

United Nations Permanent Forum on Indigenous Issues

15th session, May 9 – 20, 2016

Item 5, Interactive Dialogue on the theme “Indigenous Peoples, Conflict, Peace and Resolution”

May 17, 2016

Statement by the International Indian Treaty Council presented by Andrea Carmen

Thank you Mr. Chairman and thanks to the panelists who shared their struggles today. We recognize and honor their courage for speaking out in this International Forum.

For the current discussion regarding Conflict, Peace and Resolution, the International Indian Treaty Council (IITC) focusses our comment on the increasing reports of death threats, intimidation, criminalization, imprisonment and outright killings of Indigenous Human Rights Defenders in many States around the world. The repression carried out in response to legitimate human rights activism of Indigenous Peoples opposing, in particular, resource extraction and imposed development carried out on their lands without their free, prior and informed consent, only contributes to and perpetuates these conflicts. We also highlight the many reports of sexual violence, including gang rapes carried out on a regular basis against Indigenous women and girls in the context of such conflicts.

In several cases presented at this Session, Human Rights defenders are labeled as terrorists or common criminals, further justifying the violence and repression against them, and encouraging impunity by States and, in many cases, corporate security forces and private militia.

We recall that the Universal Declaration on Human Rights affirms that the recognition of human rights is the basis of peace, and the UN Declaration on the Rights of Indigenous Peoples, in articles 27, 28, 37, 40 and provides a framework for just, transparent, fully participatory and rights based processes for conflict resolution and redress within States in collaboration with Indigenous Peoples. To our knowledge these models, affirmed as the minimum standard for redress and conflict resolution in the UN Declaration, have yet to be implemented.

IITC shares the profound concern, sadness and outrage expressed by many Indigenous Peoples, the UN Special Rapporteur of the Rights of Indigenous Peoples and members of the UNPFII during this session regarding the Indigenous Human Rights activists who have been recent targets of assassinations in areas of conflict. The killing of Berta Cáceres in Honduras in March of this year was the focus of many of these statements. We note with great dismay that this assassination was carried out even after the Inter-American Commission on Human Rights and the UN Special Rapporteur on the Rights of Indigenous Peoples called attention to the death threats against Berta and other members of her organization, COPINH, and called upon Honduras to ensure her safety along with others under similar threats in that country.

Furthermore, despite the international outcry in response to her murder, within just a few days on March 15th another member of COPINH, Nelson Noe Garcia, was also killed

after leading a demonstration against a forced relocation. COPINH requested that our organization file urgent action submissions with other relevant UN Mandate holders including the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, who then took immediately action regarding this matter.

Nevertheless, despite the intervention of regional and international bodies, the situation for Indigenous Human Rights defenders in Honduras and other countries remains critical and impunity continues. We note that various other cases of the killing of Indigenous Human Rights defenders were also raised in various Indigenous Peoples' interventions during this session.

Clearly there is a need for ramped up action and attention on the situation of Indigenous Human Rights defenders around the world. We therefore make the following recommendations to the Permanent Forum 15th session, which could be included in the recommendations under this item, item 9 regarding dialogue with the Special Rapporteur, or Item 10, Future work:

1. That the Permanent Forum convene an Expert Group Meeting regarding Indigenous Human Rights Defenders before its 16th session in 2017;
2. That the Permanent Forum call upon states and UN agencies to support the implementation of the recommendations made to date on this matter including by the Inter-American Commission on Human Rights and in the upcoming Final Report of the Special Rapporteur on the Rights of Indigenous Peoples on her country visit to Honduras, with particular regard to the assassination of Berta Caceres and other Indigenous Human rights defenders; and
3. That the Permanent Forum invite the UN Special Rapporteurs on Human Rights Defenders and on Extrajudicial, Summary or Arbitrary Executions to the Expert Group Meeting as well as to the 16th session to participate in the discussions on strategies to better protect Indigenous Human Rights Defenders, including in areas of conflict.

Thank you.