:

1. The Public Protector
2. The South African Human Rights Commission
3. The Commission on the Rights of Cultural, Religious and Linguistic Communities
4. The Commission for Gender Equality for all

Furthermore, the Bill of Rights constitutes a cornerstone of our democracy. It enshrines the rights of all our people inclusive of the indigenous communities.

The challenges and threats faced by indigenous human rights defenders globally are wide-ranging indeed and include among others: (i) intimidation (ii) harassment (iii) threats (iv) torture and arbitrary killings and executions.

Madam Chair,

We have noticed with concern that human rights defenders engaged in a legitimate cause for the recognition of their rights are given labels, which give rise to tensions and conflicts.

The phenomenon of globalization has revealed the growing and grave violations of human rights by Transnational Corporations and Other Business Enterprises, particularly the extractive industries. These unregulated entities do not uphold the same minimum standards of international human rights law within jurisdictions and regions. In their pursuit of maximum profits at all costs they have undermined human rights standards especially, in child labour, minimum wage, and environmental issues. It is evident through the words of indigenous peoples that some of these actions are supported by states and international funding institutions. The cumulative impact of these deplorable acts have adversely affected the health of the communities concerned.

Finally Madame Chair, South Africa would be grateful if representatives of indigenous communities were to participate at the forthcoming multilateral negotiations of the elaboration of a legally binding instrument on the responsibilities of transnational corporations and other business enterprises in respect to human rights. The negotiations of this much needed instrument will commence in Geneva during October this year.

I thank you