

# Proceedings

## REGIONAL IPHRDs EXCHANGE LEARNING AND TRAINING 2024

Date: 19th to 23rd August 2024

Venue: Kampong Thom Royal Hotel, Kampong Thom province, Cambodia



### Co- Organized by:



CIPA IRAM



DIPLOMACY  
TRAINING PROGRAM

### Funded by:



## Table of Contents

Executive Summary .....	1
1. Welcome and Introductory Session .....	4
1.1. Indigenous welcome ritual.....	4
1.2. Welcome and keynote from the host and partners.....	4
1.3. Setting the tone; Objectives and expected outcomes of the exchange.....	5
1.4. Participants introductions, expectations, house rules including social media postings .....	6
2. Regional IPHRD Learning Exchange- Country Presentations and Discussion.....	7
2.1. IPwD Network by Disability National Indigenous Disable Association.....	7
2.2. Indonesia.....	7
2.3. The Philippines:.....	8
2.4. Malaysia.....	9
2.5. Thailand.....	9
2.5. Cambodia.....	11
2.6. Bangladesh.....	12
2.7. Myanmar.....	12
2.8. Northeast INDIA .....	13
2.8. Mainland INDIA.....	13
2.9. Nepal.....	14
3. Human Rights and Indigenous Peoples Rights .....	15
3.1. What are Human Rights?.....	15
3.2. Business and Human Rights Frameworks .....	16
3.2.1. The United Nations Guiding Principles on Business and Human Rights (UNGPs),.....	16
3.2.2. OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (OECD Guidelines) .....	17
3.2.3. Equator Principles.....	18
3.2.4. Principles for Responsible Investment .....	18
3.3. Introduction to UN Mechanism .....	18
4. Indigenous Community Protocols.....	22
5. Safety and Security of Defenders .....	25
6. Center of Defenders (CoDs) .....	26
7- Indigenous Navigator, data by Indigenous Peoples for Indigenous Peoples.....	27
8-The United Nations Guiding Principles on Business and Human Rights (UNGPs), (continue...) .....	27
9-Regional priorities and upcoming important events of AIPP .....	35
10- Reflection and evaluation .....	36
11- Planning for next year.....	37

## Executive Summary

Asia Indigenous Peoples Pact (AIPP) together with Cambodia Indigenous Peoples Alliance (CIPA) co-hosted a regional exchange learning and training 2024 for Indigenous Peoples Human Rights Defenders (IPHRD) August 19 to 23, 2024 in Kampong Thom province, Cambodia.

The aim of the exchange was to assess the situation of Indigenous Peoples' rights and Human Rights Defenders (IPHRDs) in various countries, enhance documentation practices with a focus on both digital/filming and physical security, and strengthen evidence-building and advocacy strategies using different treaty and charter-based mechanisms. The event saw active participation from 46 representatives of Indigenous Peoples (25 women, 21 men), including 2 representatives persons with disabilities, from 10 countries: Australia, Bangladesh (online), Cambodia, India (Mainland and Northeast), Indonesia, Malaysia, Myanmar, Nepal, the Philippines, and Thailand. In addition to AIPP member organizations, representatives from donor organizations and supporters, including the Diplomacy Training Programme and International Work Group for Indigenous Affairs (IWGIA), also contributed as resource persons during the training and learning exchange.

Over the course of five days, various Indigenous Peoples and non-indigenous experts presented topics of great interest to the participants, significantly enriching their ongoing work and efforts as IPHRDs. First, it started with participants discussed the situation of IPHRD, sharing the challenges, country contexts, and the strategies they have employed to address these issues from their respective country. This exchange of experiences and strategies proved invaluable for other IPHRD, fostering mutual learning and solidarity. The followed with sharing and learning of various topics included Human Rights and Indigenous Peoples Rights, Indigenous Community Protocols, the Safety and Security of Defenders, Centers of Defenders (CoDs), and the Indigenous Navigator etc.

Firstly, on the topic of Human Rights and Indigenous Peoples' Rights, **Mr. Gam A. Shimray**, Secretary General of AIPP, reminded participants of the core concepts of human rights as outlined in the Universal Declaration of Human Rights (UDHR), particularly Article 1, which states, "All human beings are born free and equal in dignity and rights." This principle underscores that every individual inherently possesses dignity and value, which implies a responsibility not to harm others. To further clarify, Mr. Shimray highlighted three key elements: the capacity to reason, the ability to discern right from wrong, and the willingness to take responsibility.

He also elaborated on Indigenous Peoples' rights as articulated in the UNDRIP, with a focus on the right to self-determination and the rights to land, territories, and resources. He stressed the need for national laws to be reformed in accordance with UNDRIP. As IPHRD one of our primary responsibilities is to advocate for changes to national laws to ensure they align with UNDRIP, or, if necessary, to push for the creation of new laws that fully realize our rights. Mr. Shimray also emphasized the importance of developing our own laws and systems of governance, enabling us to recognize ourselves and ultimately gain recognition from the state. This process goes beyond merely adhering to state-granted rights; it is about creating and advocating for our own vision, and compelling the state to recognize it.

**Next, Mr. Matthew** from DTP provided an in-depth overview of the Business and Human Rights Framework, covering key instruments such as the UN Guiding Principles on Business and Human Rights (UNGPs), OECD Guidelines, Equator Principles, IFC Performance Standards, and Principles for Responsible Investment. He emphasized that while these mechanisms can be powerful tools for advocacy at regional and global levels, exerting pressure and demanding solutions in cases of human rights violations often requires significant time and resources.

Additionally, **Ms. Signe** from IWGIA emphasized that addressing human rights issues is not a quick fix; it requires a coordinated approach that combines grassroots mobilization with the use of UN mechanisms. Raising awareness and mobilizing support are essential strategies for applying pressure on governments and driving meaningful change at the UN level. She stressed the importance of IPHRDs understanding how UN mechanisms operate, noting that while many bodies are involved, there are three key mechanisms that are particularly important for Indigenous Peoples: The UN Permanent Forum on Indigenous Issues (UNPFII), The Expert Mechanism on the Rights of Indigenous Peoples (EMRIP), and the UN Special Rapporteur on the Rights of Indigenous Peoples (UNSRIP).

On the topic of Indigenous Community Protocols, Mr. Gam A. Shimray, an indigenous expert in the indigenous movement, explained that an ICP is a written document that outlines the rights and responsibilities of the community. It is rooted in indigenous customary practices and laws and is enforced through indigenous customary institutions, which may include both existing and newly established ones as needed. The purpose of the ICP is to reaffirm sovereign rights, protect lands, territories, and resources, and set guidelines for the conduct of both community members and external entities.

**Frederic Wilson** from the AIPP Secretariat presented a draft of the Safety and Security Policy and Guidelines for IPHRDs. This policy includes five key components: the purpose and scope of the policy, safety and security principles, roles and responsibilities, security and safety management, and the monitoring and management of incidents. The policy is designed for AIPP members, networks, and partners involved in IPHRD activities, with the aim of minimizing risks, establishing incident management mechanisms, and encouraging continuous reflection for ongoing improvement. The policy is still in draft form and requires input from members.

Following this, Mr. Gam A. Shimray introduced the participants to the Centre of Defenders (CoDs), highlighting its vision, background, milestones, and strategic approach. He enthusiastically explained how the CoDs could inspire IPHRDs in the country. However, he also cautioned about the risks of centralization, which could make the CoDs a vulnerable target for the state and potentially undermine the entire movement. Mr. Shimray outlined several immediate needs for moving the CoDs forward, including: 1) developing regional and country-level modules and localizing capacity-building initiatives, 2) conducting trainings and community mobilization, 3) monitoring and reporting on human rights situations and advocacy, 4) building and strengthening networks, 5) enhancing capacity in understanding and implementing Indigenous Community Protocols and Indigenous Knowledge and Data Sovereignty, 6) improving regional databases and data collection, and 7) fundraising.

**Lastly, Mr. Shohel** from AIPP shared about human rights violation database include the Indigenous Navigator Initiative. He noted that the Indigenous Navigator is a set of tools for and by Indigenous Peoples to systematically monitor the level of recognition and

implementation of their rights. It is a community-based framework for monitoring and guiding IP rights and development. Data by, and for IPs, monitoring the rights and through advocacy to hold duty-bearers accountable. He also added about the Human Rights Database, an initiative coordinated by the IPHRD Network, compiles data reported by its members. He pointed out that between 2019 and 2023, the database recorded 871 cases of human rights violations across nine countries: Bangladesh, Cambodia, India, Indonesia, Malaysia, Myanmar, Nepal, the Philippines, and Thailand. However, these figures may not fully represent the actual situation on the ground due to limitations in data collection and reporting. Shohel went through the Excel spreadsheet template on how to fill out the data and ask participants to discuss by country and try to fill up the template. The template is quite simple and easy to fill up. He suggested participants to further study via <https://indigenoustravel.org/>.

Finally, Mr. Gam A. Shimray presented and led discussions on regional priorities up until December 2024 and also the Indigenous Peoples movement in Asia. Followed by the reflection and evaluation led by Shohel, discussion for the country host for the exchange next year by Frederic and closing remarks by Sokunthea on behalf of Cambodia Indigenous Peoples Alliance (CIPA) and Gam A. Shimray on behalf of AIPP for the exchange learning and training 2024 smoothly.

## Proceeding

**Day 1: 19 August 2024**

### 1. Welcome and Introductory Session

#### 1.1. Indigenous welcome ritual

Mrs. Sopheh, representing the Kui indigenous community from Kampong Thom, along with other elders and youth, led a ceremonial offering to mark the commencement of the "Regional IPHRDs Exchange Learning and Training 2024". This ritual involved the presentation of food, traditional wine, drinks, fruit, and rice. The offering ritual consisted of two main steps. First, the ritual was for the spirits who protect and own the land, to inform them about the event, seeking their protection for the participants and ensuring the event's success. The second step was the "offering ritual to all indigenous ancestors". This was done to notify the ancestors of the event and request their continued presence to protect the land, forest, and resources of indigenous communities both in Cambodia and worldwide.

#### 1.2. Welcome and keynote from the host and partners

##### *Mr. Samoeun Vuthy, IRAM*

Mr. Vuthy Samoeun welcomed all indigenous brothers and sisters to Cambodia on behalf of the host country. He expressed his sincere thanks to the organizers, brothers and sisters, and supporters. He also apologized for any inconvenience caused by the political situation in Cambodia. He then provided a brief overview of the Indigenous Peoples in Cambodia. They make up approximately 1.4% of the country's total population of seventeen million, with twenty-four ethnic groups spread across fifteen of Cambodia's twenty-five provinces and still strongly dependent on the land, forest and natural resources. Their livelihoods are closely tied to land, forests, and natural resources. He noted that over the past thirty years, Indigenous Peoples have suffered significant losses of land, territories, and resources due to economic development projects such as land concessions, dam construction, mining, elite capture, and tourism. Unfortunately, even social land concessions and conservation projects have impacted their way of life. Additionally, rising debt to banks and microfinance institutions has led to further land loss.

While laws and policies exist to protect indigenous rights, including rights to land and resources, implementation has been limited. Alarming, recent legal amendments have removed the term 'indigenous peoples' from key laws, such as the Environmental Code, Forestry Law, and Protected Area Law, instead referring to them as 'local communities.' In response, CIPA has worked to amplify indigenous voices and advocate for the reinstatement of the term 'Indigenous Peoples' in these laws, though progress has been disappointing.

Finally, he urged participants to actively engage, share experiences, and contribute to collective planning. On behalf of CIPA and IRAM, he prayed for the spirits of indigenous ancestors to protect all participants, wishing them harmony, safety, and happiness

*Guangchunliu*, AIPP, thank to Vuthy for sharing indigenous context in Cambodia, especially their struggles. AIPP is happy to see solidarity among the Indigenous Peoples in Cambodia to work together on indigenous movement work and also to co-host and co-organize this

exchange event such as CIWA, CIYA, CIPO, IRAM. She mentioned that in this event, two global partners, DTP and IWGIA, that always support the indigenous peoples.

***Mr. Matthew, Diplomacy Training Program (DTP)***

DTP was established in 1981 at Sydney Law School to build knowledge and skills in human rights and Indigenous Peoples' rights. Over a decade ago, DTP partnered with AIPP and has since witnessed AIPP play a crucial role in indigenous advocacy at global and regional levels. He noted that even the UN acknowledges there can be no sustainable development without the full participation and contribution of Indigenous Peoples. AIPP and DTP have collaborated closely, and we value this partnership in promoting indigenous rights. This is our third course with AIPP, which has always been productive, and he looks forward to another successful workshop.

***Ms. Signe, Gender focal point and advisor in Asia, IWGIA***

Signe was delighted to be back in Cambodia and participated in this important exchange learning and training. She extended her sincere thanks to the host organizers for their dedicated efforts. She also expressed deep appreciation for the IPHRDs worldwide who tirelessly support and advocate for Indigenous Peoples. IWGIA has produced *Indigenous World publication*, a comprehensive global report on indigenous issues, and she brought copies for each country. IWGIA greatly values its long-standing partnership with AIPP and remains committed to collaborating on various programs. AIPP continues to be a key partner in IWGIA's work, including joint advocacy at global and regional levels. Signe was eager to meet new people, engage in meaningful exchanges, and contribute as much as possible. Finally, she thanked the organizers for their tremendous efforts in making this exchange and training a reality.

### **1.3. Setting the tone; Objectives and expected outcomes of the exchange**

***Gam A. Shimray, Secretary General of AIPP***

He began by thanking IRAM for organizing this event in such a cheerful, efficient, and smooth manner. He is thrilled to be back, reconnecting and learning from each other. He acknowledged DTP and IWGIA for their longstanding partnership with Indigenous Peoples, noting their significant contributions and unwavering support. He expressed that the strong, trusted, and respected partnership with DTP and IWGIA is invaluable, often being the first to come to mind when seeking advice or new ideas.

