

[New regional report highlights risks for land rights defenders working on business violations in Americas; Commission President calls situation 'a total disgrace'](#)

20.10.2015



[Download the new report here!](#)

Lire cet article en Français [ici](#)

Leya este artículo en español [aquí](#)

(Washington D.C) - The President of the Inter-American Commission on Human Rights (IACHR) has labelled as 'a total disgrace' the failure of States in the Americas to adequately protect defenders of rights to land, territory and environment, after hearing the testimony of defenders representing a coalition of 39 organisations, at a landmark hearing in Washington D.C. yesterday.

The coalition, of which ISHR was a convening member, also launched a [new report](#), covering 17 countries, which documents the specific and additional risks faced by human rights defenders working on issues related to business. The President noted that the protection of this group of defenders is a priority for the IACHR, although she acknowledged that a continued lack of resources deeply undermines the IACHR's ability to respond adequately.

Key points

- Major new report, compiled by 39 organisations covering 17 countries, documents elevated risks face by those advocating for land, territory and environment rights in the Americas, with defenders subject to criminalisation, surveillance, kidnap and even murder by both State and business actors.
- President of Inter-American Commission labels failure of governments to adequately protect defenders or to ensure accountability and an end to impunity for attacks against them a 'total disgrace'
- Report sets out over 40 recommendations to States, business enterprises and other actors to prevent criminalisation and attacks against defenders and ensure a safe and enabling environment for their vital work to promote corporate accountability, sustainable development and human rights.

The coalition of national, regional and international organisations working across the Americas had requested the first-ever dedicated hearing to highlight the role of businesses in violations against defenders working on the rights of the land, territory and the environment, whilst the new report contains recommendations directed to the IACHR, States, businesses and international human rights mechanisms.

'Through our analysis as a broad coalition we were able to present the Commission with evidence of a pattern of attacks against defenders of the rights of land, territory and the environment across the Americas, with examples of clear collusion between businesses, the State and even organised crime groups aimed at silencing defenders,' said Ben Leather of the International Service for Human Rights.

Opening the hearing on behalf of the Coalition, Maria José Veramendi of the Inter American Association for the Defence of the Environment (AIDA) noted that defenders of the rights of land, territory and the environment are at greater risk than other groups of defenders. Citing the work of Global Witness, Ms Veramendi noted that in the span of a decade - between 2002 and 2013 - at least 760 land and environment defenders were murdered.

'The environment in which these defenders work is one of deep-seated impunity, which simply encourages further threats and attacks against defenders,' said ISHR's Eleanor Openshaw.

Ms Veramendi highlighted that this impunity is particularly acute where the presence of the State is weak and yet businesses are free to operate. These are the very contexts in which defenders protect the lands and livelihoods of their families and community members. Particular tactics are employed to further undermine their work, including the stigmatisation of defenders as opponents of economic development, or as terrorists, all of which adversely affects their ability to seek justice and leaves them more vulnerable to further attacks and restrictions.

One tactic which is clearly documented in the report is that of the criminalisation of defenders through restrictive or vaguely worded laws being applied arbitrarily against them.

Danilo Chammas of Justiça nos Trilhos spoke of criminalisation at the hands of Vale S.A. in Brazil, where four members of the rural communities of Buriticupu in the north of the country were taken to court by the company for protesting the destruction caused by the passage of company vehicles through their territories. In addition, he highlighted how the company had used a surveillance system to monitor individual defenders and social organisations. The system, said Mr Chammas, functioned with the knowledge of the Brazilian State, using private security agents who previously had operated during the military dictatorship.

Maria Isabel Jiménez of the Asamblea Popular del Pueblo Juchiteco (APPJ) noted that criminalisation was commonly directed against indigenous leaders and those involved in demanding respect for the right of free, prior and informed consent for communities affected by proposed economic development projects. Making this demand of the State and of the company behind the wind farm project in Mexico had left Ms Jiménez, together with her colleagues and family, facing death threats and physical attacks in a divided community.

