

Land and environmental rights defenders in danger: an overview of recent cases



a joint programme
OMCT **fidh**
The Observatory
for the Protection
of Human Rights Defenders



What is a human rights defender?

The term “human rights defenders” refers to women and men, who, individually or in association with others, act for the promotion and protection of others’ universally recognised human rights and fundamental freedoms, in conformity with universal and international human rights instruments.

It encompasses both professional and non-professional individuals, groups and associations, who advocate for civil and political rights as well as economic, social and cultural rights.

They are identified above all by what they do and some of the contexts in which they act.

The United Nations Declaration on Human Rights Defenders provides support and protection to human rights defenders in the context of their work, outline some specific duties of States and the responsibilities of everyone with regard to defending human rights. Article 1 states: “*everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels*”. However, human rights defenders often face criminalization, abuses, harassment, arbitrary arrest and detention, threats, violent attacks endangering their lives as well as obstacles in the course of their work.

Land and environmental rights defenders form an heterogeneous group working in a broad range of peaceful activities, pointing out in particular adverse impact of investment projects, defending the right to live in a healthy environment, protecting natural resources and the livelihood of their communities. These defenders have been under surveillance, attacked, harassed or otherwise threatened, and in some cases killed and in a climate of impunity. This has especially affected those who defend vulnerable or marginalised communities, such as indigenous peoples in their defence of land rights or natural resources, as well as journalists, lawyers, NGO representatives and community leaders themselves. Land and environmental rights defenders have also been charged with unfounded offences when they have campaigned against extractive industries or the expansion of monoculture plantations on their land, or defended their right to be consulted before a government grants a concession for exploration or extraction of natural resources. In the area of business and human rights, human rights defenders play a critical role in exposing and ensuring accountability for business-related human rights violations.

The risks that these defenders face come from government forces, as well as non-State actors, such as corporations, and members of organised crimes or terrorist groups. Its relevance has been pointed out by the United Nations Special Rapporteur on the Situation of Human Rights Defenders (A/HRC/19/55): “*[they] are particularly disadvantaged due to the often limited knowledge they have about their rights and lack of information on how to claim them, scarce resources and weak organizational capacity.*” When it comes to the danger of being killed, land and environmental rights defenders are the second most vulnerable group (A/HRC/4/37). The Working Group on

the Issue of Human Rights and Transnational Corporations and Other Business Enterprises has also highlighted the responsibility of States to protect human rights defenders working on corporate accountability, and the need for appropriate consultation with human rights defenders by businesses, including when conducting human rights impact assessments.

Why are land and environmental rights defenders particularly vulnerable?

As competition for land and access to resources is accelerating at the global level, the economic development of many countries is based on the exploitation of natural resources meant to be exported to sustain economic activities in other parts of the world. Economic growth has also triggered an increase in the demand for energy and several mega-projects are developing throughout the world. Such projects implemented by State-owned enterprises or private multinational corporations, backed by important financial institutions, exacerbate the tensions between populations and the economic operators who are often supported by States and are often criticised for their harmful effects on the environment and the enjoyment of human rights.

Whereas economic, social and cultural rights have gained formal recognition at the international level with the adoption in particular of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR), in many countries, defenders of economic, social and cultural rights who challenge powerful economic interests and whose efforts often intersect negatively with both State and corporate activities, are perceived as a threat and find themselves not only vulnerable to abuses by State interests but also the interests of powerful economic actors.

“Human rights defenders working on behalf of communities affected by large-scale development projects are increasingly being branded ‘anti-government’, ‘against development’ or even ‘enemies of the State’”, warned UN Special Rapporteur Margaret Sekaggya in her last report to the UN General Assembly¹.

In many countries, conflicts on resources have given rise to protest and social movements in favour, among others, of indigenous peoples’ rights, the right to land, the right to a healthy/safe environment or the respect for labour rights. Such protests are a channel for denouncing human rights abuses and violations to which the State too often responds by stigmatisation, repression or criminalisation.

This compilation of cases provides an overview, although far from comprehensive, of the situation of land and environmental rights defenders in danger in 2013

1. See UN Special Rapporteur Margaret Sekaggya Press Release, October 29, 2013.

EUROPE

Russian Federation: 30 Greenpeace activists, the “**Arctic 30**”, were arrested on September 19, 2013. They were peacefully demonstrating at Gazprom’s oil rig to call attention to the threat of oil drilling and climate change, when armed Russian guards arrested them on the Greenpeace ship “Arctic Sunrise”. They were held and interrogated at detention centres. Currently, they are being prosecuted for hooliganism and they face up to seven years in prison for trying to intervene against environmental degradation. 29 out of the 30 were released on bail, after more than two months of detention. Many of them, including foreigners, are banned from leaving the Russian territory. For more information: <http://www.fidh.org/en/eastern-europe-central-asia/russia/russian-federation-release-environmental-activists-now> ; <http://www.greenpeace.org/international/en/campaigns/climate-change/arctic-impacts/Peace-Dove/Arctic-30/>

Russian Federation: In January 2013, Mr. **Alexey Kozlov**, environmentalist and Head of the Foundation “For Ecological and Social Justice” (EKOSOCIS), received a phone call from an unknown individual who warned him “not to take the situation carelessly” since “the threats [were] real enough”. In 2012, he reported to the police similar threats from the same telephone number and person, but it is still unclear whether an investigation was opened into the matter.