He extended his sincere thanks to the host organization for initiating the event with rituals that honor land, territories, and resources, emphasizing the importance of these practices for community well-being. Reflecting on a community in Huai Hin Lad Nai, Thailand, he highlighted that "as long as we know how to perform our rituals, we will continue to protect our land, territories, and resources," acknowledging that land, forest, and resources are essential to indigenous ways of life.

As IPHRDs, our goal is to exchange knowledge, build capacity, and advocate for our rights. Rituals help us remember and uphold our responsibilities toward one another, reinforcing our rights and duties. Recognizing these aspects ensures the continuation of our practices and long-term survival.

He emphasized that this exchange is a collaborative learning experience, where everyone has the opportunity to contribute, share, and learn. He looks forward to exploring foundational aspects of human rights and Indigenous Peoples' rights during this session. He noted that CIYA,

formerly a focal organization in Cambodia, has been replaced by IRAM as the responsible partner, and further discussions will be needed.

Finally, he expressed gratitude to AIPP colleagues for their tireless work, the host organizations, and all participants. He eagerly anticipates the program ahead.

## **1.4. Participants introductions, expectations, house rules including social media postings**

### ***Frederic Wilson, AIPP***

Frederic reported that the IPHRD Exchange Learning and Training 2024 was attended by 46 participants from 11 countries: Cambodia (14 participants), Thailand (3), Malaysia (2), Indonesia (2), the Philippines (2), Nepal (4), Bangladesh (online), Myanmar (2), India (4, comprising 2 from Mainland India and 2 from Northeast India), Australia (1), and Denmark (1), as well as 5 staff members from AIPP. The participants' expectations were gathered through an online survey prior to the event and subsequently consolidated. These expectations include:

- Sharing knowledge and experience in documenting human rights violations,
- Learning from others' experiences and common issues among Indigenous Peoples (IPs), connecting human rights mechanisms at both domestic and international levels,
- Building collaboration, solidarity, collective voices, and advocacy in the region,
- Improving documentation and advocacy for human rights violations, acquiring skills in digital activism, leadership, management, and conflict resolution,
- Understanding complaint mechanisms and disseminating information to local communities,
- Contributing to the fight for Indigenous Peoples' rights including self-determination, identifying opportunities for joint advocacy and campaigns,
- Engaging in solution-oriented discussions with recommendations and strategies to enhance reporting and response mechanisms for human rights violations affecting Indigenous Peoples, and
- Participating in cultural exchange.

*Below are the additional expectations by the participants during the event*

- Enhance the knowledge and skill on rights violation documentation and how to submit the complaints.
- Enhance collaboration and support from regional partners to local community issues.
- Support and coordination for Indigenous Peoples with disabilities of regional network
- Making women accessible to resources within the IPHRDs
- Share country situation on IPHRD collective approach at regional and international will be beneficial.
- Getting to know how to enhance campaign in internal level on the community safety/rights (human rights).
- Looking forward to see/learn the ACTIVISM-Advocacy and Academic Writing will go together in the same human rights platform.

### **House Rules**

- Mobile phone-silent
- Punctuality-time management
- Participatory and respect each other's point of view
- Speak slowly

- Concerns about taking photos
- Do not share photos on your social media during the event-unless it is officially published by AIPP/IPHRD network social media.

## 2. Regional IPHRD Learning Exchange- Country Presentations and Discussion

Guangchun from AIPP facilitated the session, beginning by asking each presenter to focus on the situation of IPHRD, challenges, country context, and the strategies they've employed to address these issues, which could be valuable for other IPHRD to learn.

### 2.1. IPwD Network by Disability National Indigenous Disable Association

**Mr. Khadga Saru Magar**, Chairman of the Nepal Indigenous with Disabled Association (NIDA), which was established in 2009, shared insights on the organization's efforts in Nepal. NIDA has organized various campaigns and activities focused on indigenous peoples with disabilities. He began his presentation with a short video documentary showcasing NIDA's work and achievements, highlighting several workshops and activities aimed at capacity development, policy advocacy, and campaigning. He also briefly outlined the key challenges faced by Indigenous Peoples with disabilities (IPwD), including their lack of recognition in legal policies, negative societal perceptions, insufficient budget allocation and resources in policies and programs, limited active participation of IPwD, and the absence of disaggregated data on IPwD. Additionally, he shared NIDA's plan to collect case studies for evidence-based advocacy, produce video documentation, and develop white papers or policy briefs for lobbying and advocacy efforts.

### 2.2. Indonesia

**Jaqualine J. Kafiar** briefly described PPMAN as a wing of AMAN, the umbrella organization for the Indigenous Peoples movement in Indonesia. She highlighted the issue of dehumanization through the criminalization of Indigenous Peoples and emphasized how the new Criminal Code (KUHP) has shifted from a living law to a more rigid normative legal system, which hinders Indigenous Peoples' rights. The criminalization of their efforts to preserve their identity, culture, and land seeks to dehumanize them, exacerbated by the lack of policies and regulations that protect and recognize their rights. Evidence includes 27 human rights violation cases affecting 64 victims from January to June 2023, 301 land grabs impacting 8.5 million hectares, and the criminalization of 672 Indigenous Peoples between 2019 and 2023. Additionally, limited recognition to customary land use of indigenous peoples, only 12.7% of over 18 million hectares of mapped customary land had been recognized as of March 2023. For over 20 years, the Draft Law on Indigenous Legal Communities has remained unratified, leaving Indigenous communities without legal protection while government-backed resource exploitation continues to expand. A notable case is Sorbatua Siallagan of IPHRD, who was sentenced by the Simalungun District Court to two years in prison and a Rp1 billion fine for illegally controlling land in Huta Dolok Parmonangan, where PT Toba Pulp Lestari holds the concession permit.

To address some of these issues, PPMAN provided legal assistances in a range of cases, including the submission of appeals for life and long-term sentences, handling pre-trial lawsuits, assisting with trials for indigenous groups, addressing police summons in various

cases, filing objections and lawsuits against government bodies and companies, and monitoring cases such as the Mairasi Tribe in Papua.

Finally, she provided key recommendations, including strengthening national and regional solidarity among Indigenous communities and enhancing the capacity of Indigenous defenders.

### **2.3. The Philippines**

The participant from the Philippines highlighted that the country's indigenous population, between 14 and 15 million, constitutes 12-15% of the total population. They are spread across 110 ethno-linguistic groups and 65 of the country's provinces, with 61% in Mindanao, 33% in Luzon, and 6% in the Visayas.

KATRIBU, an IPHRD network established in 2017, works to uphold the rights of Indigenous Peoples through various campaigns. While its goal is to defend against attacks on indigenous communities, the network itself has faced multiple assaults. IPHRD in the Philippines contend with issues such as the plunder of natural resources, limited access to social services, proposed revisions of laws and policies that could restrict their rights, and escalating state violence. Plundering of the land and natural resources caused by land grabbing and conversion, large scale mining, energy projects. The situation for indigenous communities and IPHRDs in the country is increasingly alarming, particularly due to escalating state violence. This includes red-tagging, intensified militarization, violations of international humanitarian law, extrajudicial killings, arbitrary terrorist designations, enforced disappearances, and political imprisonment. In response to these issues, KATRIBU organized various campaigns, advocacy efforts, mobilization activities, alliance-building initiatives, and capacity development programs.

She suggested several capacity-building needs, including training on tools and mechanisms for supporting defenders and advancing human rights, documenting human rights violations according to UN standards, ensuring physical and digital security, strategizing for organizational expansion and revival, conducting effective lobbying and advocacy, and enhancing legal knowledge of national and international laws, conventions, and treaties related to indigenous peoples' rights.

In the Philippines, key important actors include the indigenous communities themselves, church workers, academic institutions, progressive politicians, civil society organizations (such as human rights groups, environmental organizations, and development NGOs), international actors like the UN, embassies, consulates, international NGOs, and the media.

Finally, she provided several recommendations to the IPHRD Network including enhancing coordination for advocacy efforts on regional and international platforms to amplify the collective voice, more active in issuing support statements, signing petitions, and applying pressure on both the national government and relevant UN agencies, supporting documentation processes through personnel and logistics, raising additional funds, and conducting or facilitating a case study on anti-terror laws and anti-insurgency campaigns in the region.

## 2.4. Malaysia

**Jackelyn Stanis** from PACOS Trust stated that in Malaysia, JOAS serves as the national IPHRD network focal organization responsible for documenting cases of indigenous rights violations. Meanwhile, PACOS Trust has an IPHRD team that conducts various programs and activities, including paralegal training for communities. However, IPHRD in Malaysia faces numerous challenges, including large-scale development projects, limited access to healthcare facilities for Indigenous communities, unfavourable judicial decisions, discrimination in accessing goods and services, and criminal charges.

In the context of large-scale development, specific issues arise, such as inadequate information from the government on projects, failure to implement FPIC (Free, Prior, and Informed Consent), violations of Indigenous Peoples' rights, and the exclusion of Indigenous Peoples from decision-making processes. Likewise, the lack of access to healthcare in indigenous areas is characterized by inadequate facilities, poor conditions, and unequal prioritization of illnesses due to limited resources. Moreover, the remote locations of many indigenous villages further exacerbate these challenges.

Similarly, judicial decisions often disregard Indigenous Peoples' rights, particularly in cases related to land, territory, and resources. As a result, Indigenous communities are frequently excluded from decision-making processes, and there is a widespread lack of understanding about their situation. Additionally, judges and lawyers often have limited knowledge of Indigenous frameworks, rights, and recognition.

Furthermore, discrimination in access to goods and services is pervasive, with 60% of Indigenous Peoples facing difficulties in accessing essential facilities such as clean water, roads, electricity, and schools. Indigenous women, in particular, experience significant discrimination in accessing quality healthcare.

Regarding criminal charges, Indigenous Peoples are often accused of trespassing on their own customary lands, which have been allocated to companies by the government. They are also criminalized for defending their rights. For example, a recent case involved an individual who was charged for protecting land that was taken by the government for conservation expansion. Such actions are often used to intimidate other Indigenous rights defenders, compounded by the lack of funding to support IPHRDs in these situations.

Finally, she requested capacity-building initiatives, such as legal education on Indigenous Peoples' rights, to ensure that they are fully aware of and can effectively assert their rights. She also emphasized the importance of involving key actors, including Indigenous Peoples themselves, government agencies, NGOs, stakeholders, lawyers, and judges, in these efforts. It is crucial that these actors deepen their understanding of Indigenous Peoples' rights to better support and advocate for Indigenous communities.

## 2.5. Thailand

**Mr. Kriengkrai Cheechuang**, President of CIPT, provided an update on the IPHRD Network in Thailand. He highlighted the various groups that are part of IPHRD in Thailand, including the REDD+ Watch Network, KNCE Western Region, Highland Natural Conservation Club in Chomthong, Omkai Ethnic Network, Moken Koh Lao, and NIPT.

Mr. Cheechuang updated about the significant progress for indigenous peoples (IPs), the recognition of IP rights, and the future of IPHRD in Thailand. Regarding significant progress, he noted encouraging signs, such as indigenous youth taking pride in their identity and beginning to learn from their elders to bridge generational gaps. In addition, on IP rights recognition, he mentioned that while the Thai constitution currently does not recognize Indigenous Peoples, there is a growing collective demand among IPs for the recognition of their rights in the constitution and other laws. However, the state remains concerned about autonomy and self-determination. And also, Ips in Thailand push to introduce Indigenous Peoples' bills. The government, however, is worried that if these laws are passed, it could lead to the destruction of forests and natural resources. The bill is currently under review by the commissioner.

He went on to highlight the challenges that IPHRD faces in Thailand, such as land and resource rights issues stemming from a lack of land tenure security and the centralization of conservation policies and laws. The Thai government's focus is primarily on forest protection; however, it fails to fully recognize the crucial role that Indigenous Peoples play in forest conservation. As a result, while forests and resources are protected, the rights of Indigenous Peoples, which are closely linked to nature, are not adequately safeguarded. Issues also include denial of citizenship and access to basic rights, large-scale development projects in indigenous territories with limited access to information, and Indigenous Peoples being unfairly labeled as opposition to these projects. These projects, such as dam construction and the Yuam River water diversion, have severely affected villagers' lives, livelihoods, and the environment. Additionally, traditional livelihood practices, like rotational farming, are misunderstood and strongly opposed by the Ministry of Environment. The extractive industry, particularly mining, also poses significant threats, along with the impact of numerous tourism activities on indigenous territories or areas.

For the capacity building needs for IPHRDs, he mentioned that the efforts should be made to reach out to larger networks to promote Indigenous Peoples' rights and address their issues. so far, IPHRD in Thailand engaged with only a few key organizations, including the NHRC, CPCR, CRCF, and Plan International, as well as CIPT.

Finally, he offered key recommendations for the Regional IPHRD, which include continuing advocacy for Indigenous Peoples' rights at the regional level, strengthening and building the capacity of the IPHRD network across Asia, conducting exchange visits among IPHRDs to promote learning and collaboration, and focusing on fundraising to ensure the sustainability of their work.

On behalf of IPHRD in Thailand, he reaffirmed the commitment to working together in solidarity, standing united in these efforts.

### **Questions and Answers**

Ms. Mane Yun, Executive Director of CIPO, observed that the issues are quite similar across regions. She asked, "How do you address the criminal charges against our Indigenous Peoples? Is there any database or documentation on the criminalization of Indigenous Peoples?"

**The participant from the Philippines** responded that there was a fabricated murder case against one of our CPA leaders. Upon learning about the criminal charge, we thoroughly

investigated the merits of the case, including the leader's whereabouts on the day of the alleged crime. We then worked with our specialized team to strengthen alliances and fight back. During the legal proceedings, we ensured that our campaign continued outside the courtroom. Most of those involved had to seek sanctuary, frequently relocating, and it was crucial to remain vigilant while traveling. If you are under surveillance, you will be trained to ensure your safety.

**Thailand:** Our first step was to collaborate with legal agencies for a thorough investigation. Next, we sought funding to support the case. In addition to the legal process, maintaining a strong campaign outside the courtroom is crucial.

**Malaysia:** it is important to understand indigenous rights and use them strategically. To do this effectively, we need strong indigenous lawyers on our side.

