

Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations

www.lrwc.org; lrwc@portal.ca; Tel: +1 604 738 0338; Fax: +1 604 736 1175

3220 West 13th Avenue, Vancouver, B.C. CANADA V6K 2V5

Organization: Lawyers' Rights Watch Canada

Item: Item 5 – Report of the Forum on Business & Human Rights and EMRIP review

Date: 24 June 2016

Speaker: Paul Scambler

Oral Statement to the 32nd Session of the UN Human Rights Council from Lawyers' Rights Watch Canada (LRWC), a non-governmental organizations in Special Consultative status

Mr. President,

Lawyers' Rights Watch Canada appreciates the reports on the Forums on Business and Human Rights and on the Expert Workshop to review the Mandate of the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP). We underline the proposal that EMRIP's mandate include enhanced cooperation and interaction with other special procedures mandate holders. One example is the Working Group on the issue of Human Rights and Transnational Corporations and other business enterprises.

There are pronounced links between conduct of businesses and violations against Indigenous Peoples. In 2015 an estimated three people a week were killed while peacefully defending their communities against destructive industries; 40% were indigenous defenders.¹ Brazil, Colombia and Philippines topped the list for killing of indigenous environmental activists. In Honduras, indigenous defender Berta Cáceres was assassinated in March 2016, allegedly by those connected with mining interests. The impunity rate in Honduras is at least 80 percent, due to police corruption, links with organized crime and under-resourcing. Ms. Cáceres' family and civil society lack confidence in the official investigation, and Honduras is being urged to seek an independent expert investigation under the auspices of the Inter-American Commission on Human Rights.²

Extreme dangers faced by defenders, particularly indigenous defenders, underlines the importance of the Working Group's call at the Asia Forum on Business and Human Rights to "speed and scale up" implementation of the UN *Guiding Principles on Human Rights*.³ Reliance on voluntary implementation of the *Guiding Principles* by businesses is insufficient. To stem the violence against defenders, strong and urgent leadership by this Council is needed to press States to hold businesses accountable for violations of international human rights not only in their home States but also in all other States where they operate.

Thank you Mr. President.

¹ Global Witness, *On Dangerous Ground*, 20 June 2016, available at:

https://www.globalwitness.org/documents/18482/On_Dangerous_Ground.pdf

² Lawyers' Rights Watch Canada, "Honduras: International Law Duties to Investigate Serious Human Rights Violations", 15 June 2016, available at:

<http://www.lrwc.org/honduras-international-law-duties-to-investigate-serious-human-rights-violations-report/>

³ Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises on the Asia Forum on Business and Human Rights, A/HRC/32/45/Add.2, 30 May 2015