For more information: <http://www.omct.org/human-rights-defenders/urgent-interventions/russia/2013/01/d22119/>

AMERICAS

Colombia: Leaders of the communities in the mining areas of **Curbaradó, Jiguamiandó, Bajo Atrato** and their collaborators from the Inter-Church Commission for Justice and Peace (Comisión Intereclesial de Justicia y Paz - CIJP), continue to be victims of threats, aggressions, defamation and intimidations from neo-paramilitaries in Urabá region. For instance, on February 15, 2013, three shots were fired at the car of Father **Alberto Franco**, Executive Secretary of the CIJP). This came after he made public statements regarding the role of officials of the Government of former President Álvaro Uribe in impeding the restitution of lands and collective farms in the communities of Curvaradó y Jiguamiandó. Also, Mr. **Guillermo Diaz**, one of the leaders of the region, survived two murder attempts in 2013, which resulted in his temporary exile from the area.

For more information: <http://pbicolombia.com/curbarado/amenazas/> ; <http://www.fidh.org/es/americas/colombia/14299-colombia-nuevos-actos-de-hostigamiento-e-intimidacion-en-contra-del-padre>; <http://www.omct.org/es/human-rights-defenders/urgent-interventions/colombia/2013/04/d22206/>

Colombia: Eighty-four activists of Ríos Vivos Movement were arrested on March 17, 2013 without a warrant while they were peacefully demonstrating against the Hidroituango dam project owned by Empresas Públicas de Medellín (EPM). After their arrest, they were taken by ESMAD (riot police) officers

to court, where they tried unsuccessfully to press charges against 12 of them. The judge declared their arrest illegal and ordered their release.

For more information: <http://www.radiomundoreal.fm/The-Atrocities-of-a-Killer-System> ; <http://www.nasaacin.org/index.php/informativo-nasaacin/contexto-colombiano/5498-accion-urgente-libertad-para-los-11-activistas-detenidos-en-protestas-contra-hidroituango>

Colombia: On April 9, 2013, Mr. **Elver Cordero Oviedo**, recognized human rights advocate who worked to bring about the restitution of lands for victims of the armed conflict in Colombia, was travelling to Valencia, in Córdoba, when two individuals on a motorcycle intercepted and shot him to death. He was going to attend ceremonies and marches commemorating the National Day of Memory and Solidarity with Victims. For more information: <http://www.fidh.org/es/americas/Colombia,186/Colombia-Asesinato-del-Sr-Elver-Cordero-Oviedo-13157>

Colombia: Mr. Manuel Antonio Bautista Pequi, member of the Association of Indigenous Councils of Northern Cauca (ACIN), faces judicial harassment. On January 4, 2013, he was arrested without warrant and accused of belonging to FARC while travelling by bus in Cali. Although a protest for his release was agreed between the authorities and the indigenous community, riot police used explosives, tear gas and soda bottles to disperse them, injuring 24 persons.

For more information: <http://www.omct.org/es/human-rights-defenders/urgent-interventions/colombia/2013/01/d22121/>

Colombia: On September 17, 2013, Mr. **Nelson Giraldo Posada**, recognized human rights defender and leader of the Ríos Vivos Antioquia Movement (in Defense of Territory and People Affected by Dams), was murdered in Ituango. He was in charge of a group of nearly 50 people affected by Hidroituango hydroelectric project who have been displaced and are taking refuge in the Coliseum of the University of Antioquia. He was shot after a court ordered on September 9, 2013 that local authorities should attend to the collective protection measures requested by the Ríos Vivos movement.

For more information: <http://www.fidh.org/es/americas/Colombia,186/colombia-asesinato-del-sr-nelson-giraldo-posada-reconocido-defensor>

Colombia: Pitalito community and members of **Committee in Solidarity with Political Prisoners Foundation (FCSPP)** were threatened, harassed and evicted illegally and forcefully. The police inspection that preceded the eviction was irregular, with a disproportionate presence of the armed forces, and appeared to be designed to favor Mr. Fernández de Castro, a recognized palm oil grower, who in January 16, 2011 arrived in Pitalito, accompanied by armed men, and declared that the lands were his property. In parallel, members of the community and the FCSPP have been harassed and intimidated by the army as well as by individuals who work for Mr. Fernández de Castro.