**Indonesia:** We collaborated with legal organizations, conducted legal research, and encouraged our community to submit complaints. We thoroughly assessed cases to determine if legal action is necessary. Our efforts focus on strengthening community mobilization, identifying and gathering documentation as evidence, and finding supporters. We also expand our networks to include academia, churches, and business institutions that can support these cases. If needed, we are prepared to take the matter to court.

**Mr. Lut Sang, an indigenous lawyer from Cambodia, asked whether there are any mechanisms or platforms that support indigenous peoples in becoming lawyers.**

PPMAN from Indonesia responded that in their country, individuals often start as activists recognized by their communities before becoming lawyers. PPMAN invites these individuals to join their organization and offers formal legal training through their own educational programs. They also focus on educating communities, empowering local economies, and supporting proper livelihoods as part of their approach.

## 2.5. Cambodia

**Mr. Vuthy**, Chair of IRAM, shared that Cambodia has laws and policies recognizing Indigenous Peoples' rights, such as the Land Law, Forest Law, National Policies on the Development of Indigenous Peoples, and the Sub-decree on Collective Land Registration. In addition, the government also has mechanisms to support land tenure, including CLT, CPA, CFI, and CF, however, Indigenous Peoples still face numerous challenges. The construction of hydropower dams affects their communities, while economic land concessions to private companies often occur without Free, Prior, and Informed Consent (FPIC), leading to loss of access and control over forests and natural resources. Mining concessions further impact their social, cultural, and economic rights, with a focus on the positive aspects while neglecting the negative consequences.

Additionally, conservation projects, including REDD+, have violated Indigenous Peoples' rights to occupy certain areas, especially when communities are not consulted or give their consent. Despite legal recognition of indigenous rights, many articles limit these rights. Recent amendments to laws in 2023 and 2024 have begun to roll back indigenous rights, replacing them with local community rights, which indigenous peoples reject.

Currently, 117 indigenous activists, including 39 women, are facing court processes. Challenges also include a lack of collective political leadership and the labeling of IPHRD and environmental activists. CIPA is working with the government on collective land registration and is strengthening the voices of youth, women, and the indigenous movement in Cambodia.

## **2.6. Bangladesh**

The participant from Bangladesh apologized for his team's inability to join in person due to the current situation in Bangladesh, and thus had no choice but to join online. He highlighted that when governments change, minority and indigenous communities often suffer the most. For example, five indigenous villages were attacked by perpetrators. In response, the Kapaeeng Foundation began supporting indigenous human rights activists in the country in 2011.

He then outlined various issues faced by IPHRDs, including security concerns, criminalization, false allegations, fabricated cases, forced migration, and the impacts of tourism. To address these challenges, he emphasized the need for capacity building, which includes training in documentation, case writing, and reporting violations; safety and security training; support for relocation; legal aid; financial support; and coordination meetings to sustain their activities.

He also noted that to improve their work, IPHRDs should target key actors such as mainstream human rights organizations, the National Human Rights Commission, civil society organizations (CSOs), diplomatic missions, and student and youth organizations.

Finally, he recommended raising awareness and enhancing engagement with relevant stakeholders. Regional IPHRD networks should focus on coordination meetings to strengthen their efforts.

## **2.7. Myanmar**

The participant from Myanmar updated that the situation has continued to deteriorate under the military junta in Myanmar. The Myanmar Conscription Law 2024 mandates the recruitment of approximately 5,000 new soldiers nationwide, targeting individuals aged 18-35. Many young people have fled to other countries to avoid conscription. As a result, 2.6 million people have been displaced. From January to April 2024, over 2,000 airstrikes were launched. Due to the current political climate, there is no national IPHRD Network in the country.

She noted that the challenges faced by IPHRDs include armed conflict and militarization, arbitrary arrests and detentions, increased checkpoints and travel restrictions, killings, the use of human shields, land mines, public security threats, and frequent shootings. Additionally, there is a second suppression of free speech, limitations on communication access, internet service disruptions, and strict censorship. Thirdly, there is forceful displacement and a humanitarian crisis. Fourth, environmental violations include land grabbing, mining exploration, resource distortion, and illegal logging. Lastly, there are "four cuts" strategies targeting food, funding, information, and recruitment of new soldiers. Airstrikes are occurring throughout the country, particularly in areas inhabited by indigenous peoples. Intense armed clashes are ongoing in regions such as Chin, Kachin, Danu, Pao, and Karen, with a case study focusing on the Chaeba Karen Indigenous Community.

During this difficult time, her organization was able to do some activities such as community support, livelihoods training, digital security measures, media engagement, environmental advocacy, and documentation of human rights violations, along with customary land tenure documentation and emergency support. Key actors in this effort, local CSOs, NGOs, media and journalists, and regional and community leaders.

Finally, she recommended to IPHRD network that should include capacity building through regional exchange programs and enhanced emergency support.

## 2.8. Northeast INDIA

**Mr. Anthony Debarma**, secretary general of BITPDC from Northeast India observed that Indigenous Peoples everywhere face similar issues. In Northeast India, the Naga have been fighting for self-determination since 1950, yet their voices remain unheard. A major factor contributing to this is the economic poverty of Indigenous Peoples; the government seems to perpetuate this poverty, despite the abundance of resources in our lands. The benefits of these resources are not shared with us, leaving us economically and politically suppressed. We find ourselves in no position to fight or demand our share of the benefits, as the system that keeps us impoverished is deeply entrenched.

He stressed that geopolitics further complicates the situation. Northeast India, rich in natural resources, is often victimized due to its strategic position. For instance, in Bangladesh, the involvement of China, the EU, and the US reflects a geopolitical game where our region suffers. Indigenous Peoples have voiced their concerns against policies that violate their rights, but responses are scarce. For example, a recent mega dam project has led to the arrest of one of our activists who protested against it, with no justice served for their wrongful detention. An Indian company has been granted permission to mine in indigenous areas, destroying our livelihoods and health, further exacerbating our plight. Despite our efforts to raise issues through various mechanisms, we face harassment and arrest. Without a concrete, funded organization, we have united all activist groups to collectively fight for our rights. Additionally, the arrival of palm oil plantations, run by major companies like Coca-Cola, has led to significant land and forest alienation within our territories.

To address these challenges effectively, he mentioned that we need to recognize and to involve indigenous peoples in the political process. By securing seats in parliament or state assemblies, we aim to ensure our voices are heard and our rights are defended. While fighting for our rights may come at great personal risk, participating in the political arena is crucial for achieving meaningful change and securing justice for our communities for a long run.

## 2.8. Mainland INDIA

**Kashmir Toppo** briefly shared that in Mainland India, "Adivasis" is a collective term used for many Indigenous Peoples. The issues faced by these communities include land and resource rights, contradictory policy development, armed conflicts, custodial deaths and torture, restrictive government policies, and control over CSOs. The amendment to the Forest Rights Act has further limited Indigenous Peoples' rights. Additionally, extrajudicial killings and armed conflicts persist, and many Indigenous Peoples NGOs face blacklisting, impacting their funding.

He mentioned about key Actors that IPHRD working with include state and government agencies, non-state actors, like CSOs (Civil Society Organizations), and individual/Corporate/industries.

Finally, he proposed several recommendations: strengthening grassroots mobilization and capacity building, enhancing regional and internal collaboration, advocating for policy reforms, and promoting inclusivity and intersectionality in addressing issues.

### **Question and answer session**

Questions for Cambodia, is it effective to raise your voice on an international mechanism or with your own government?

Mrs. Mane responded that based on her experience, the UN Mechanism has not yet provided an effective means of access to justice. Consequently, Cambodia have employed various approaches in conjunction with the UN Mechanism. In the case of SOCFIN, IPs lost in the French court, and the company entered indigenous territories without obtaining Free, Prior, and Informed Consent (FPIC). IP rights continue to be violated, and the land remains seized by these companies.

## **2.9. Nepal**

**Mr. Prem Raj Chhising**, Former President of NEFIN, has highlighted that the IPHRD network in Nepal was established in 2010 and currently comprises 94 members. This network addresses a range of issues, including self-determination and autonomy based on ILO 160, UNDRIP, and national laws and policies, as well as land, territories, resources, identity, and resistance to development aggression. He noted that IPHRD's approach involves identifying problems, addressing them, and submitting cases to LAHRUNIP. At the same time, also mobilized communities and provided training to indigenous groups. For instance, in Jhapa, we have been actively struggling against militarization and land grabbing.

He stressed that the five most pressing issues facing IPHRDs include intimidation and reprisal, racist activism, anti-development sentiments, criminalization, and the failure to recognize indigenous rights as human rights. Additionally, there is a lack of protection for IPHRDs and political fragmentation into smaller factions.

To address these challenges, practical capacity-building is needed, such as training on developing indigenous community protocols, advocacy skills, and engagement at both national and international levels. Key actors in this effort include the Nepalese government (at federal, provincial, and local levels), IPOs, media, journalists, companies, and international financial institutions like the World Bank and the Asian Development Bank.

He would like to see the regional IPHRD network to continue the on-going work, enhance solidarity and coordinated advocacy at regional and international, continue documentation and capacity IPHRDs. In addition, his recommendations to the regional IPHRD network include keep continue the existing works to support IPHRD network and enhance knowledge production activities and regional IPHRDs network enhancement and solidarity.

He concluded the presentation with a video showcasing the intense pressure placed on a local government office to issue a memorandum. The video depicted a vigorous protest demanding

a response from the government, which ultimately led to the mayor agreeing to the terms proposed by the villagers.

**Day 02: 20 August 2024**

## 3. Human Rights and Indigenous Peoples Rights

### 3.1. What are Human Rights?

Mr. Gam A. Shimray began his session by posing the question: "What are human rights, and how do participants understand this concept?" Several participants shared their perspectives, defining human rights as the freedom to express opinions and the principle of not causing harm to others. They emphasized that these rights are inherent from birth, encompassing the freedom to speak, express opinions, access education, ensure survival, and practice religion. They noted that human rights are natural and intrinsic, though their abstract nature can sometimes make them challenging to grasp. Additionally, human rights are essential for survival and livelihoods and can be categorized into civil rights and political rights.

Gam continued by revisiting the key concepts of human rights as articulated in the Universal Declaration of Human Rights (UDHR). He emphasized that returning to these foundational principles can enhance our understanding of human rights. Article 1 of the UDHR states that "all human beings are born free and equal in dignity and rights." This underscores that every individual possesses inherent dignity and value, which entails not causing harm to others.

Understanding human rights can be abstract, so it is crucial to grasp how this concept is constructed and interpreted. Everyone is entitled to equal rights and is endowed with reason and conscience, which should guide interactions with others in a spirit of brotherhood. The capacity to reason critically is vital, as it helps distinguish right from wrong. This ability also carries the responsibility for one's actions.

Gam highlighted three key elements: *the capacity to reason*, *the ability to discern right from wrong*, and the willingness to *take responsibility*. If one makes a mistake, it is important to acknowledge it and make changes. Conversely, if one acts correctly, they should continue to do so. All these aspects are interconnected—one cannot assert their own rights while violating the rights of others. To fully comply with human rights, one must act in a way that respects and upholds the rights of all.

He continued to share that the development of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) took nearly ninety years. The International Labour Organization (ILO) was the first international body to address indigenous and tribal issues, beginning in the early 1920s. Initially, the ILO's Indigenous and Tribal Population Convention, 1957 (No. 107), treated indigenous peoples as temporary societies. However, the Indigenous and Tribal Peoples Convention, 1989 (No. 169), was a significant improvement, as it recognizes and supports the rights of indigenous peoples in a way that allows them to maintain their identity. The effectiveness of these rights largely depends on how they are framed and implemented.

Internal legal instruments are typically based on state systems, while indigenous peoples operate as non-state societies and are often excluded from these frameworks. To include indigenous worldviews—such as guardianship, stewardship, and spiritual connections to lands, territories, and resources—it is essential to recognize and preserve their distinct identities.

If a state acknowledges Indigenous Peoples, does it mean Indigenous Peoples are integrated into the state system or remain separate? This is where the right to self-determination comes into play. For example, in Latin America, the concept of Territorial Autonomy allows indigenous groups to maintain their own laws and policies within their territories, thus exercising sovereignty over their lands.

Indigenous Peoples' concerns extend beyond land rights; territorial rights are inherently linked to sovereignty. Thus, while states may grant territorial rights, these are often tied to broader questions of sovereignty and self-governance for indigenous communities.

He concluded his session by stressing the international human rights instruments are interconnected. One cannot interpret on all the convention, but one has to understand the UNDRIP as a whole and advocate through various conventions such as ILO169, UDHR, ICCPR, ICERD, ICESCR, CRC, CEDAW.,etc. National laws must be reforms based on UNDRIP, what does it mean? We all as agents/activists, one of your jobs, what is your responsibility as human rights defenders? It is an idea that you have to change national laws if it is not compatible with UNDRIP, if it is necessary you have to create new laws in order to realize your rights. Or maybe we can make our own laws, governance, so that we can recognize ourselves and also later been recognized by the state. It is not only to follow the rights given by the state, it is also to create the vision of our own and advocate the state to recognize

## 3.2. Business and Human Rights Frameworks

*Matthew* informed the participants that Business and Human Rights Frameworks are a complex topic. He began by discussing his work with Oxfam USA in Cambodia since 2004, focusing on trade. He noted that while the financial sector is a relatively new player in civil society compared to traditional corporate entities, it has become increasingly influential. Over the past five years, financial sectors have been investing in traditional corporations, and applying pressure on these financial institutions can drive positive change within the companies they fund. He outlined several key frameworks, including the UN Guiding Principles on Business and Human Rights (UNGPs), OECD Guidelines, Equator Principles, International Finance Corporation (IFC) Performance Standards, and Principles for Responsible Investment. He then provided detailed information on each of these frameworks.

