

Lawyers' Rights Watch Canada

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Item 3: Interactive Dialogue with the Working Group on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises

Speaker: Ms. Catherine Morris

Oral Statement to the 20th Session of the UN Human Rights Council from Lawyers' Rights Watch Canada (LRWC), a non-governmental organization in special consultative status, and Asian Legal Resource Centre (ALRC), a non-governmental organization in general consultative status

ASIA: Business enterprises and attacks on human rights defenders and protestors

Madame President, Members of the Working Group:

LRWC and ALRC welcome your report, including your comment that ASEAN's Intergovernmental Commission on Human Rights plans a thematic study towards an ASEAN guideline compliant with UN frameworks, particularly the *Guiding Principles on Business and Human Rights*. Such a guideline is vital in light of attacks in on those protesting rights violations related to business enterprises..

During the Council's 18th Session, ALRC¹ detailed attacks by Myanmar authorities on those resisting seizure of lands for commercial activities.

In Thailand, the shooting death of environmental activist, Mr. Thongnak Sawekchinda, on 28 July 2011 is one of a series of murders of human rights defenders who challenge corporate interests. A trial in the case of his murder began on 11 May 2012; however, it remains imperative to identify and bring to justice the individuals and broader interests believed to be behind his death.

We are alarmed by an escalation of violent attacks on human rights defenders in Cambodia:

- On 18 January 2012, military personnel working as security guards for TTY Co Ltd. opened fire on protestors in Kratie province, injuring four.
- On 20 February, a government official opened fire on garment workers protesting labour conditions in a Kaoway Sports Ltd factory in Svay Rieng province, injuring three.
- On 26 April, Mr. Chut Wutty, an environmental activist investigating illegal logging by the Timbergreen Company Ltd. in Koh Kong province, was shot dead reportedly by a military police officer.
- On 16 May, hundreds of soldiers and police converged on a village in Kratie province to clear land around the Casotim Company Ltd. rubber plantation, firing on protesting residents, fatally shooting a 14-year-old girl, and forcing men and women to stand naked and handcuffed in the sun for hours.

None of these incidents have been satisfactorily investigated.

On 22 May, 13 women protestors from the Boeung Kak Lake community in Phnom Penh, displaced by a Shukaku Inc. company development, were arrested. Two days later they were charged, convicted and imprisoned after being denied time to obtain defence witnesses.

The increased number and severity of attacks with apparent involvement of government and corporate agents are of serious concern, and LRWC and the ALRC, therefore, request the intervention of the Working Group, as well as the Council, with the governments of Cambodia, Myanmar and Thailand to ensure that they immediately take effective measures to properly investigate attacks and bring all perpetrators to justice, and to protect lands rights activists from further attacks and harassment.

Thank you, Madame President.

¹ Human Rights Council, A written statement submitted by the Asian Legal Resource Centre (ALRC), a non-governmental organisation with general consultative status. Myanmar: From blinkered to enlightened despotism: human rights in Myanmar under new government, 18th session, Agenda Item 4, General Debate August 25, 2011, online ALRC: <http://www.alrc.net/doc/mainfile.php/hrc18/683>.