For more information: <http://www.movimientodevictimas.org/pronunciamientos/denuncias-publicas/item/3488-denuncia-pública-desalojo-arbitrario-e-ilegal-contra-la-comunidad-de-pitalito.html>

Colombia: On September 30, 2013, human rights defender and peasant leader Ms. **Adelinda Gómez Gaviria** was killed by two unidentified men in Almaguer, Cauca region. Ms. Adelinda Gómez Gaviria worked with the Macizo Women's Process for the Committee for Macizo-Colombian Integration (Proceso de Mujeres Maciceñas del Comité de Integración del Macizo Colombiano - CIMA). She played an active role in the Mining and Environmental Forum in Almaguer, which has 1,500 indigenous and farming members. One month prior to her killing, Ms. Adelinda Gómez Gaviria had received a threatening telephone call from strangers who warned her to: "Stop messing around with this miners' thing. It's risky and it'll get you killed". For more information: <http://www.movimientodevictimas.org/pronunciamentos/comunicados-publicos/item/3444-comunicado-p%C3%BAblico-asesinato-de-adelinda-g%C3%B3mez-gaviria-lideresa-campesina-y-defensora-de-ddhh.html>

Colombia: On November 2, 2013, Mr. **César García**, member of the Environmental Awareness Peasants' Committee (Comité Ambiental Conciencia Campesina) and President of the Community Action Committee of the El Cajon La Leona, in the municipality Cajamarca, Tolima department, was killed in the village of Anaime. Mr. Garcia was a committed environmental activist who had been part of the movement opposing the mining project of gold mining Colosa by the multinational company AngloGold Ashanti in Cajamarca. For more information: <http://www.omct.org/es/human-rights-defenders/urgent-interventions/colombia/2013/11/d22428/>

Ecuador: Mr. **José Acacho González**, President of the Interprovincial Federation of Shuar Centres, Mr. Pedro Mashiant Chamik, leader of organizations affiliated to the same Shuar association and other Shuar indigenous leaders, harassed in Ecuador. On July 19, 2013, Mr. González and Mr. Chamik were sentenced to 12 years in prison for organized terrorism, while the others were absolved. This trial is part of the process of criminalization launched against several indigenous leaders who defended the right to consultation of indigenous communities against the Law Regulating Water Resources, Uses and Allocations in September 2009.

For more information: <http://www.fidh.org/es/americas/Ecuador/condena-a-12-anos-de-prision-de-los-sres-jose-pepe-acacho-gonzalez-y>

Guatemala: **Members of the community of La Primavera** face tremendous pressure from armed groups and others representing the interests of non-state entities in Guatemala. They defend their right to remain on the land, where they have been living and working for over 200 years, in cases brought against them by the timber companies Maderas Filiz Diaz S.A and ECOTIERRA. They have reported receiving death threats and attacks by the private security of these companies and from other unidentified actors. In one of these attacks in 2012 two elderly community members were tortured and killed. For more information: <http://www.pbi-guatemala.org/field-projects/pbi-guatemala/who-we-accompany/uvoc/?/?&L=1> ; <http://www.uvocguatemala.org/search/?q=primavera>

Guatemala: Mr. **Carlos Antonio Hernández Mendoza** was a defender of labour and land rights, also engaged in struggling for prior consultation of indigenous communities whose lives and livelihoods are affected by large-scale dam construction and other projects in the region. He was shot and killed on March 8, 2013 while returning from a trip to Honduras.

For more information: <http://www.omct.org/es/human-rights-defenders/urgent-interventions/guatemala/2013/03/d22188/>

Guatemala: Mr. **Rubén Herrera**, co-ordinating member of Asamblea de Pueblos de Huehuetenango Por La Defensa del Territorio - ADH (Huehuetenango Villages Assembly for Land Defence) working on many environmental and social justice campaigns, was arrested on March 15, 2013 as he left his house in the Huehuetenango district. His arrest was related to two cases linked to his alleged involvement in events which occurred in the municipality of Santa Cruz Barillas, department of Huehuetenango, in May 2012, when riots took place against the hydro project Santacruz, managed by energy company Hidralia Energy, to whom the Government issued a hydroelectric dam license in 2010. His case is part of a deeply disturbing cycle of criminalization of human rights and environmental activists in Barillas, Huehuetenango. On May 30, 2013, Mr. Rubén Herrera was released following a decision by a Guatemalan court, pending a new trial in six months' time.