### 3.2.1. The United Nations Guiding Principles on Business and Human Rights (UNGPs)

UNGPs were developed by John Ruggie, the UN Special Representative on Business and Human Rights. These principles were endorsed by the UN Human Rights Council in 2011 and have since become the global standard for preventing and addressing the risk of adverse human rights impacts linked to business activities. UNGPs is like the bible for BHR that apply to all states and enterprises, and even the individual. There are three core pillars of UNGPs. **Pillar 1**- the state duty to **protect** human rights. The state's duty to protect human rights against abuse by third parties, including businesses, through appropriate policies, regulation, and adjudication. **Pillar 2**- the corporate responsibility to **respect** human rights. The corporate responsibility to respect human rights, meaning businesses should avoid infringing on the rights of others and address adverse impacts with which they are involved. In order to respect, first companies create Policies/Safeguard, then Human Rights due diligence process to mitigate

risks and finally process to enable remediation of impacts they causes or to which they contribute. **And Pillar 3- Access to remedy** that there need for greater access to effective remedy for victims of business-related human rights abuses, both judicial and non-judicial for instance, NHRIs. These principles provide a framework for businesses and governments to manage the complex human rights issues that arise in the context of global commerce. There are several impacts but to summarize, adverse impact. There are three degrees of involvement by the company include cause, contribute and directly linked scenario.

### ***Group Work***

What steps has your government taken to require business enterprises to respect human rights. If it hasn't take any steps, what do you think it should do? and if it has, how should it improve them?

### ***Presentations of Group Work***

Due to time limited, only Thailand was able to present back their group discussion. In Thailand, there was a national action plan on UNGPs, but not many peoples aware of these, including the private companies understand and awareness about this UNGPs. There is quite challenging, especially the investment on the companies at the transboundary investment of Thailand. This plan mention about local community but not mention about indigenous peoples. The action plan doesn't have leverage to hold accountability of the private companies on their conducts with the communities if affected. Three recommendations, we need to raise awareness about this mechanism, strengthen the grievance mechanism, and also strengthening the FPIC and consultation process. Thailand has UNGPs action plan, but it is more like policies at this stage, not the plan.

## **3.2.2. OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (OECD Guidelines)**

OECD Guidelines are a set of recommendations from the Organization for Economic Co-operation and Development (OECD) to multinational enterprises (MNEs). These guidelines provide voluntary principles and standards for responsible business conduct in various areas, including human rights, labor rights, the environment, anti-corruption, consumer interests, science and technology, competition, and taxation.

There are chapter on concept and principle, General policies, discolours, huan rights, employment and industrial relation. Responsible business conduct is broader concept of human rights. When we look at the European, it has extended the scope from human rights to include also environmental rights.

In OECD, it is also mentioned strongly about human rights. It solicited that companies must respect human rights, including UNDRIP and address human rights harms if they reinterned

Human rights defenders has been mentioned also in the OECD guidelines that the companies should respect human rights and environmental rights defenders. Refrain from taking reprisals avoid and help fix/remedy harm from reprisals. Companies to promote safe space for those speaking out.

### 3.2.3. Equator Principles

The Equator Principles (EPs) are a global baseline and risk management framework adopted by 128 financial institutions to identify, assess, and manage environmental and social risks in project financing. Equator Principles Financial Institutions (EPFIs) implement the 10 Equator Principles through dedicated E&S risk management policies, procedures, and standards, applicable across all industry sectors worldwide. EPFIs must apply the EPs to new projects that involve Project Finance with total capital costs of US\$10 million or more, or Project-Related Corporate Loans where the client has Effective Operational Control, the total loan amount and the EPFI's commitment are each at least US\$50 million, and the loan tenor is at least two years.

### 3.2.4. Principles for Responsible Investment

The UN-backed Principles for Responsible Investment (PRI) is a voluntary international framework where investor signatories, acknowledging their fiduciary duty to act in beneficiaries' long-term interests, commit to incorporating ESG issues, including human rights, into investment decisions and stewardship, seeking investee company disclosures, promoting the principles, collaborating on implementation, and reporting on their activities and progress.

## 3.3. Introduction to UN Mechanism

*Signe from IWGIA* began her session by emphasizing that addressing human rights issues is not a quick fix; it requires a coordinated approach that includes grassroots mobilization alongside UN mechanisms. Raising awareness and mobilizing support are essential for applying pressure on governments and driving meaningful change at the UN level. Additionally, it is crucial for Indigenous Peoples' Human Rights Defenders (IPHRDs) to understand the UN mechanisms and how they operate.

She then introduced about The United Nations Charter, established in 1945 after World War II, is the founding treaty of the UN. It outlines the principles, structure, and functions of the organization and serves as the legal framework for its operations.

Various UN bodies play crucial roles in maintaining the international legal order, promoting peace and security, and advancing human rights. These include:

- UN Security Council
- UN General Assembly
- International Court of Justice (ICJ)
- Economic and Social Council (ECOSOC)
- Human Rights Council (HRC), which is particularly significant for indigenous peoples
- UN Secretariat

The UN Charter bodies are essential for promoting international peace, security, and human rights. States must collaborate to implement the principles outlined in the Charter. The Human Rights Commission, supported by the Office of the High Commissioner for Human Rights (OHCHR), assists the HRC in activities such as the Universal Periodic Review (UPR) and supports treaty bodies that monitor the implementation of core human rights treaties. These treaties are legally binding.

**UN Treaty Bodies** are expert and independent entities that monitor the implementation of UN treaties. The Human Rights Committee (HRC) oversees various treaties, including:

- International Covenant on Civil and Political Rights (ICCPR)
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)
- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
- Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT)
- Convention on the Rights of the Child (CRC)
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW)
- Convention on the Rights of Persons with Disabilities (CRPD)

**Key Functions of UN Treaty Bodies** include:

- Reviewing state reports
- Providing feedback and recommendations for improvement
- Issuing detailed recommendations
- Handling inquiries, complaints, early warnings, and urgent action procedures

Treaty bodies typically hold regular sessions two or three times a year, during which state representatives present their reports. The committee reviews these reports, asks questions, and provides recommendations for improvement. IPHRD can use these recommendations or observations to advocate for government implementation.

**Reporting Cycle:**

1. States submit their reports.
2. The committee reviews the reports and provides observations and recommendations.
3. States respond and discuss these recommendations.
4. Civil Society Organizations (CSOs) can engage throughout this cycle by participating in reviews, advocacy, analysis, or submitting separate reports.

**Questions:** What happens if a state ratifies a treaty but fails to fulfill its obligations? There is the possibility of taking the case to the ICJ, particularly in cases such as genocide.

**Significance of UN Treaty Bodies:**

UN treaty bodies offer accountability mechanisms, help develop international law, set global standards, and can be instrumental in shaping national laws to align with international human rights standards.

There are three mechanisms tasked for Indigenous Peoples include *UNPFII*, *Special Rapporteur on the Rights of Indigenous Peoples*, and *Expert Mechanism on the Rights of Indigenous Peoples (EMRIP)*. These mechanisms collectively work to protect and promote the rights of indigenous peoples, ensuring their voices are heard within the UN system and their rights are respected globally. The UNPFII plays a central role, complemented by the efforts of the Special Rapporteur, EMRIP, and the principles enshrined in UNDRIP.

**What is UNPFII?**

The UN Permanent Forum on Indigenous Issues (UNPFII) serves as an advisory body to the Economic and Social Council (ECOSOC), with a mandate to address indigenous issues related to economic and social development, culture, and provide a platform for networking among

indigenous groups from different regions of the world. It facilitates discussions through formal sessions and informal meetings where indigenous representatives can voice their concerns and collaborate on common issues.

In addition to participating in official sessions, indigenous groups often organize side events and caucuses to discuss and strategize on issues. Engaging with various UN agencies, particularly at their headquarters, is crucial for advancing the concerns of indigenous peoples on the ground.

While UNPFII provides a significant platform for raising issues, indigenous representatives must be strategic and proactive to ensure their voices are heard. Although collective efforts often garner more attention, the responsibility remains to address the issues raised and follow up at the country level, where further work may be needed to implement commitments made by UN mechanisms.

The UNPFII comprises 16 independent experts, with 8 nominated by governments and 8 nominated by Indigenous Peoples' Organizations (IPOs) from various regions. Beyond events, UNPFII occasionally reaches out to experts to participate in report submissions and statements.

### **The Expert Mechanism on the Rights of Indigenous Peoples (EMRIP)**

EMRIP is a UN body that provides thematic advice and expertise on indigenous rights to the Human Rights Council through research, studies, and recommendations. It consists of seven independent experts appointed by the Human Rights Council (HRC) based on their competence, experience, indigenous origin, and gender balance.

The mandate of EMRIP includes conducting studies, clarifying key principles such as Free, Prior, and Informed Consent (FPIC), examining good practices and challenges, suggesting measures to states, and facilitating dialogues.

When engaging with UN mechanisms, such as submitting statements or petitions, it is necessary to register in advance. Challenges, such as language barriers during indigenous peoples' events, can impact participation. For instance, the documentation for Cambodia requires more scientific studies to support evidence-based advocacy.

It is crucial for representatives from Asia to collaborate in advance on collective statements to avoid repetition and to strengthen support. To engage with EMRIP, every year they call for inputs on their studies. Attendees can propose areas for study, participate in sessions through the submission of statements and recommendations, or work with member states to facilitate their visits.

### **UN Special Rapporteur on the Rights of Indigenous Peoples (UNSRIP)**

The UN Special Rapporteur on the Rights of Indigenous Peoples is an independent expert appointed by the Human Rights Council to monitor, report on, and advocate for the protection of indigenous peoples' human rights globally. The Special Rapporteur conducts country visits, investigates allegations of rights violations, provides recommendations to governments, and produces thematic reports to raise awareness and guide international efforts in supporting indigenous communities.

How can we use the UNSRIP? Through regional consultations, input to report to GA and HRC, country visit through Academic visit or official visit, or submission of complaints through [spsubissionohchr.org](http://spsubissionohchr.org).

One participant from the Philippines shared her experience that submissions are typically made through an online form, and documents must adhere to specific size limits. Consent from affected communities is required, and submissions should include specific dates and evidence of the incidents. For instance, in 2018, they submitted a case regarding criminalization, and in 2019, they addressed environmental destruction caused by the company OceanaGold. The company responded by denying any violations and claiming adherence to international standards. The Special Rapporteur contacted the Philippine government regarding the incidents, and efforts also involved collaboration with academia and the Church.

The Indigenous Peoples in the Philippines have been used extensive mechanism even beyond the UN Mechanisms related to indigenous peoples. They submitted various statements or complaints or reports through various UN Mechanisms available to voice out their issues and concerns and seeking intervention to address specific issues since 2018, most of them through online platforms. It is important to note that reports should be aligned with the template of each mechanism with specific date, concise, strong evidence about incidents and more importantly the consent from those communities that the case report was written. Those UN mechanisms include UN HOCHR-Philippines Office, UNSR on IP and HRDs,

For submission to the UN Special Rapporteur on the Rights of Indigenous Peoples? Anyone can submit a report to the UN Special Rapporteur on the Rights of Indigenous Peoples, including Indigenous Peoples and their organizations, civil society groups, non-governmental organizations (NGOs), individuals, and even inter-governments. These reports typically involve cases of alleged human rights violations or issues affecting indigenous communities that require the Special Rapporteur's attention and action.

Key and on-going concerns, evidence and proofs, write up /analysis/ interpretation, interim measure taken and outcomes, and provide recommendations that need to be included in to the report submission.

### **Group Work**

The participants were divided in to five group to study about the given cases, Nepal case and the Philippines case and try to put information in the given template for submission.

### **Presentation of Group Work**

It was important to note that due to time limitation, the representative summarized the cases to provide an understanding of the exercise. Although all necessary information is available, more time is needed to extract the data and complete the provided form accurately. For example, while the team selected case number two, there were some missing details, such as the location and the identity of the accusers. However, it is clear that all seven individuals were accused. Although there is extensive information about these cases, some aspects still require clarification.

It is crucial to be specific and avoid generic information. Effective communication involves obtaining consent and engaging in ongoing consultations with the community. While this exercise is time-limited, in real cases on the ground, you will have the opportunity to gather detailed and precise data for the form.

At the end of the session, Guangchun mentioned that the Special Procedures website explains the communication mechanism. At the end of the website, they encourage users to use the online submission form, where you can update and complete your data for submission.

### Day 03: 21 August 2024

**Signe** from IWGIA facilitated the recap session on Day 02. She reflected the previous day was intense, with many challenging topics covered in a short amount of time. To help consolidate the learning, she asked each table to discuss: What have you learnt yesterday? What was the most useful takeaway? And is there something you'd like to explore further? Below are key reflections from the participants:

- Basic human rights include the ability to reason, discern between right and wrong, and bear responsibility for one's actions.
- Human rights concept and other rights that stipulated in laws but we don't know how to use it, both positive and negative rights.
- It was very useful to hear from the Indigenous Peoples in the Philippines that they used various complaint mechanism to submit their statement or incident reports.
- The online submission of complaint mechanism is quite interesting that we should learn more, especially how to collect data to supply to the online forms.
- Business and Human Rights because this fit very well with the Indigenous Peoples as many companies operated in indigenous territories and created lots of negative impacts and still ignore the community demand in Cambodia. Therefore, it is good for Cambodia to bring about our issues to UN Mechanism to be bring our voices out and action for the address those issues.
- In Cambodia, we haven't collected enough information about all our cases at the ground to have adequate data to fill in the complaint mechanism forms needed for voice out the concern and actions by the available mandated UN Mechanisms.
- Case study that was presented, we learn general overview of the case, these reports can guide participants to better write the incidents in their respective country.