Isabel Zuleta, from Movimiento dos Ríos, said that in Colombia powerful interests that once gained from the war are now gaining from land exploitation, and that without changes to the current 'capitalist model', the destruction of the environment will continue and, with them, threats and attacks against those who defend it across the region.

In its recommendations, the coalition called upon the Commission to integrate a focus on this group of defenders across its work, whilst defining - with civil society - better protection measures to meet their particular needs, and particularly communities and collectives of defenders. The coalition also called upon the Commission to convene a meeting to bring together defenders and corporations to discuss the responsibilities of business towards ensuring a safe and enabling environment for defenders.

The panelists spoke of the threats and attacks they and their colleagues had experienced personally. Ms Zuleta spoke of a series of threats against her and in particular she highlighted an attempted kidnap against her and her colleagues. They had made a formal complaint against those they consider responsible, she said, yet no investigation has been started in regard to the events. A strong call was made to the IACHR about the need for defenders testifying at the Commission to be protected from reprisals.

Responding to the testimonies provided to the IACHR during the hearing, the President noted that the hearing had shone light on the 'breadth and depth' of the problem faced by defenders of the rights of land, territory and the environment across the region, noting that there exists 'a clear pattern of persecution' across the region. The President was clear about the limited funds available to the Commission, which have led to the

delay of the establishment of a long awaited Special Rapporteur on Economic, Social and Cultural Rights.

For more information contact Eleanor Openshaw in New York (e.openshaw@ishr.ch) or Ben Leather in Geneva (b.leather@ishr.ch)

The hearing was combined with another, lead by International Institute for Law and Society together with indigenous authorities, which highlighted many of the same patterns of threats and attacks.

The organisations comprising the coalition and who contributed to the hearing and accompanying report are:

Asociación Interamericana para la Defensa del Ambiente (AIDA), Amazon Watch, la Asamblea de los Pueblos del Sur, Asociación Pro Derechos Humanos (APRODEH), Asamblea de los Pueblos Indígenas del Istmo de Tehuantepec en Defensa de la Tierra y el Territorio (APIITDIT), Association for Women's Rights in Development (AWID), Colectivo de Abogados José Alvear Restrepo (CAJAR), Centro por la Justicia y el Derecho Internacional (CEJIL), Centro de Derechos Humanos de la Montaña 'Tlachinollan', Centro de Derechos Humanos de las Mujeres Chihuahua, Centro Mexicano del Derecho Ambiental (CEMDA), Centro Nicaraguense de Derechos Humanos (CENIDH), Comisión Ecuménica de Derechos Humanos (CEDHU), Comisión Mexicana para la Defensa y la Promoción de los Derechos Humanos (CMDPDH), Comité de Familiares de Detenidos y Desaparecidos en Honduras (COFADEH), Comunidad de Derechos Humanos Bolivia, Conectas Direitos Humanos, Comisión Colombiana de Juristas, Derecho, Ambiente y Recursos Naturales (DAR), Due Process of Law Foundation (DPLF), Federación Internacional de Derechos Humanos (FIDH), Fondo de Acción Urgente de América Latina y el Caribe (FAU-AL), Forum Suape, Global Witness, Iniciativa Mesoamericana de Mujeres Defensoras de Derechos Humanos, International Service for Human Rights (ISHR), JASS por Asociadas por lo Justo (JASS), Justiça Global, Justiça nos Trilhos, Laboratorio de Paz, Movilización de Mujeres Afrodescendientes del Norte del Cauca por el Cuidado de la Vida en los Territorios Ancestrales, Peace Brigades International (PBI), Plataforma Internacional Contra la Impunidad, Proceso de Comunidades Negras en Colombia PCN, Proyecto de Derechos Económicos Sociales y Culturales (ProDESC), Robert F. Kennedy Human Rights, Terra Mater, La Unidad de Protección a Defensores y Defensoras Guatemala (UDEFEFUGA), y Unión Nacional de Instituciones para el Trabajo de Acción Social (UNITAS).