For more information: <http://www.foei.org/en/blog/free-guatemalan-human-rights-defender-ruben-herrera>

Honduras: Mr. **Pedro Canales Torres**, President of the Association for the Development of the Zacate Grande Peninsula, have been threatened and harassed in Honduras. On April 4, 2013, he noted that preventive police of San Lorenzo Valley were taking pictures of his car. When challenged, the policeman was startled and claimed it was because the car was poorly parked. Earlier on February 22 and 23, 2013 he received threats after a meeting at the Huatales community for which he provided support regarding land issues. He has been victim of a series of death threats, attacks and sabotage since 2012. For more information: <http://www.fidh.org/es/americas/Honduras/Honduras-Continuas-amenazas-y-actos-de-hostigamiento-en-contra-del-Sr-13138>

Honduras: Ms. **Berta Cáceres**, General Coordinator of the Civic Council of Popular Indigenous Organisations (Consejo Cívico de Organizaciones Indígenas Populares - COPINH), of which Messrs. **Tomás Gómez Membreño** and **Aureliano Molina Villanueva** are also members, faces pre-trial detention. On September 20, 2013, a court ordered her placement in pre-trial detention. She was involved in a campaign for the defence of the Gualcarque river and oppose the construction of a dam by transnational corporations DESA, Sinohydro and FICOHSA group, which have launched Zarca Water Hydroelectric Project against the will of the indigenous inhabitants, the Lenca people, in clear violation of ILO Convention 169. On August 2, 2013, public prosecutors in Intibucá had formalized charges of land usurpation, coercion and damages against them, based on accusations by Desarrollos Energeticos, S.A that they instigated the communities around Rio Blanco to resist the construction of the Agua Zarca hydro-electric dam by Desarrollos Energeticos, S.A. Moreover, in November 2013,

Ms. **Bertha Oliva**, Coordinator of the Committee of Relatives of Detained-Disappeared in Honduras (Comité de Familiares *Detenidos-Desaparecidos de Honduras* - COFADEH), Mr. **Víctor Fernández**, Coordinator of the Broad Movement for Dignity and Justice (Movimiento Amplio por la Dignidad y la Justicia - MADJ) and Mr. Aureliano Molina Villanueva were subjected to further harassment. For more information: <http://www.omct.org/es/human-rights-defenders/urgent-interventions/honduras/2013/11/d22442/>

Mexico: Members of the Coordination of the United People of the Valley of Ocotlán, suffer continuous harassment. Since 2006, the mining company Minera Cuzcatlan, subsidiary of Fortuna Silver Mines, started to exploit the land of the indigenous community of San José del Progreso (Oaxaca, South of Mexico). The lack of proper consultation over the project has generated violent conflicts within the community. Members of the coordination have been harassed by hit men presumably hired by the company. In 2012, two of its members were assassinated. Organizations and human rights defenders that have monitored the process or assessed COPUVO such as Educa or Barca have also suffered threats and defamation. For more information: <http://endefensadelosterritorios.org>

Mexico: Members of the Counsel of Peoples United for the Defense of the Rio Verde (COPUDEVER), a gathering of five municipalities of the Coast of Oaxaca, have been victims of defamations and threats. They are opposed to the construction of a dam over the river Rio Verde, near the community of Paso de la Reina. They have decided to reject the project because of its social and environmental impacts, especially because of the threat of forced displacement to about 20 thousand persons. For more information: <http://www.educaoaxaca.org/>

Mexico: Members of the indigenous community Magdalena Teitipac face judicial harassment in Oaxaca. In February 2013, the community assembly expelled the company Plata Real (subsidiary of Linear Gold Corporation), which started mining exploration works in their territory in 2006, because of water pollution and lack of consultation. In July, they peacefully handed over the machinery to the company and declared their community “free of mining industry”. Throughout this process several of the community members defending their rights have faced arbitrary judicial processes that are still pending against them. For more information: <http://www.educaoaxaca.org/>

Mexico: Members of the Indigenous People’s Assembly of the Isthmus of Tehuantepec and other human rights organisations such as Codigo-DH were defamed, attacked, threatened, and arbitrarily detained in Oaxaca. The construction of wind farms on ejido and community lands by transnational corporations backed by international investors, are affecting the livelihoods of indigenous and mestizo communities, causing conflicts and violating their rights to free, prior and informed consultation.

For more information: <http://www.fidh.org/es/americas/mexico/Mexico-Allanamiento-y-robo-con-violencia-contrala-sede-del-Codigo-DH-13124> ; <http://tierrayterritorio.wordpress.com/> and <http://www.codigodh.org/>

Mexico: In the State of Oaxaca, **members of the Popular Assembly of the Juchiteco People** (Asamblea Popular del Pueblo Juchiteco - APPJ) were threatened, attacked and even killed. In July 2013, several members of the organization were subject to harassment and intimidation following their protests against the construction of wind farms by the company “Gas Natural Fenosa”. On July 21, Mr. **Hector Regalado Jimenez**, APPJ member, was killed. On August 25, 2013, several members of the APPJ were subjected to death threats and attacks by suspected gunmen of the company while visiting the area in which the wind farm Bif Hioxho is being built, to assess the damages caused by the construction of the project.