## 4. Indigenous Community Protocols

**Gam** began the session by emphasizing that in the current context, Indigenous Peoples shall think and act beyond the confines of state-imposed policies and laws, but creation of their own protocols, laws, or vision documents by themselves. AIPP has collaborated with partners to document Indigenous Community Protocols in Malaysia and Thailand, drawing from two specific experiences. He affirmed that the ICP is a written document outlining community rights and duties. It is based solely on the indigenous customary practices and customary laws, and enforce through indigenous customary institutions, not only the existing institutions, but can be the new ones if deem needed. The purpose of this ICP is to reaffirm sovereign rights, protect lands, territories, and resources, and establish guidelines for the conduct of both community members and external entities. It is designed to evolve through consensus decision-making. This document is not intended to be final; it will continue to change, but any revisions must be collectively decided by the community through a participatory decision-making process. The scope of the ICP is to promote self-governance and ensure that collective decision-making is integral to the vision document, enabling the community to make unified decisions. Everyone's voice counts, and everyone is involved in decisions that protect their

lands, territories, and resources. The document should reconnect the community with its history and identity, helping them stay rooted in their traditions. It aims to guide the community in understanding their history and revitalizing their identity—customary practices and values—by providing evidence of historical rights and occupancy.

In order to have Governance, Management and Care, these need to have the strong Community Participation through ensure mutual protocols for managing community affair and include all members, with specific roles for women, youths, and other sectors. How to govern better to manage and protect internally, rights now we talk more about how to deal with outsiders, but inside, we are not united that make us very fragile. If we have a vision, and we begin to organize, you will know how to deal with outsiders more easily.

To ensure FPIC, what we can do is that we can protocol for granting and denying FPIC in ICP and ensure community authority over external proposals and engagement. So that the community have already their way to granting or denying FPIC.

What kind of vision do we want to achieve? One valuable experience comes from Malaysia in 2022, where we learned about community protocols and the development of collective mechanisms by the communities themselves. They have been working on this for a long time and have gained significant experience. We should consider applying these lessons to develop similar mechanisms in other countries. The key outcome from their efforts is the Indigenous Community Protocols (ICP), which strengthen customary self-governance and the protection of land and territory.

To create a vision driven by the community itself, he began with an exercise where all participants formed a circle, holding hands. In this setup, a woman inside the circle represented the community, while a man outside the circle represented the government official. The scenario involved the government official sending a person to arrest the community representative. The challenge for the community members holding hands was to help the community representative escape and prevent the government official from reaching her. This exercise tested whether the community could successfully protect their representative and block the government's actions. He then asked participants to reflect on the exercise, how do you feel about the exercise? The participants noted that he saw that at the beginning, the team was very strong and very tight. But later on, the team loose and that was why the government official could arrest the community representative at the end. Another participant shared that there was some gaps among the community members, they may lack some analysis on the situation, when the guy coming, they not tied up strong, that was why he managed to get it.

The different was that when the community united, it is not going to be easy, but one that we see often the community is divided. There is a strong solidarity among the community, there has been far more successful in protecting their rights. WE call it Indigenous Community Protocols, practiced at the village level, every community have this protocol that allow community to protect each other.

### **Reflection session**

*Mrs. Sam Oeun* from HA expressed a strong interest in the Indigenous Community Protocols (ICP), seeing it as a crucial tool for their community. HA recognizes the ICP as a significant need, and the introduction highlighted that they have experience working with communities in developing these protocols. However, they require more time to establish a unified protocol for

each community. In Cambodia, oral documentation is used for all protocols, but the introduction of ICP raises questions about its effectiveness. Mrs. Oeun was eager to understand the pros and cons of ICP, including the positive outcomes observed in villages and any negative reactions from government agencies. She seeks to identify key elements that should be included in the ICP to ensure its success and relevance.

**Gam** responded that we cannot write everything in the ICP, but writing down the key points for decision making process. It is written by community based on their customary practices and laws and most importantly enforce through their own customary institutions.

**Frederic** shared insights from Malaysia, noting that communities with Indigenous Community Protocols (ICP) have seen significant improvements in land management and strengthened solidarity. The ICP has made many things possible that were previously unimaginable. While an external consultant can assist in drafting the protocol, it is important to remember that true revitalization of indigenous customary practices can only come from within the community itself.

**Vuthy** observed that in Cambodia, many indigenous communities currently have the by-laws and internal rules that highlight how they manage the land and resources. How can we use this ICP if no recognized by the government?

In response, **Gam** emphasized the importance of not always adhering strictly to government policies that can limit your thinking and obstruct your vision. The Indigenous Community Protocol (ICP) allows you to create your own vision document, independent of whether or not it is officially recognized by the government. It serves as an internal document that unites the community and guides its decision-making processes.

**Gam** highlighted that if the government were to offer rights, it would be important to have a clear internal vision that the community can present. For example, in Thailand, the government is currently asking what is meant by "indigenous community rights." Without any documentation, the community's position would be weak. The case of Hin Lad Nai village in Thailand, have prepared thoroughly, allowing government officials and parliamentarians to visit and see tangible, concrete evidence of their practices, including details about community income. The minister, upon witnessing this, had no objections and expressed a willingness to work towards recognizing these rights in the law.

To elaborate on what **Gam** mentioned, **Ms. Niraporn Chapho** shared the experience of Huai Hin Lad Nai, highlighting the active engagement of youth in customary practices. She explained that even in the past, her parents were actively involved as youth. The community's journey began when they faced challenges, particularly the presence of rangers enforcing national park laws that severely restricted indigenous ways of life and practices. In response, the community began developing their protocol, outlining boundaries and territories, with youth involvement from the very beginning, even though it wasn't systematically documented at first.

One of the key factors that keeps youth in the village committed to their cause and customary practices is the documentation of their Indigenous Community Protocols (ICP). As youth attend school and often lose touch with nature, they can reconnect with their roots by visiting the living vision document of their ICP. This helps them feel proud of their heritage and actively engage in upholding the principles outlined in the protocol. In Karen culture, youth

are considered the strongest actors in the village, making their participation crucial to minimizing the impact of external challenges. With the rapid changes occurring, it's essential to adapt and align the ICP with these evolving challenges and issues.

Another strength of the community lies in its communal fund, which helps retain youth within their home communities. The community imposes a tax on members who conduct business in the villages, such as collecting non-timber forest products (NTFP) or cultivating rice fields. These funds are then used to support and subsidize the members. Moving forward, it's important for the community to ensure that all members are aligned with common goals and remain committed to achieving them. Elders play a vital role in supporting youth by providing guidance and facilitating knowledge transfer. Economically, if individuals can earn a sufficient income within the community, there is little incentive to leave for work elsewhere.

The participant from Nepal learnt that this is very important for our course, he asked if AIPP can provide tools and how to document better.

In response, **Gam** sees the roles of AIPP to facilitate this to happen, while the resource persons to train will be from the community themselves.

To conclude, **Gam** emphasized that the Indigenous Community Protocol (ICP) is a vision document created by the community itself, independent of NGO funding. The community has found ways to sustain itself. Philosophically, Gam highlighted the crucial role of youth that the focus must be on the younger generation—if they are taught to understand and embrace these practices, they will become the backbone of the community. A clear vision is essential; without it, the community cannot effectively nurture its youth or ensure its future. Ultimately, **having a vision and actively working to realize it** is what truly matters.

## 5. Safety and Security of Defenders

**Frederic Wilson** from the AIPP Secretariat shared a draft version of the Safety and Security Policy and Guidelines for IPHRDs. These guidelines cover five key components: the purpose and scope of the policy, safety and security principles, roles and responsibilities, security and safety management, and monitoring incidents and critical incident management. The policy, which applies to AIPP members, networks, and partners involved in IPHRD activities, aims to minimize risks, establish incident management mechanisms, and foster ongoing reflection for continuous improvement.

Furthermore, the policy outlines key principles such as informed consent, shared responsibility, risk acknowledgment, the primacy of life, proportional risk, equitable security, the right to withdraw, and no right to remain. In terms of safety and security management, the approach includes conducting risk analysis and assessment, selecting appropriate security strategies, and implementing mitigation measures through established rules and procedures, proper equipment, training, and awareness initiatives.

Lastly, the policy addresses critical incident monitoring and management, detailing how incidents should be reported, to whom, and through which mechanisms. The Safety and Security Guidelines also encompass context analysis, risk management, security strategies, acceptance measures, risk reduction, and incident management planning.

He then proceeded to present the full content of the safety and security guidelines, covering areas such as context analysis, risk management, security strategies, acceptance measures, risk reduction measures, incident management, incident response measures, and the security plan.

## **Group Work**

Each country was asked to conduct a risk analysis using the RISK ANALYSIS TABLE. This involves identifying key areas such as threats, capacity to respond to these threats, vulnerabilities, and risk reduction measures—both personal and organizational. Additionally, each country should also develop and discuss an action plan.

## **Presentation of Group Work**

Due to time constraints, only the following countries were able to present to the larger group: Malaysia, India, Thailand, Nepal, Indonesia, Myanmar, and the Philippines. For detailed presentations, please refer to Annex 2.

**After the country presentation, Frederic shared the identified risks outlined in the Risk Assessment section, including measures addressing threats such as surveillance, illegal detention, and others. As IPHRDs, once always encouraged to consult the Risk Assessment and Mitigation as mentioned in the guidelines for guidance.**

## **6. Center of Defenders (CoDs)**

*Mr. Gam A. Shimray* introduced the participants about what is the Centre of Defenders (CoDs), highlighting its vision, background, milestones, and strategic approach. He shared with enthusiasm that the CoDs could serve as an inspiration for IPHRDs in the country. However, he also cautioned against the risks of centralization, as this could make the CoDs an easy target by the state, potentially undermining the entire movement.

The roles and responsibilities of the CoDs are to **Create Secured Spaces:** Provide secure environments for IPHRDs to speak openly and exchange ideas, **Document and Address Issues:** Improve documentation of human rights abuses and address the root causes, **Capacity Building:** Institutionalize capacity-building efforts at the national and regional levels that includes indigenous leadership values, **Support Strategies and Tools:** Help focal organizations develop effective strategies and ensure financial sustainability, **Emergency Grants:** Decentralise and provide support for urgent cases through emergency or security funds, **Coordinated Advocacy:** Use evidence-based advocacy at all levels to effect change, **Engagement with Mechanisms:** Support the effective use of international and regional mechanisms, forums, and procedures, **Link with Specialized Organizations:** Connect focal organizations with others to address specific issues, **Country-Level Support:** Create technical support, including training and report preparation, **Inclusion:** Ensure the inclusion of women, persons with disabilities, and other marginalized groups, and **Develop Institutional Mechanisms:** Work with AIPP members and networks to strengthen the overall work of IPHRD.

However, there are some immediate needs to move forward the CoDs. Those include 1-regional and country-level module development, and localizing capacity-building initiatives, 2-trainings and community mobilisation, 3-monitoring and reporting on human rights situations and advocacy, 4-network building and strengthening, 5-capacity building on understanding and implementation of Indigenous Community Protocol and Indigenous Knowledge and Data Sovereignty, 6-improving the regional database and data collection, and 7-fund raising.

**Gam** ended his presentation about CoDs by asking all participants to give feedback and comments on the draft CoDs, especially the vision, roles and responsibilities and immediate actions to be carried out.

## 7- Indigenous Navigator, data by indigenous peoples for Indigenous Peoples.

**Shohel**, AIPP, shared that The Indigenous Navigator is a set of tools for and by Indigenous Peoples to systematically monitor the level of recognition and implementation of their rights. It is a community-based framework for monitoring and guiding IP rights and development. Data by, and for, IPs, monitoring the rights and through advocacy to hold duty-bearers accountable. There are three pillars of IN, sensitization and data collection, advocacy and policy influence and self-determined development. There are two tools for IN, The national questionnaires and the Community Questionnaire for data collection. It is important to note that IPHRDs can use the evidence base data from IN for their advocacy work or providing the data to the IN data base as well. For further study, please follow <https://indigenoustravel.org/>.

The Human Rights Database, an initiative coordinated by the IPHRD Network, compiles data reported by its members. Between 2019 and 2023, the database recorded 871 cases of human rights violations across nine countries: Bangladesh, Cambodia, India, Indonesia, Malaysia, Myanmar, Nepal, the Philippines, and Thailand. However, these figures may not fully represent the actual situation on the ground due to limitations in data collection and reporting. Sohel went through the Excel spreadsheet template on how to fill out the data and ask participants to discuss by country and try to fill up the template. The template is quite simple and easy to fill up.

**Day 04: 22 August 2024**

## 8-The United Nations Guiding Principles on Business and Human Rights (UNGPs), (continue...)

**Matthew** recapped his previous presentation on Business and Human Rights Frameworks, briefly reviewing the four key frameworks: the UN Guiding Principles (UNGPs), the OECD Guidelines, the Equator Principles and the IFC Performance Standards, and Responsible Investment. He then transitioned into a group discussion activity.

## Group Work

To deepen participants' understanding, *Matthew* instructed them to form small groups by table and discuss a case where a business had an impact on human rights. Each group was tasked with examining the following aspects:

- **Type of Business:** Identify the industry or sector involved.
- **Relevant Framework:** Determine which Business and Human Rights (BHR) framework is applicable.
- **Human Rights Impacted:** Specify which human rights were affected.
- **Business Connection:** Analyze how the business was connected to the human rights impacts (whether the business caused, contributed to, or was directly linked to the impacts).
- **Company Actions:** Review any actions the company took to identify, address, and prevent the impacts.
- **Recommended Actions:** Discuss what the company should have done to rectify the issue.

This exercise aimed to provide practical insights into how businesses can align with BHR frameworks and address human rights concerns effectively.

## Presentation of Group Work

### Cambodia

Arinasan, is a mining company from Australia, this company have tried to apply the Business and Human Rights, conducted EIA, Safeguard polices, however, there is an impact to our spiritual foest, they blocked the territories not allowing indigenous peoples to the area, impact to water source by spill over the chemical substance to the water sources, they try to fix something but not to our cultural rights, because they destroy our sacred forest and block indigenous peoples from entering their own land and forest. They set up quota for Indigenous Peoples to be the workers, small grant that community can apply to use it for community development, reforestation, build stock to store their chemical substance, CIWA conducted the study on the impacts, mobilize Indigenous Peoples to raise their needs and concerns, and build capacity to indigenous peoples.

Arinasan, an Australian mining company, has made efforts to integrate Business and Human Rights principles into its operations. The company has conducted Environmental Impact Assessments (EIAs) and implemented safeguard policies. Despite these measures, there have been significant adverse impacts on Indigenous communities and their rights.

