



## **USING LEVERAGE TO FORGE LEADERSHIP: INDIGENOUS PEOPLES' RIGHTS IN BUSINESS OPERATIONS**

**15 November 2016, 15.00-16.20**

*Session co-organized by Asia Indigenous Peoples Pact (AIPP), Forest Peoples Programme (FPP), International Work Group on Indigenous Affairs (IWGIA), Tebtebba and Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP)*

Though indigenous peoples' relationships with States and businesses have mostly been confrontational, there are many instances where these groups have engaged constructively. Indigenous peoples, together with support organisations, have played a leading role in making States protect and businesses respect human rights. That requires strong direct actions in the ground and engagements with national legal system and with regional and international bodies and investors and financial institutions. In this context, the session will have representatives of indigenous communities and institutions engaging with them share the experiences how indigenous peoples have shown leadership and wielded leverage for advancing human rights towards realization of the ends of the UN Guiding Principles on Business and Human Rights.

**Opening Remarks:** Pavel Sulyandziga, Chair of UN Working Group on Business and Human Rights

**Moderator:** Joan Carling, Secretary General, Asia Indigenous Peoples Pact

### **Speakers:**

1. Hector Jaime Vinasco, Resguardo Cañamomo Lomaprieta, Colombia
2. Jannie Lasimbang, Indigenous Peoples Network of Malaysia (JOAS), Malaysia
3. Johnson Olekaunga, IMPACT, Kenya
4. Varvara Korkina, Indigenous rights activist, Russia; Program Coordinator, ARCTICenter, University of Northern Iowa, USA

## **Brief profile of speakers**

- 1. Hector Jaime Vinasco**, member of the Governing Council of the Resguardo Cañamomo Lomapieta in Colombia, will share the struggles of the Resguardo (indigenous reserve) to defend its collective rights, its territorial integrity, autonomy, authority and the exercise of self-governance, as well as discussing disputes over the government's grant of mining exploration titles on Resguardo lands. The community has invoked national and international laws to defend its rights, has engaged in social movements and continues strengthening its internal governance, including through internal mining and environmental regulations and a reforestation plan, among many other actions.
- 2. Jannie Lasimbang** from Sabah is the Secretary-General of Indigenous Peoples Network of Malaysia (JOAS). Though guaranteed Native Customary Land Rights, indigenous peoples are struggling for their rights against widespread palm oil plantations in Malaysia. They have undertaken direct actions and strategic litigations in national courts as well as engaged significantly with government and business agencies, National Human Rights Institution (SUHAKAM) as well as multi-stakeholder initiatives such as Roundtable on Sustainable Palm Oil (RSPO) to assert their rights.
- 3. Johnson Olekaunga** works with IMPACT. They have been involved in monitoring the impacts on indigenous rights of the Lake Turkana Wind Mill Power Project in northern Kenya, which is the largest private investment in the country's history at around EUR 625 million. Advocacy for rights in course of the Project, which will earn carbon credits worth EUR 10 million per year, has gone from the World Bank to publicly owned investment funds in Norway and Denmark and currently pending at a Kenyan court.
- 4. Varvara Korkina**, an Indigenous rights expert from Russia with the ARCTICenter, University of Northern Iowa, USA will present how Arctic Indigenous peoples and businesses have been developing frameworks of relationships, which are more just, equitable and sustainable. Although in North America Indigenous peoples were able to assert and leverage their rights by first working with governments and then with businesses, in the Russian Arctic the outcomes of the struggle to establish equitable relationships with resource companies are still uncertain. Under institutional arrangements, such as the Alaska Native Claims Settlement Act and comprehensive land claim agreements in Canada, where indigenous rights holders have a strong voice, businesses are committing to invest in local communities. Although not perfect, this system has a potential to move communities away from colonial path-dependency towards more empowerment and prosperity.