For more information: <http://www.omct.org/es/human-rights-defenders/urgent-interventions/mexico/2013/10/d22403/>

Mexico: The communal landowners of the **Ejido La Sierrita and the workers affiliated to Local 309 of the Mexican National Mining Union** are embroiled in a long-running struggle in northern Mexico to defend their rights to land, territory, natural resources, freedom of association, among others, in the face of acts of deceptions, threats and violence carried out by the Canadian mining company Excellon Resources Inc. and State actors. The Proyecto de Derechos económicos, sociales y culturales (ProDESC), a Mexican NGO, has provided constant support throughout this struggle, using legal and extrajudicial mechanisms as well as advocacy at the national and international levels. As a consequence there have suffered increasing stigmatization, defamation and harassment especially against their Executive Director and her staff. On November 11, 2013, Mr. **Omar Pacheco**, Mr. **Chareo Adolfo Gomez**, Mr. **Julio Orona**, Mr. **Luis Orona**, and Mr. **Ricardo Calderon**, all members of the ejido La Sierrita de Galeana, were arbitrarily arrested in Durango, two days before the hearing in the Land Court against Canadian mining Excellon.

For more information: <http://acuddeh.org/spip.php?article3755>

Mexico: On October 19, 2013, Ms. **Rocío Mesino Mesino**, leader of the Peasant Organization of the Southern Sierra (*Organización Campesina de la Sierra del Sur - OCSS*), was murdered in the State of Guerrero. She was overseeing the reconstruction of a bridge affected by recent rains when two men fired several gunshots at her.

For more information: <http://www.fidh.org/es/americas/mexico/14158-el-observatorio-ha-recibido-con-grave>

Paraguay: Farmers Messrs **Cipriano Flores** and **Asuncion Acuña** members of the Organization for the Struggle for Land in Paraguay, a member of La Via Campesina were shot by gun men on March 10, 2013, in the landless settlement India Juliana, in Caazapa department. The shooters were identified as employees of Buchinger corporation, who claim to be the owners of a plot of land of nearly 2,500 hectares, where 130 families have been living for six years. The landless peasants have filed, without success, many proceedings before the National Institute of Rural Development and Land (INDERT), which is responsible for the granting of lands to poor families.

For more information: <http://www.radiomundoreal.fm/Unrelenting-Violence?lang=es>

AFRICA

Cameroon: Members of the Mbororo Social and Cultural Development Association (MBOSCUDA), an organisation defending the rights of Mbororo pastoralists have faced judicial harassment in Cameroon since 1992 following a complaint filed by Mr. Baba Ahmadou Danpullo, a businessman, cattle rancher and tea plantation owner. For more information: <http://www.omct.org/human-rights-defenders/urgent-interventions/cameroon/2013/06/d22268/>

Democratic Republic of Congo: Local community members opposing oil developments in Virunga National Park have faced intimidations, arbitrary arrest, and torture. Some of the perpetrator of these intimidations are army officer of the Armed Forces of the Democratic Republic of Congo (FARDC), used by the oil company, or even local authorities. Messrs. **Daniel Machozi Mupanza** (CREDDHO), **Marc Kyangwi Musakara** (President of the local Fisher's Committee of Nyakakoma), and **Rodrigue Katembo Mugaruka**, Head Ranger of the Central Sector of Virunga National Park and member of the Congolese Institute for the Preservation of Nature (ICCN) were subjected to different forms of intimidation for their resistance of plans by the government of the DRC and the UK oil company, SOCO International, to carry out oil exploration activities in the Virunga National Park. On September 12, 2013, Mr. Machozi Mupanza was arrested by local FARDC navy officials for allegedly taking photographs of SOCO's installations. On July 15, 2013, Mr. Kyangwi Musakara was arrested and detained for 17 days by agents working for the SOCO International - ICCN coalition speaking about his negative experiences in respect of oil refining activities while living in Moanda in Bas-Congo. While Mr. Katembo Mugaruka was arrested on September 19, 2013 for preventing employees of SOCO from carrying out work inside the park for which they possessed no authorisation.

For more information: <http://savevirunga.com/2013/07/26/july-15th-breaking-news-new-cases-of-intimidation-and-arrests-of-local-community-leaders-opposing-oil-exploration-in-virunga-np/>; <http://www.synchronicityearth.org/blog/2013/10/pressrelease-virunga-park-ranger-rodrique>

Nigeria: Mr. Odey Oyama, leader of the NGO Rainforests Research and Development Centre (RRDC) in Calabar and a prominent environmental activist, was forced into hiding for several weeks in January and February 2013 when intimidation from state security agent against him and his family became unbearable. He is critical of the Reducing Emissions from Deforestation and forest Degradation (REDD) system and has equally been very vocal against land grabbing by companies such as Wilmar. For more information: <http://www.foei.org/en/blog/stop-threats-to-nigerian-environmentalist-odey-oyama>

ASIA

Burma: On August 2, 2013, Mr. **Ko Htin Kyaw**, leader of the Movement for Democracy Current Force (MDCF) and three other community members, were summoned to the police station “for a discussion” three days after their demonstration to denounce the seizure of part of the land of the three community members. They were charged with “insulting the State” and immediately sent to court, which sanctioned their arrest and sent them to Insein prison. They were denied bail and they face up to three years’ imprisonment. On November 15, 2013, a Yangon court sentenced Mr. Ko Htin Kyaw to six months in prison under the Peaceful Gathering and Demonstration Law, in relation to the protest against land grabbing.