Specifically:

- **Spiritual Forest Impact:** The company has blocked access to territories, preventing Indigenous peoples from accessing their sacred forest areas.
- **Water Source Contamination:** Chemical spills have polluted local water sources.
- **Cultural Rights Violation:** The destruction of sacred forests and restriction of access to traditional lands have violated cultural rights.

In response, Arinasan has attempted to address some issues by:

- Setting quotas for Indigenous employment within the company.
- Offering small grants for community development and reforestation projects.
- Establishing storage facilities for chemical substances to mitigate environmental harm.

Additionally, CIWA has conducted studies on the impacts, mobilized Indigenous communities to express their needs and concerns, and built capacity among Indigenous peoples to advocate for their rights and interests.

Despite these efforts, the fundamental issues related to cultural and land rights remain unresolved, highlighting the need for more comprehensive and respectful engagement with Indigenous communities.

### **The Nepal Case**

The situation and impact of the case is relevant to all four frameworks, as it involves significant issues such as impacts on livelihoods, disruption to traditional practices of Indigenous Peoples, forced relocation, and inadequate Free, Prior, and Informed Consent (FPIC).

To conclude the group work presentation, *Matthew* emphasized the importance of understanding human rights standards and thoroughly documenting any violations. He highlighted the need to be clear about your approach to addressing these issues—whether through dialogue and engagement with companies or pursuing legal action. Knowing your options and their potential outcomes is crucial for effectively advocating for human rights.

### **Human Rights Due Diligence and Value Chains**

Human Rights Due Diligence (HRDD) refers to a process that organizations undertake to identify, prevent, mitigate, and account for how they address the impact of their activities on human rights. It is a proactive and continuous effort to ensure that a company or organization respects human rights in its operations, supply chains, and business relationships. HRDD involves four key steps such as 1-Assessing actual and potential impacts – meaningful consultation with affected stakeholders, 2-Integrating and acting upon the findings, 3-Tracking responses, and 4-Communicating how impacts are addressed.

**Firstly, Assessing Actual and Potential Human Rights Impacts:** Businesses should identify and evaluate the risks and impacts on human rights resulting from their activities and business relationships. This process should involve meaningful consultation with affected stakeholders. To maximize the effectiveness of the assessment, it is crucial to thoroughly analyze business relationships, including those within the value chain, through value chain mapping. This approach lays a solid foundation for planning more robust and comprehensive advocacy efforts to prevent human rights violations and to secure remedies when they occur.

**Secondly, Integrating Findings and Taking Action:** Based on the assessment, businesses should integrate the findings into their policies and procedures and take appropriate actions to prevent or mitigate negative impacts.

**Thirdly, Tracking Responses:** Businesses must monitor the effectiveness of their responses to human rights risks and impacts, ensuring that the measures taken are genuinely addressing the identified issues. Tracking should include feedback from affected stakeholders.

**Lastly, Communicating How Human Rights Impacts Are Addressed:** Clear communication on how human rights impacts are managed is essential, especially when concerns are raised by affected stakeholders. This communication should be timely, accessible, and proportional to the significance of the impacts, providing enough information to evaluate the adequacy of the business's response while safeguarding stakeholders, personnel, and

commercial confidentiality. Communication can take various forms, such as in-person meetings, online dialogues, stakeholder consultations, and formal public reports. This version aims to enhance clarity and flow while preserving the original content.

### Group Work

Map the value chain stages/activities and human rights risks/impacts of Rockstar Mining Ltd

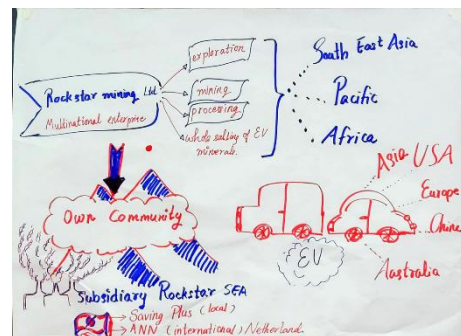
- RockStar Mining Ltd is an Australian multinational enterprise involved in the exploration, mining, processing, and wholesaling of EV minerals. It promotes itself as an international leader in sustainable mining practices. Its website indicates that it upholds a number of international standards. Each year it produce a 100-page corporate social responsibility report with many beautiful photos.
- RockStar Mining has operations throughout South East Asia, the Pacific, and Africa. The company has a mine in your community that is run by its subsidiary, Rockstar SEA Pty Ltd. The operation in your community has been financed by a consortium of one local (SavingsPlus) and one international bank (from the Netherlands, ANN ). It is listed on the Australian Stock Exchange called the ASX.

### Presentation of Group Work

As time limited, only two groups were able to reporting back.

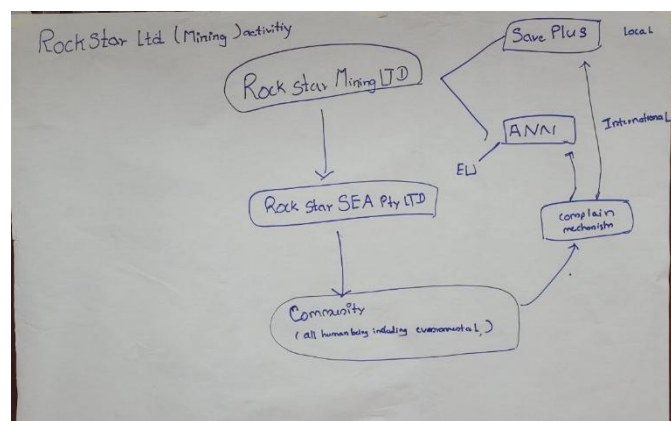
#### Malaysia, Philippines and Indonesia

Rockstar Mining's value chain involves conducting business operations in Southeast Asia, the Pacific, and Africa, focusing on mining activities. The company exports its products to various regions, including Asia, the USA, Europe, China, and Australia. Therefore, their operations impacted to our community through the operation of its subsidiary company.



#### Cambodia presented by Lorang,

There are two main companies: RockStar Mining and its subsidiary, Rockstar SEA Pty Ltd. Therefore, understanding the relationship between the parent company and its subsidiaries is crucial to pressure for advocacy. To implement projects in specific areas, the parent company often sets up subsidiaries, and to acquire more land, they may establish multiple smaller subsidiary companies. When considering remedies, it's important to identify the types of companies and what mechanisms available, such as those available under EU mechanisms or the OECD guidelines. When filing a complaint, it's wise to consider institutions with a strong track record of response and accountability."



Matthew emphasized the importance of due diligence, which involves several key steps: identifying, preventing, and mitigating actual and potential adverse impacts, and being accountable for how these impacts are addressed. He highlighted the need for meaningful engagement with relevant stakeholders or their legitimate representatives during the due diligence process. Meaningful engagement includes interactive processes such as meetings, hearings, or consultations. Relevant stakeholders are those who are affected, or their legitimate representatives. This engagement should be ongoing, two-way, conducted in good faith, and responsive to stakeholder views. It must also be timely, accessible, appropriate, and safe, ensuring that potential barriers to the participation of vulnerable or marginalized stakeholders are removed.

Similarly, Directive (EU) 2024/1760 of the European Parliament and Council on corporate sustainability due diligence that goes beyond the UNGPs and OECD Guidelines on Due Diligence to include also environment sustainability. Meanwhile, the governments of Japan and South Korea in Asia have also enacted their own due diligence acts to enhance the accountability of companies operating from their countries.

### **Group Work**

What does effective strong HRDD look like for you? Particularly, when and how would like to engage? Consider the OECD Due Diligence Guidance Process.

### **Presentation of Group work**

**Indonesia:** Indigenous peoples should conduct assessments as soon as a project proposal is received, rather than waiting until the project is already being implemented. Often, due diligence is only carried out after implementation has begun, which can lead to significant negative impacts. Conducting due diligence during the proposal stage is crucial to avoiding these impacts. Integrating this requirement into laws is essential for ensuring the protection of indigenous communities and their environments.

**Thailand:** The capacity of the community is crucial at the initial stage to effectively gather the necessary information about a project's potential impacts. In Thailand, despite having a national action plan on the UNGP, the government often prioritizes economic development over human or indigenous peoples' rights. Typically, due diligence processes are only carried out after incidents have occurred, resulting in recommendations that are rarely acted upon. However, communities have the potential to conduct due diligence assessments, especially with small-scale businesses.

**NE India:** When human rights activists and community initiatives engage in due diligence, it's essential that they conduct thorough assessments. We need to be involved throughout the entire project process. Companies must engage directly with communities, allowing the community to decide whether or not to participate. For example, in Northeast India, there are 500 micro-dams, yet electricity prices have increased, leaving our communities questioning the benefits. If community members cannot fully engage, any participation will be ineffective. Communication must be in the community's language, ensuring everyone can understand. While we have expertise, we are the only ones who fully grasp the process and long-term impacts, which is why Indigenous Peoples must take the lead. I don't believe corporations should operate in our territories without our consent. If they do, who truly benefits from this engagement? We are not opposed to development, but it must respect our rights.

### **Pillar 3 of UNGPs: Access to Remedy**

Matthew continued his session on the third pillar of the UNGPs, Access to Remedy that is a fundamental human right. Remedies can include apologies, restitution, rehabilitation, financial or non-financial compensation, and punitive sanctions. Access to remedy can be achieved through two types of state-based mechanisms: judicial mechanisms, such as courts and tribunals, and non-judicial mechanisms, like National Human Rights Institutions (NHRIs) and ombudspersons. States have a responsibility to ensure that companies are held liable for damages resulting from intentional or negligent failures to conduct due diligence. When a company is found liable, the affected stakeholders have the right to full compensation for the harm caused.

#### ***Group Work***

Each country is asked to discuss about what are the barriers to accessing justice for through State mechanisms for business-related human rights impact? Consider judicial and non-judicial mechanisms and consider substantive (eg, liability, discrimination) and procedural (eg, cost, access to legal representation) barriers

#### ***Presentations of Group Work***

##### ***Cambodia***

In Cambodia, Indigenous Peoples employed two mechanisms: Alternative Dispute Resolution (ADR) and judicial processes. For instance, a HAGL case where the CAO mechanism was used. However, despite these efforts, we cannot say we have truly accessed justice to this day.

IPHRD still faced numerous barriers, including mental health challenges, spending extensive time on meetings and advocacy, family breakdowns, lack of time to care for the families, food insecurity, and children dropping out of school.,etc. IPHRD also encountered discrimination from outsiders, local authorities, and even some community members. However, through persistent efforts, the CAO mechanism showed some promise—they paid attention, came to the negotiating table, and committed to contributing \$1 million out of the \$3 million requested to affected communities.

Interestingly, using ministries or departments as mechanisms to access remedies presents an intriguing approach. The CAO is a particularly interesting mechanism, though it is a non-state entity. There are various grievance mechanisms available, each offering different pathways to resolution.

##### ***Thailand***

There are several layers of accessing the remedy. Each layer has its own obstacles and barriers. Many cases have been dropped due to language barriers, require more time and resource to do it. Often, IPHRD got lots of warning and threats to ask the them to drop their cases. The process to access to remedy was often so complicated and bureaucratic that cost money and time. In order to access to justice often IPHRD rely on lawyer, NGOs and other supporters that they spent lots of time for meeting with those supporters and engaged in the process, while and not able to do their livelihoods at maximum. Even when they got the verdict or success in access the justice, but often late and slow, comparing to what victim spent on processing the cases. At

the end, if you get the compensation or address, then it is not secure that the violation will not come back.

### ***Indonesia and The Philippines***

Law-makers, state introduce new laws to suppress indigenous peoples or remove indigenous rights from the existing laws, even we have lawyers, but those lawyers cannot accommodate all cases as they have so many cases to work on. The process of data collection was not cheap and easy. Lack of expert, less research about our indigenous peoples and not enough evidence to proof the case. The process of access to remedy was quite long that time and resources has to be spent. Often, some gangsters to intimidate our indigenous peoples that trying to access the remedy.

In conclusion, Matthew noted that accessing remedies through state mechanisms is challenging, making non-judicial platforms helpful at times. Regarding the cost of accessing remedies, in Australia, some law firms offer free legal services and assistance to victims, though this level of support is not guaranteed in every country.

### **Business responsibility to provide effective remedy**

As guideline stated, businesses that cause or contribute to adverse impacts should provide or cooperate in providing remedies through legitimate processes, including the establishment of grievance mechanisms. A grievance mechanism can only be effective if the people it is intended to serve are aware of it, trust it, and can access it. An effective non-judicial grievance mechanism should be legitimate, accessible, predictable, equitable, transparent, rights-compatible, a source of continuous learning, and should prioritize engagement and dialogue.

### **What do OECD National Contact Points do?**

OECD Member Countries are required to establish a National Contact Point (NCP) to promote the OECD Guidelines and address non-judicial complaints. Part II of the OECD Guidelines, known as the 'Procedures,' outlines how NCPs should manage these complaints, formally referred to as 'specific instances.' Through this process, NCPs are expected to facilitate the resolution of disputes between companies adhering to the OECD Guidelines and individuals or communities harmed by the companies' business activities.

OECD Watch suggests NCP complainants consider the complaint process in seven stages include deciding to file, preparing and filing, coordination, initial assessment, mediation, final statement, and follow up. This process can take up to two to three years, it is a streamline process and long time. Any individual, group or organization with an interest in he issues raised can file a complaint, this includes community members, collective movements, workers, NGOs, trade unions or labor unions...etc.

You can file a complaint against companies connected to the harm that either be headquartered or the harm must be occurring in one of the 51 state members of OECD countries. Complaints can be filed before, during, or after alleged harms occur. The results or potential NCP outcomes by agreement can come as company actions to remedy harm and/or to preventing harm. But if no agreement reached, then NCP can say the company breached its guidelines and also use the media to publish the articles, pressure investors...etc.

### ***Group Work***

Each country is asked to discuss about what are the strengths and weaknesses of the OECD NCP grievance mechanism or any non-judicial mechanisms?

