

**16th Session of the UN Permanent Forum on Indigenous Issues
24 April – 5th May 2017, UN Headquarters, NY**

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

Statement by: Binota Moy Dhamai, on behalf of the Asia Caucus

Madam Chairperson,

Around the world, indigenous human rights defenders are, individually or with others, in the frontlines, promoting and protecting the rights of indigenous peoples and wider human and environmental rights. These include our traditional elders and community leaders along with others. Indigenous women make up the majority in many such cases, particularly at the grassroots level. They defend not only individual rights but also collective rights of indigenous peoples and communities and the rights of Mother Earth as well.

In 2015, Global Witness recorded 185 killings of land and environmental rights defenders, which is more than double the number of journalists killed in the same period. Of those 185 killings, almost 40% of the victims were indigenous persons. The Philippines was the worst hit country in Asia with 33 killings, followed by India with 6 killings. Conflicts over mining were the number one cause of killings followed by agribusiness, hydroelectric dams and logging.

And the killings have continued unabated. Very recently, in February 2017, an indigenous Lumad leader, Renato Anglao, was shot dead in front of his wife and child in southern Philippines, reportedly in relation to a land dispute of a local pineapple plantation administered by current vice-mayor of Quezon municipality. That was already the third recorded killing of indigenous Lumad leaders in 2017 – the other two were opposed to palm oil plantations and mining operations in their ancestral lands. Less than two weeks ago, on 19 April 2017, indigenous jumma student and activist Romel Chakma from the Chittagong Hill Tracts (CHT), Bangladesh, died after being tortured by the Bangladesh Army's 305 Infantry Brigade, allegedly led by one Major Tanvir Saleh. Romel was arbitrarily arrested on 5 April and kept in military custody, and later transferred to a civil hospital in the Chittagong city. Indigenous persons make up the majority of human rights defenders who are killed or are otherwise victims of gross human rights violations. It is imperative that the underlying causes of such violations are identified and addressed.

In the Asia region, Asia Indigenous Peoples Pact engages in the promotion and protection of the rights of indigenous peoples in 14 countries, through a network of Indigenous Peoples Human Rights Defenders (IPH RDs), coordinated at regional and national levels. Around 400 individuals and organizations are associated in the regional network, while extensive national networks exist in at least five countries. There are many more indigenous rights defenders in countries that AIPP works in that are not part of the network. However, our common struggle for our rights connects us together.

In our experience, at the root of such disproportionately high reprisals and risks of indigenous human rights defenders is the lack of recognition, protection and respect for our rights as indigenous peoples – particularly over our lands, territories and resources. Non-recognition of the special contexts of indigenous human rights defenders' situations of disadvantage, and the oppressive circumstances that they live in, are often ignored, and hence, left unaddressed or inadequately addressed.

Indigenous human rights defenders often face reprisals from security forces. Their legitimate and peaceful struggles for self-determination within State political systems are often wrongly characterized as "terrorism" or "secessionism". As a result, when they face risks, indigenous human rights defenders fail to receive emergency assistance in financial, political or other forms from national and international human rights mechanisms and organizations.

As such, we recommend to the Special Rapporteur and the Expert Mechanism to undertake an intensive study on indigenous human rights defenders and the issues contributing to high risks and reprisals against them and the challenges they face. Such a study, which can be undertaken in partnership with other relevant Special Procedures, should produce a set of concrete recommendations for the effective protection of indigenous human rights defenders. Further, steps for addressing the political dimensions of human rights struggles of indigenous human rights defenders and communities should also be included in the recommendations.

Furthermore, we recommend that the Permanent Forum make an urgent call to development and human rights support agencies, to provide necessary funds and resources to assist indigenous human rights defenders, their families and communities. Such fund will be used for legal aid, material and financial support to enable them and their communities to continue to defend the rights and undertake appropriate actions.

We urge the UNPFii in collaboration with the SR, to initiate and conduct a study on the impact of the militarization activities over the indigenous peoples' land and territories in line with the UNDRIP article 30.

We also recommend to the SR, UN agencies, funds and programmes, along with the UNPFii, to urge the Governments in Asia to stop the militarization of indigenous territories, and engage indigenous peoples in a meaningful dialogue towards addressing the militarization affecting them, in cooperation with other relevant human rights bodies and actors.

Thank you