For more information: <http://www.fidh.org/en/asia/burma/burma-judicial-harassment-and-arbitrary-detention-of-mr-ko-htin-kyaw-13807>

Burma: Ms. **Khin Mi Mi Khaing**, Ms. **Myint Myint Aye**, and Mr. **Thant Zin Htet** were arrested in Nattalin after they attended a farmers’ demonstration against land confiscation at Thar Yar Gone, Pae Ma Khan village on June 10, 2013. On June 11, 2013, they were invited to the Nattalin township general administrative office. The police arrested, interrogated, charged them to court and then sent them to Paung Tae prison.

For more information: <http://www.omct.org/human-rights-defenders/urgent-interventions/myanmar/2013/07/d22328/> and <http://www.fidh.org/en/asia/burma/burma-sentencing-of-three-defenders-following-their-participation-in-13652>

Burma: On July 15, 2013, Mr. **Kyaw Hla Aung**, a community leader defending the rights of the Rohingyas, was arrested detained without charges, and denied access to his family and lawyers. He was arrested based on accusations that he incited protests on April 26, 2013 against a government-led exercise to collect population data. He had in fact intervened to quench the protests. Mr. Kyaw Hla Aung had been arbitrarily imprisoned from 1986-1988 and from 1990-1997.

For more information: <http://www.omct.org/human-rights-defenders/urgent-interventions/myanmar/2013/07/d22330/>

Burma: Mr. **U Aung Soe**, a member of Yangon People’s Support Network, along with two villagers, Mr. **Ko Soe Thu** and Mr. **U Maung San**, were judicially harassed for their participation in peaceful protests against the Letpadaung copper mining project in Sagaing Region. On July 8, 2013, the Shwebo Township Court sentenced Mr. U Aung Soe to an additional 10 years, while Messrs. U Maung San and Ko Soe Thu were each sentenced to two years’ imprisonment. On November 15, 2013, Messrs. U Aung Soe, Ko Soe Thu and U Maung San were amnestied. Letpadaung copper mining led to the forceful acquisition of 7,000 acres in 2010 and the displacement of farming families in 26 villages.

For more information: <http://www.fidh.org/en/asia/burma/burma-sentencing-of-three-defenders-following-their-participation-in-13652> and <http://www.omct.org/human-rights-defenders/urgent-interventions/myanmar/2013/07/d22312/>

Burma: Ten individuals were convicted to three months in prison on September 26, 2013, in relation to a demonstration against the Shwe Gas Project in Arakan State –in a series of recent cases of criminalization of human rights defenders under the Peaceful Assembly and Peaceful Procession Law. On April 18, 2013, over 400 villagers in Maday Island, Arakan State, marched to the office of the China National Petroleum Corporation, demanding for the Shwe Gas Project to be halted. The Chinese-backed Shwe Gas Project is one of Burma’s largest extractive industry developments, transporting natural gas and crude oil to southwest China. The pipeline project passes through twenty townships across Burma and has thus far resulted in a long list of human rights abuses, including forced labour, forced eviction and land confiscation, and arbitrary taxation. Ten individuals were detained, and subsequently charged and convicted for violating Article 18 of the Peaceful Assembly and Peaceful Procession Law, which requires a permit to be obtained from the authorities for any public assembly. The villagers had previously been denied a permit twice – in December 2012 and in March 2013 – on the purported grounds that a state of emergency had been declared under Article 144 of the Penal Code following ethno-religious clashes in other parts of Arakan State, despite the fact that there had been no incidence of violence in Maday Island.

For more information: <http://www.forum-asia.org/?p=16416>

Cambodia: Members of the Prey Lang Community Network, campaigning to protect the Prey Lang forest which provides a home and livelihood for almost 200,000 people, threatened and harassed in Cambodia. Prey Lang Forest has come under increasing threat from agribusiness, logging and mining companies eyeing up the land for profit, and doing deals with Cambodia’s elite. Huge areas are now being cleared to make way for dozens of agro-industrial plantations and mining concessions and new roads are being built into the forest.

For more information: <http://preylang.com/the-network/>

Cambodia: Mr. Mam Sonando, an outspoken critic of the Government’s serious and systematic violations of land and housing rights, faces judicial harassment in Cambodia. He was arrested after his report on the radio about a complaint lodged at the International Criminal Court (ICC) arguing that land-grabbing in Cambodia amounts to a crime against humanity. The next day, the Prime Minister personally called for his arrest on national television. In March 2013, he was sentenced to a five-year suspended imprisonment term, with eight months already served, for instigation of a crime, obstruction of public officials, unlawful interference in the discharge of public duties, and illegal logging.