### ***Presentations of Group Work***

As no time for presentation of group work, instead, Mathew shared about the strengths and weakness of OECD NCP process. The strengths of the NCP process include its broad coverage of issues and standards, being more cost-effective and quicker than litigation, a less adversarial approach with a focus on dialogue, direct communication with the company during mediation, no need for legal representation, flexible remedy options—even if no agreement is reached, the NCP can still make recommendations to the company—and the incorporation of Human Rights Due Diligence (HRDD) to address negative impacts by companies. The weaknesses of the NCP process include its voluntary and non-binding nature, companies' ability to refuse mediation, a high complaint rejection rate by NCPs, inconsistent performance among NCPs, no guarantee of an agreement between parties—only about 10% of complaints come from civil society—and no assurance of a remedy. For the moment, the Australian NCP is very strong, Dutch NCP is also good, while Japan and South Korea are still very new.

### **Strategic advocacy**

Advocacy is a series of actions designed to influence power-holders (targets) to implement changes that benefit affected stakeholders. An advocacy campaign is a much longer-term series of actions that includes research, planning, acting, monitoring and evaluating.

The advocacy cycle involves identifying the problem, conducting research to gather necessary information and fully understand the issue, planning a strategy to address the problem, taking coordinated action, and finally, monitoring and evaluating the results.

An advocacy plan typically includes setting goals, defining objectives that are Specific, Measurable, Achievable, Realistic, and Time-bound (SMART), outlining activities to achieve these objectives, and identifying indicators to measure progress.

### ***Group Work***

- A company begins clearing your land/forest without warning...
  - What are the causes and effects of this problem?
  - What research do you need to do to learn more?
  - What is your plan for resolving the problem?
  - Who are your allies, neutrals and opponents?
- Think about it in terms of the corporate responsibility to respect human rights and grievance mechanisms

### ***Presentations of Group Work***

#### ***Nepal***

##### Causes

- Has not effectively applied FPIC
- There is no information in mother tongues in Ips
- Pollutions
- The issue of Ips is not accepted as human rights.

##### Effects

- The knowledge of Ips will disappear

- No access to financial resources
- Culture extinction

#### Plan

- Sensitize the Ips
- Organizing and protesting
- File a case in court.
- MoU with the ministry of forestry and the commissions

Finally, Matthew to conclude his session, he expressed his sincere thanks to all participants for actively participated in the sessions and advice he can always be reached if any query, or participants can see and learn at her/his own time through various platforms, especially online resources.

## 9-Regional priorities and upcoming important events of AIPP

Mr. Gam shared about some up-coming events of AIPP secretariate until end of the 2024:

1. **August-September 2024:** AIPP Four Year Program Implementation, from 2021-2024, it is important because this will be used for development of the next AIPP four-year strategy, 2025-2028. So, Gam asked members of AIPP to give sometime to join and participate in the discussion. After September, AIPP consultant will develop its four-year strategy, but at the same, AIPP also plan to develop the sixteen-year strategic direction, we are the movement organization, now we want to have broad strategic direction covering at least sixteen years, AIPP will now follow only two areas as its focuses, that is Land Territories and Resources and Self-Determination. Everything else, will contributing through these two core areas. Based on the sixteen-year strategic direction, we will have four-year strategic plan, 2025-2028. AIPP secretariate may also be re-structured to fit to this sixteen-year strategic plan.
2. **15-20 September:** Global Strategy Meeting of ESCRNET, Chiang Mai. This is also will discuss about global indigenous movement.
3. **21-30 September:** Fund Raising, USA including the fund raising for IPHRDs.
4. **01-04 October:** Environment Conference, Nepal. This will be a lot of discussion on Land, Territories and Resources. Every country will be there.
5. **05-06 October:** Executive Council Meeting of Land & Territorial Rights Platform, Nepal. We need to angle it in the human rights aspects as it is very sensitive and critical issues.
6. **09-13 October:** Reciprocal Lateral Learning on Community of Excellence-Village Governance (COE-VG), Chaing Mai and Chang Rai, Thailand. It is at micro level, how we demonstrate that self-governance that include everything, whether human rights, LTR or self-determination.
7. **15-18 October:** IVAN Learning exchange on colonialism and indigeneity, Chiang Mai.
8. **01-10 November:** Launching of the AIPP School of Participation, Chiang Rai. More importantly, on how self-governance is exercised and effective participation. The LTR and SD will be the core thematic areas of this school. AIPP would like to organize every year at village level because we want everybody to see and feel.
9. **05-08 November:** Regional Consultation of Ips to IFAD, Siem Reap, Cambodia.
10. **12-18 December:** EMRIP Expert Seminar, Chiang Mai.

## 10- Reflection and evaluation

**Mr. Shohel** from AIPP facilitated the final session, inviting participants to reflect on what they learned and enjoyed most during the 2024 exchange learning and training.

The following points were shared by the participants:

- Concept of human rights
- It is great that we have collective vision or in that direction to work for indigenous communities.
- There are many available mechanisms for advocacy
- Learning about how to document human rights violation case and how to submit complaints about human rights violation.
- The importance of the documentation for both academic and advocacy.
- First time traveling to Cambodia, learn a lots on how to collect the fact about human rights violation.
- Protocols that we can protect the indigenous peoples, how we can defend our indigenous peoples.
- It is good majority of participants are new, one way to increase the capacity and those topics are very useful. We were able to deeply discussed about the Business and Human Rights Framework. This can help us a lot in advocacy work.
- Able to see what is the requirements of our nation to do campaign, centralize the data of violation is very important. The data that we have is still limited but good to go back home.
- We learnt a lots from other countries how they intervened on the human rights violations case.
- Many topics provided by resources persons, lots of information that need to be digested and learn more. We should try to learn more and contextualize to be understandable by the community.
- The temple visit was great and amazing, thank to the host.
- Got opportunity to make many friends here. I got to connect with Cambodia friend with disability.

### **Challenges**

- Language barriers for Indonesian participants to follow the subject and discussion.
- Food difference is challenges.
- We need more time to process the discussion, perhaps presentation could send earlier, so that they can read in advance.
- Not able to visit the community due to situation.
- Apologies for any inconvenience happened intentionally and un-intentionally.
- Some of the topics were too high level that lots of participants are difficult to catch up.

### **Recommendation and Suggestions**

- Good if we conduct the meeting and training near the community or in the community areas.
- Go back home and do more homework on the frameworks and use them as needed based on each country context and issues.
- There should share email and contacts among the participants for future communication and contact.
- Focus more on Focus Group Discussion as it will good to learn from each other.

## 11- Planning for next year

**Frederic** coordinated the participants to decide on country to host and thematic areas for the IPHRD Exchange and Training 2025. After the discussion, the Philippines (KATRIBU and CPA) agreed to host the exchange and training next year, as there will have election next year, therefore good to have an alternative country in case we can't make it to the Philippines. Indonesia volunteered as an alternative for the second option.

At the sametime, **thematic areas/focus for IPHRDs Exchange and Training 2025 were discussed below:**

- Digital security training, internet security, data collection and safe storage of data
- Data management is quite challenges, not in the systematic way and visualization of the data.
- Cultural preservation, basic services for Ips
- Land rights
- Leverage protection
- Strengthen the data documentation Centralize the data of IPHRDs and contribute to regional level.
- Session on UPR, a training on report and submission training for the mid-term report, it could help us preparation for UPR 2026
- Session international mechanism and practical training on documentation of the case violation
- Video documentation
- Sharing about the cultural through few minutes video or include in solidarity night. So, that it motivates us, how much attention is given to culture.
- Create data base
- Training the lobby process and advocacy, including allow space for one participant for each country to submit the report a dialogue, so that they can bring the issues out and raise to outside world.

In conclusion, Frederic expressed his sincere thanks to all participants and those who contributed ideas for next year's themes. He also extended his gratitude to the two countries that agreed to host the event next year.

### **Closing Remarks**

#### **Mr. Nun Sokunthea, Cambodia Indigenous Peoples Alliance (CIPA)**

On behalf of the host country, the Cambodia Indigenous Peoples Alliance (CIPA), Mr. Sokunthea expressed that while indigenous institutions in Cambodia have faced significant challenges, they now see this as an opportunity. There are nine Indigenous Peoples' NGOs have been registered with the government. As Indigenous Peoples, we have long struggled, forming our own organizations—a step our elders and ancestors did not take over the past thirty years, during which we have remained marginalized. We have fought for our space but as usual when we advocate and demand our rights, we are often seen as those who oppose the development. However, he was happy to have this exchange a success, even the field work was not possible.

He expressed his gratitude to AIPP as a regional platform and to our brothers and sisters IPHRD. He was very grateful to be part of this process and to contribute to building self-

determination and addressing long-term challenges that we faced. He hopes that this solidarity will continue and be sustained for future generations.

He also apologized for any inconvenience the participants may have experienced before, during, or after this exchange and training, whether intentional or unintentional. He wished the spirits of the indigenous ancestors ensure a safe and smooth journey back home for everyone.

**Mr. Gam A. Shimray. Secretary General of AIPP**

Mr. Gam expressed his gratitude to indigenous brothers and sisters in Cambodia for their tirelessly efforts to build indigenous movement in the country. He saw that the movement here basically start from youth as they don't have many elders who have experience of human rights or movement work to back them up. Gam appreciated what has happening on the indigenous movement in Cambodia and he feel the commitment and spirits are still have with them to have vision to do thing outside of the box.

He observed that the network is expanding and that thinking outside the box is crucial for our survival as human rights defenders. This innovative approach is essential for maintaining a clear vision. Relying solely on state laws and UN mechanisms may not address the specific needs of indigenous peoples effectively. We must explore the relationship between human rights and democracy and understand why we fight for these rights, beyond just addressing rights violations.

To him, a movement represents a call to adventure. Without a sense of adventure, the movement would lack vitality and success. We must be guided by our mission and vision, remaining committed to overcoming challenges, even those that are unknown. While many donors insist on strict adherence to national laws, we aim to change the system rather than merely follow it. Few donors or partners fully understand this perspective, but we are fortunate to have IWGIA, which consistently shares our sense of adventure.

He was personally grateful to Signet from IWGIA for her ongoing support and also DTP has also been instrumental in providing technical assistance and training. He extended his gratitude to all participants for their tireless efforts, collaboration, and learning from each other to create an impact on indigenous peoples. For Cambodia, he learnt that with its inspiring progress, is on a promising path, and he hopes for a strong indigenous movement in Cambodia in the sooner future. He thanked the documenters, interpreters, technicians, and the human rights program team of AIPP for their dedication. He wished everyone a safe and pleasant journey home and a speedy recovery for those who are unwell.

Guangchun appreciated and expressed sincere thanks to Gam for his strong leadership to slow the secretariate down a bit and have clarity on the vision on the indigenous movement work and then move forward faster now. She hopes this will continue. Before closing, Guangchun have some announcements as follow:

- Evaluation online, please participants fill up it and help us to improve for next year.
- The documents will be shared online, but all participants should be careful about digital security.
- Translation equipment, please return to AIPP team.
- Timing of all participants departure, please read carefully and go on time.

---end---

## Annex 1 List of participants

Organized by:		HRCPA						Supported by:		WDA/NL, WDA/PHRD, SIDA, DTP, OSF				
AWP Activity No:								Project Activity No.:						
Sl No.	Full Name of the Participants	IP's Group	Gender	Age Group	Person with Disabilities	Email and Phone Number	Designation and Organization	Country	Date					
									19-Aug-24	20-Aug-24	21-Aug-24	22-Aug-24	23-Aug-24	
1	Nirapom Chapho	Karen	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	nrapomcc@gmail.com	Ministral community youth leader	Thailand						
2	Kisangkrai Cheechuang	Karen	M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	kaep7indy@gmail.com 0955562294	President of CBPT	Thailand						
3	Phnom Thano	Karen	M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	pwproject2@gmail.com	Thai Interpreter	Thailand						
4	Raffly Jeffrey	Rungus	M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	rsandendou@gmail.com +6013 3539248	JOAS	Malaysia						
5	Jackelyn Stans	Dusun	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	lulinstans2099@gmail.com +6013-4090739	PACOS Trust	Malaysia						
6	Jaqueline Johana Kafar	Bak	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	jacquelinekafar@gmail.com +629124837201	Association of defenders of indigenous peoples of the archipelago (PPMAN)	Indonesia						
7	Indri Jaya, S.H., M.H	Talang Mamak - Riau	M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	indrajeka71@gmail.com	Association of defenders of indigenous peoples of the archipelago (PPMAN)	Indonesia						
8	Elizabeth	Chin	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	ela@pointmyanmar.org +95 9451829463 (Signal)	POINT	Myanmar						
9	Naw Aye Chan Wadi	Geba Karen	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	nawayechanwadi0817@gmail.com +95 9792861734 (Signal)	Geba Karen Affair Association (GKAA)	Myanmar						
10	Casselle Ton	Igorot (Kankana-ey)	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	chra.kankanan@protonmail.com +639128953942 (both Whatsapp & Signal)	CPA	Philippines						
11	Marife Macalanda	TUWALI - IFUGAO	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	marifemacalanda@gmail.com Signal username - bambosha8111 52	KATRIBU	Philippines						
12	Premraj Ghising	Tamang	M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	premrghising2014@gmail.com +9779644637702	LAHURNIP	Nepal						
13	Shanta Tamang	Tamang	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	shantamokan2039@gmail.com +9779612344224	LAHURNIP	Nepal						
14	Ratna Rongpigi	KARBI	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	retzrongpigi@gmail.com +919085533826	KARBI HUMAN RIGHTS WATCH (KHRW)	North East India						
15	Anthony Debarma	Borok Tiprasa	M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	notphang@gmail.com +91 877413008	BITPOC	North East India						
16	Eve Jyoti Lakra	Oron	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	lakra.eve09@gmail.com 9534228450	ADVASI WOMEN'S NETWORK	Manland India						
17	Kashmir Toppo	Oron	M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	kashmirtoppo922@gmail.com +91 7751049482, + 918018252934	ANGNA	Manland India						
18	Khadge Bahadur Magar	Magar	M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	khadgasm2017@gmail.com, +977 984-1173881	NIDA	Nepal						
19	Lisara Magar	Magar	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	khadgasm2017@gmail.com, +977 984-1173881	Personal Assistant and Interpreter of Mr Khadge	Nepal						
20	Lut Sang	Bunong	M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability		Lawyer	Cambodia						
21	Phloek Phymom	Bunong	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability			Cambodia						
22	Klan Tang	Jara	M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability			Cambodia						
23	Sam Oun Louan	Jara	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability			Cambodia						
24	Hang SaPhen	Kul	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability			Cambodia						
25	Nhoh Roen	Tompon	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability			Cambodia						
26	Yun Loring	Bunong	M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability			Cambodia						
AIPP Secretariat														
27	Gan A. Shimray	Naga	M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	gan@aippnet.org	AIPP	NorthEast India						