For more information: <http://www.fidh.org/en/asia/cambodia/CAMBODIA-Regret-at-the-conviction-13019>

Cambodia: Ms. Yorm Bopha, a prominent land rights activist from the Boeung Kak Lake community in Phnom Penh, faces continuous judicial harassment in Cambodia. She was detained on September 4, 2012 and sentenced to three years in prison on December 27, 2012. On June 14, 2013, the Court of Appeal in Phnom Penh upheld the conviction, which was appealed. On November 22, 2013 the

Supreme Court of Cambodia in Phnom Penh, ordered her release on bail and sent her case back to the Appeals Court for further investigation and a retrial.

For more information: <http://www.omct.org/human-rights-defenders/urgent-interventions/cambodia/2013/11/d22457/>

India: Mr. **Abhay Sahoo**, President of the “POSCO Pratirodh Sangram Samiti”, a movement against forcible acquisition of common lands by South Korean steel giant POSCO in Odisha State, continues to be judicially harassed. On May 11, 2013, he was arbitrarily detained and charged in connection with the bomb blast in the proposed POSCO steel plant at Dhinkia village of Jagatshinghpur district on May 2, 2013. The court rejected his bail petition and remanded him in judicial custody for 14 days. A total of 54 different cases have been filed against Mr. Abhay Sahoo.

For more information: <http://www.fidh.org/en/asia/India/india-arbitrary-detention-of-mr-abhay-sahoo-13276> and <http://www.omct.org/human-rights-defenders/urgent-interventions/india/2012/03/d21679/>

Indonesia: **Anwar Sadat**, **Dede Chaniago**, Director and Deputy Director of WALHI South Sumatra and **Kemalheddin** from Sriwijaya Farmers Union, were arrested and detained in South Sumatra, after they staged a demonstration on January 29, 2013 concerning a land dispute between the state-owned plantation company PT Perkebunan Nusantara VII Cinta Manis and local communities. Anwar Sadat and Dede Chaniago were sentenced to 5.5 months in prison for “incitement” and Kemalheddin to 1.4 years in prison for “violence against the police”. The three appealed the sentence and the decision is expected to be made public at the end of 2013.

For more information: http://www.fidh.org/IMG/pdf/parallel_report_fidh-kontras.pdf

Malaysia: On October 31, 2013, 19 protesters were arrested during a peaceful protest against the demolition of Kampung Hakka Mantin historical village in the State of Negeri Sembilan, south-west of Kuala Lumpur. The demolition, if allowed, would see the forceful eviction of a good number of local residents in order to make way for a mixed-use development. The protesters said they were aggressively attacked and manhandled by the police in spite of their efforts at peaceful negotiation. The defenders arrested include SUARAM’s Executive Director, Ms. **Nalini Elumalai**, Mr. A. **Thevarajan**, SUARAM Coordinator, Ms. **Parameiswary Elumalai**, activist from the Oppressed Peoples’ Movement, as well as seven residents of Hakka village, three grass root activists from the Socialist Party of Malaysia, four State Assembly representatives, and two members of Parliament. They were all released on police bail on the same day pending formal charges.

For more information: <http://www.omct.org/human-rights-defenders/urgent-interventions/malaysia/2013/11/d22423/>

Pakistan: On March 13, 2013, Ms. **Perveen Rehman**, social activist who was working vigorously for the emancipation of the poor and marginalised people in Karachi through the “Orangi Pilot Project”, was brutally shot dead, while travelling in her car. “Orangi Pilot Project” is a pioneering institution in the areas of urban development, rural planning, water and sewerage management, poor children’s education and a genuine micro-credit service in Pakistan.

For more information: <http://www.omct.org/human-rights-defenders/urgent-interventions/pakistan/2013/03/d22191/>

South Korea: Mr. **Choi Yul**, member of the Korea Green Foundation, was jailed in February 2013 in response to his campaign against a government project. Over the past four years, the Korean Government has persecuted Mr. Choi for his fight against the destructive Four Rivers Project, a massive government plan that includes 16 dams on Han River, Nakdong River, Geum River and Yeongsan River in South Korea. In 2005, he was awarded the prestigious Goldman Environmental Prize for grassroots environmentalism and the Global 500 Award of the United Nations Environmental Program.

For more information: http://action.foe.org/p/dia/action/public/index.sjs?action_KEY=13281 ; <http://www.radiomundoreal.fm/6717-the-founder-of-foe-korea-in-jail?lang=es>

Thailand: **Klong Sai Pattana Community**, Surat Thani Province, is entangled in a land conflict with the Jiew Kang Jue palm oil company and continue to face violent intimidation. Already, two of the community’s advocates, Ms. **Montha Chukaew** and Ms. **Pranee Boonrat** have been murdered in November 2012 and the cases remain unsolved. Despite the rulings of the court of first instance and the appellate court in the community’s favour, the company, with the support of the police, remains in occupation and keeps mounting pressure on them to cede the land.

For more information: <http://www.fidh.org/en/asia/Thailand/Re-Thailand-Killing-of-human-12664>

The Philippines: On March 5, 2012, Mr. **Jimmy Liguyon**, Vice-Chair of the indigenous peoples’ group KASILO Lumad, in Mindanao, was shot dead by a paramilitary group named the New Indigenous People’s Army Reform (NIPAR). Mr. Liguyon was an indigenous leader and village chief in Bukidnon who steadfastly protected his village from the intrusion of destructive mining activities and bio-fuel plantations. In the past, NIPAR had pressured Mr. Liguyon to sign the papers that would consequently open Barangay Dao to large-scale mining operations.

For more information: <http://www.omct.org/human-rights-defenders/urgent-interventions/philippines/2012/04/d21709/>

The Philippines: On June 16, 2012, Mr. **Moises C. Fuentes**, a member of the Bukidnon chapter of Human Rights Defenders Pilipinas and a local leader of the farmers’ organisation Kuya Christian Farmers Association, was gunned down by an unknown assailant and died on the spot. His organisation, along with other farmers’ groups, has been struggling to keep the land they till, which is

located within the area controlled by the Ocaya cattle ranch in Bukidnon, and later granted to them in 2011 under a government land reform programme.

For more information: <http://www.fidh.org/en/asia/Philippines/The-Philippines-assassination-of>

The Philippines: On June 19, 2012, Ms. **Venecia “Inday” Natinga Nestor** was shot on a public highway in Lanao del Norte, after facing threats and harassment for being a strong advocate of the protection of the rights of small farmers and actively pushing for land redistribution. A consistent advocate of agrarian reform, she was very vocal against land grabbing and a pressure to government agencies involved in the processing of land claims.

For more information: <http://www.omct.org/human-rights-defenders/urgent-interventions/philippines/2012/11/d22037/>

The Philippines: On October 3, 2012, Mr. **Gilbert Paborada**, an indigenous leader in the province of Misamis Oriental, Mindanao, was killed in Cagayan de Oro city. Mr. Paborada was the chair of a community-based Lumad organisation that is resisting the expansion of a palm oil plantation owned by the A. Brown Company, a US corporation.

For more information: <http://www.fidh.org/en/asia/Philippines/The-Philippines-assassination-of-12287>

The Philippines: Mr. **Anting Freay**, B’laan Tribe chieftain, his son Mr. **Victor Freay** were killed on August 23, 2013 for opposing Glencore-Xstrata-SMI’s Tampakan mine in Mindanao. They were shot, allegedly by members of a special task force created to secure the areas covering the mining project. In the same incident, Anting Freay’s wife Ms. Kiiit Freay was also shot at and wounded².

For more information: <http://www.minesandcommunities.org/article.php?a=12425>

The Philippines: Mr. **Bryan Epa**, an anti-mining activist and among the residents of Nueva Vizcaya opposing the entry of Australian mining company Royalco Philippines Inc., faced enforced disappearance on August 21, 2013 in Bayombong, Nueva Viscaya. Local police illegally arrested him, and he was missing the following day when a barangay official who witnessed the arrest and a lawyer sought Epa at the police station. Epa remains missing³.

For more information: <http://www.humanrightspilippines.net/2013/08/bryan-epa-nueva-vizcaya-anti-mining-activist-missing/>

The Philippines: Ms. **Sonny Boy Planda**, B’laan Tribe chieftain and his brother-in-law Mr. **Eking Freay** were killed on June 28, 2013 for opposing Glencore-Xstrata-SMI’s Tampakan mine in Mindanao and of military detachments in their ancestral domain. The two were on their way home after selling their crops when they were fired at by alleged members of Citizen Armed Force

2. Source: The Task Force-Justice for Environmental Defenders.

3. *Idem*.

Geographical Unit (CAFGU) under Task Force KITACO (Kiblawan, Tampakan, Columbio)⁴.

For more information: <http://alyansatigilmina.net/2013/07/05/groups-condemn-ambush-of-blaan-leader-and-member-in-minerals-rich-davao-del-sur/>

The Philippines: On October 29, 2013, Ms. **Elisa Lascoña Tulid**, a human rights defender in the agrarian reform sector and a leader of the peasant group Samahan ng Magsasaka sa Barangay Tala at Camflora, in Sitio Kumbenyo, Barangay Tala, San Andres, Quezon Province, was shot point-blank by a man who was identified as Mr. Rannie Bugnot, trustee of an alleged land grabber in the area, Mr. Edwin Ausa. Ms. Elisa Lascoña Tulid had had several confrontations with Mr. Edwin Ausa and his group when trying to prove her community's rights to the land.

For more information: <http://www.omct.org/human-rights-defenders/urgent-interventions/philippines/2013/11/d22443/>

4. *Idem*.