26	Guangchunlu Gangmai	Naga	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	guangchunlu@appnet.org	AIPP	NorthEast India	<i>Gu</i>	<i>Gu</i>	<i>Gu</i>	<i>Gu</i>	<i>Gu</i>
29	Frederic Wilson	Dusun Puh	M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	frederic@appnet.org	AIPP	Malaysia	<i>FW</i>	<i>FW</i>	<i>FW</i>	<i>FW</i>	<i>FW</i>
30	Shohal Chandra Hajong	Hanjong	M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	shohal@appnet.org	AIPP	Bangladesh	<i>SH</i>	<i>SH</i>	<i>SH</i>	<i>SH</i>	<i>SH</i>
31	Yanee Anhtyem	Karan	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	yanee@appnet.org	AIPP	Thailand	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>
Host: IRAM, CIWA, CIPO, CIPIA, Cambodia													
32	Yun Mene	Bunong	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	yunmenea@gmail.com	CIPO	Cambodia	<i>YM</i>	<i>YM</i>	<i>YM</i>	<i>YM</i>	<i>YM</i>
33	Koem Bunhieng	Kul	M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability		CIPO	Cambodia	<i>KB</i>	<i>KB</i>	<i>KB</i>	<i>KB</i>	<i>KB</i>
34	Chouen Sreymom	Bunong	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability		CIWA	Cambodia	<i>CS</i>	<i>CS</i>	<i>CS</i>	<i>CS</i>	<i>CS</i>
35	Le Sorha	Bunong	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability		CIWA	Cambodia	<i>LS</i>	<i>LS</i>	<i>LS</i>	<i>LS</i>	<i>LS</i>
36	Sokunthea Nun	Kreung	M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	nun.sokunthea@gmail.com	CIYA	Cambodia	<i>SN</i>	<i>SN</i>	<i>SN</i>	<i>SN</i>	<i>SN</i>
37	Roth Leakhena	Kul	M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability		CIYA	Cambodia	<i>RL</i>	<i>RL</i>	<i>RL</i>	<i>RL</i>	<i>RL</i>
38	Somouen Vuthy	Pras	M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	vuthysomounp@gmail.com	IRAM	Cambodia	<i>SV</i>	<i>SV</i>	<i>SV</i>	<i>SV</i>	<i>SV</i>
39	Kan Sarth	Jasi	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability		IRAM	Cambodia	<i>KS</i>	<i>KS</i>	<i>KS</i>	<i>KS</i>	<i>KS</i>
40	Sompoy Chanaphoa	Kreung	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	chanaphoa102@gmail.com	CIPIA	Cambodia	<i>SC</i>	<i>SC</i>	<i>SC</i>	<i>SC</i>	<i>SC</i>
41	Sarem Rim	Kul	M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability		CIPIA (Khymer Interpreter)	Cambodia	<i>SR</i>	<i>SR</i>	<i>SR</i>	<i>SR</i>	<i>SR</i>
42	Hean Bunhieng	Kul	M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability		Kul Hai (Documentor)	Cambodia	<i>HB</i>	<i>HB</i>	<i>HB</i>	<i>HB</i>	<i>HB</i>
43	M: Kong Mom	Kul	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	mom.kong@opocambodia.org	CIPO	Cambodia	<i>KM</i>	<i>KM</i>	<i>KM</i>	<i>KM</i>	<i>KM</i>
44	Ms. Nan Mara	Kreung	F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability		CIPO	Cambodia	<i>NM</i>	<i>NM</i>	<i>NM</i>	<i>NM</i>	<i>NM</i>
Resource Person													
45	Matthew Coghlan		M	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	matthew_coghlan@yahoo.com.au	Resource Person	Australia	<i>MC</i>	<i>MPC</i>	<i>MPC</i>	<i>MPC</i>	<i>MPC</i>
Donor													
46	Signe Leth		F	<input type="checkbox"/> < 18 Yrs <input type="checkbox"/> 18 - 35 Yrs <input type="checkbox"/> 35 - 60 Yrs <input type="checkbox"/> > 60 Years	<input type="checkbox"/> Seeing <input type="checkbox"/> Hearing <input type="checkbox"/> Walking <input type="checkbox"/> No Disability	sl@iwgia.org	IWGIA	Denmark	<i>SL</i>	<i>SL</i>	<i>SL</i>	<i>SL</i>	<i>SL</i>

Summary:	Summary:	Women	Women with Disability	Men	Men with Disability	Other	Other with Disability	Total Participants
	< 18 Yrs	-	-	-	-	-	-	-
	18 - 35 Yrs	14	-	6	-	-	-	20
	35 - 60 Yrs	11	-	13	2	-	-	26
	> 60 Yrs	-	-	-	-	-	-	-
	Total	25	-	19	2	-	-	46

## Annex 2: Risk Analysis Table

Malaysia, India, Thailand, Nepal, Indonesia, Myanmar, and the Philippines. For the detail presentations, please find the annex 2.

### *India (Mainland and NE India)*

Risk Assessment			Risk Reduction measures Increasing Capacity and Reduction Vulnerability	
Threat	Capacity	Vulnerability	Personal Measurement	Organizational Measures
Vigilance, Surveillance	Knowing Laws and Procedure	<ul style="list-style-type: none"> <li>• Privacy being exposed.</li> <li>• Problem for oneself and family.</li> </ul>	Blinding Activities. <ul style="list-style-type: none"> <li>• Keep oneself alert</li> <li>• Document and record of every vigilance.</li> <li>• Disseminating information to organizations and others</li> </ul>	<ul style="list-style-type: none"> <li>• Monitoring and documenting, date time and places.</li> <li>• Disseminating information with other network, Use different of communication</li> </ul>
Arbitrary Arrest	Capacity to confront the violators	Harassment and listed in Criminal Data Base	<ul style="list-style-type: none"> <li>• Not sharing into social media.</li> <li>• To have code word of communication.</li> <li>• Strategical Movement.</li> <li>• Do not use your own mobile for movement and rights but separate mobile.</li> </ul>	<ul style="list-style-type: none"> <li>• Building Networks</li> <li>• Writing urgent alert</li> <li>• Organizing mass peoples</li> </ul>
Police Someone Notice	Knowing Laws and Procedures	Harassment and Defamation		<ul style="list-style-type: none"> <li>• Submission of memorandum</li> </ul>
Frequent changes in the policies and Laws	Keep updated about the new amendment in the existing laws	Confusion and Clueless		

False Charges or allegations and Illegal Detention	Strong Communication Skills	Red Tagging and Harassment		
Overlapping laws and By laws	Implementation of Policies	Misguided		<ul style="list-style-type: none"> <li>• Documented copy should keep in law profile.</li> <li>• Monitoring with all IPs organization.</li> <li>• Monitoring our daily work.</li> <li>• Organizations to keep vigilance of movement of government security forces.</li> </ul>
Developmental Projects	<ul style="list-style-type: none"> <li>• Use of International and National Mechanism</li> <li>• Good relationship with the community leaders and other institutions</li> <li>• Solidarity among the communities</li> </ul>	Exposed to Exploitation		

Threat	Capacity	Vulnerability	Risk Reduction measures (increases capacity & reduce vulnerability)	
			Personal	Organizational measures
<b>Thailand</b>				
Visit by the authority in front of our house or making a call to our relative to intimidate	Adopt CAT law that prevent tutoring	Using social media to threaten IPHRDs Overwhelm because they are also.	Alliance and network at national level, CIPT allocated one Human Rights Taks force.	Train IPHRD to Put CCTV for IPHRD IPHRD fund, use media and network to support IPHRD in risks.
<b>Nepal</b>				
<ul style="list-style-type: none"> <li>• Antidevelopment Agent</li> <li>• Agent of NGO and INGO</li> <li>• Racist Activist</li> <li>• Criminalization</li> </ul>	<ul style="list-style-type: none"> <li>• 94 IPHRDs</li> <li>• Legal Org (LAHURNIP)</li> <li>• Indigenous community</li> <li>• IPs Org</li> <li>• Nation Human Rights Commission</li> <li>• Indigenous Commission</li> <li>• Knowledge of international law</li> </ul>	<ul style="list-style-type: none"> <li>• IPHRD are few in number</li> <li>• Lack of resources for capacity development</li> <li>• Replacing indigenous knowledge with modern development technology</li> <li>• Inability to transfer knowledge</li> <li>• Unable and unwilling to empower the youth in this campaign</li> <li>• Politicization in IPs organization</li> </ul>	<ul style="list-style-type: none"> <li>• Training for personal competence</li> <li>• Increase in number of IPHRDs</li> <li>• Participation of Indigenous peoples based on legitimacy and diversity</li> </ul>	<ul style="list-style-type: none"> <li>• Training seminar for Institutional capacity building</li> <li>• Transfer of leadership</li> <li>• End to the politicization of organization</li> </ul>
<b>Localisation plan</b>				
<ul style="list-style-type: none"> <li>• Formulate new laws based on UNDRIP</li> <li>• To empower the youth</li> <li>• Empowering the media</li> <li>• Interacting with commissions</li> <li>• Conduct training session</li> </ul>				

<ul style="list-style-type: none"> <li>Expand the network</li> </ul>				
<b>Indonesia</b>				
Intimidation and Criminalize charge	Networking, legal team	Try become IPHRDs, against the development in the country that affect them.	Going to conflict area, avoid to expose anything for safety, not sharing information on social media	Seeking help from organizations that has strong capacity, doing advocacy to stakeholders.
<b>Myanmar</b>				
Militarization, increase check points all over the country, cut off the communication, military operation in community area,	Peoples by the peoples, to receive the information about human rights violation	No support from outsiders	Keep information confidentiality, don't post information on social media, resonse to provide support.	Localization plan: working more and more with community members, provide digital security to communities, training and provide financial support to IPHRDs.
<b>The Philippines</b>				
1. Threat, Harassment & Intimidation: Surveillance, red tagging & criminalization	<p>There are orgs/networks that are helping but w/ limited capacity in terms of campaign, mental/well being, physical &amp; financial &amp; other resources,</p> <p>There are individuals who can deal well with the stress and pressure of the threats, but there are also individuals who can't deal with the pressure</p>	<p>Use of communication gadgets: using mobile phones even inside the safe houses (sanctuary); using old phones that might be compromised; not conscious on what to post in the social media; using only 1 phone for all communications; sim registration that exposes the personal data of the individual</p> <p>Travels: Same routes, use of public transportation to include riding and getting off at the public transport terminals, travelling alone.</p> <p>Places visited: meeting in public places, staying in unsecured</p>	<p>Mobile sanctuary - not staying in one house for a long period of time.</p> <p>Implementation of digital security policies: mobile phone turned off when in meeting and in the safe house; not posting sensitive information in social media; using VPN/flight mode; not exposing location; separate mobile phone for social media and other communication apps linked to the individual's profile from communications used for signal, telegram, protonmail.</p> <p>Regular report on new incidents of THIs and other</p>	<p>Securing the safety of the individuals</p> <p>Training on digital security</p> <p>Regular assessment of security (individuals and org)</p> <p>submission of complaints to relevant human rights institutions, launching of urgent alerts</p>

		houses, going to communities that are under attack  Meeting with individuals/organizations who are also under attack and doing a high profile work	forms of HRVs to organizations and networks relevant to HR  Orientation of family members on how to deal with the situation, use of signal for communication, how to answer the police or intelligence agents that will talk to them	
2. Freezing of bank accounts of organizations and individuals under threat	Low capacity and knowledge on the laws and policies on this.	Terror tagging against the organization and its officers  Individuals and org's profiles were exposed (ex. during relief operations/campaigns at a time of disasters, the bank/Gcash accounts were posted in social media)	Be cautious on joint accounts and communications (information being shared)  Protection of data of the individual and organization	Conduct discussions to understand the laws on Anti-Money Laundering and the Terrorist Financing Prevention and Suppression Act  Re-organization of the BODs of the organizations facing threat; Seeking legal advise
<p>Localization of action plan</p> <p>1. Threat, Harassment &amp; Intimidation: Surveillance, red tagging &amp; criminalization: We will engage in regular monitoring and documentation of incidents, immediately report any new incidents, submit a Writ of Amparo to the Supreme Court, and file an online report with the UNSRIP, following up on our previous submission during the consultation. Additionally, we will regularly assess the security situation, request court clearances to verify if any cases have been filed against us, collaborate closely with national human rights networks, and educate the broader public on human rights.</p> <p>2. Freezing of bank accounts of organizations and individuals under threat: We will develop a critical paper on the Anti-Money Laundering Council (AMLC), share insights with other CSOs who have experienced the freezing of their bank accounts, prepare the necessary legal documents in both printed and electronic formats, regularly monitor red-tagging of individuals and organizations, and launch a national campaign linked to the Anti-Terrorism Act.</p>				

### *Malaysia*

If you suspect that you're being spied on or exposed, report it to the authorities immediately and take steps to protect your identity. We are vulnerable because we possess critical information about the ruling party. Do not leave personal information in your car or on your phone. As an organization, we must establish a secure database for storing sensitive data.

Plan: We will brief all allies on the confidential information they are responsible for safeguarding. Do not post any information related to your work on social media or through WhatsApp."