

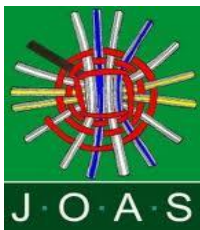
# Human Rights, Indigenous Peoples, the Private Sector and Development

# Program Report

SABAH, MALAYSIA

February 27 - 08 March 2017

*'I have learnt a lot of new things and knowledge that is really useful for me and also (my) community. I'm clearer on what human rights mechanisms are available and how to use them.'*



## Executive Summary

The Diplomacy Training Program's (DTP) 2017 regional capacity building program for human rights defenders and community advocates in the Asia-Pacific region **Human Rights, Indigenous Peoples, the Private Sector and Development** was held in Sabah, Malaysia from February 27 to March 8, 2017.

The Indigenous Peoples Network of Malaysia or Jaringan Orang Asal SeMalaysia (JOAS) partnered with DTP in delivering the program. There were 23 participants representing different Indigenous peoples and NGOs from 8 countries: India, Myanmar, Bangladesh, Cambodia, Timor Leste, Indonesia, and Malaysia.

The participants work on a diverse range of issues – including preservation of endangered languages, defending the environment, promotion of Indigenous cultures, land rights, prevention of forced evictions, women's rights and the role of women in decision making, and peacebuilding. Each of the participants made a presentation about the work that they do, and the challenges they face.

The course content focused on the rights of Indigenous peoples and on the responsibilities of the private sector and of governments in relation to these rights. There was also a focus on skills and network building.

The network building included the collaboration with trainers from the UN Office of the High Commissioner for Human Rights (OHCHR) – including a DTP alumnus, and from the Business and Human Rights Resource Centre (BHRRRC).

The course was very positively evaluated by the participants in post training evaluations. This report draws on those evaluations. The report gives an overview of course content and highlights, and makes some recommendations for the future.

Outcomes of the program include engagement by participants with OHCHR with UN Human Rights Special Procedures. An outcome for DTP was to pilot a subsequent capacity building program on Indigenous peoples rights and the SDGs.

This program focused on two of DTP's core themes: Indigenous peoples' rights and human rights and business. From its beginnings DTP has been committed to including Indigenous people and their advocates in programs and since 2007 programs have been held annually to respond to the concerns of Indigenous people in the region. Rapid economic development across the region has seen a rise in human rights violations impacting on Indigenous peoples. It is the private sector, along with governments failing to hold corporations accountable, which are responsible for many of the current human rights violations impacting on Indigenous peoples in the region. New standards, guidelines and mechanisms have been emerging which civil society can engage with to exert pressure on the private sector and governments to uphold the rights of the peoples whose lands are affected by development. This program was designed to build the knowledge, skills and networks of advocates working to combat the negative impacts of development and to ensure that the rights of Indigenous peoples and marginalised groups are respected.

The program began with a focus on international human rights standards and mechanisms and the engagement of civil society with the treaty bodies and special procedures and with human rights recommendations to support their advocacy strategies. The United Nations principles, codes and guidelines which have been developed to hold the private sector accountable for human rights were a focus in the first week along with advocacy strategies centred on the private sector . A field visit to ..... provided Participants were familiarised with key elements of the Declaration on the Rights of Indigenous Peoples with a particular emphasis on Free Prior and Informed Consent and the obligation on the private sector to adhere to FPIC principles. There was a strong emphasis on practical advocacy strategies and participants used role plays including a simulation of the Universal Periodic Review process, to

The participants presented on their issues and work and the program's participatory approach, involving group work, role plays and facilitated discussions encouraged the exchange of experience, expertise and resources. There were opportunities for learning and sharing of cultures and for building solidarity and support networks.

As reflected in the final participant evaluations, the training program was a success in meeting the expectations of participants. As a result of the program the knowledge, skills and support networks of 33 participants and their organisations have been strengthened.

DTP was grateful to have the expertise of a number of professionals and regional leaders providing training on the program. They included Katia Chirizzi, Saranbaatar Bayarmagnia and Mores Flores from the OHCHR, Jannie Lasimbang Matthew Coghlan, Bobbie Sta Maria and Joshua Cooper. DTP records its thanks and acknowledges them all.

The 2016 training program was organized in partnership with Jaringan Orang Asal SeMalaysia (JOAS). This was the second DTP and JOAS collaboration and it was and DTP records its appreciation for the commitment of JOAS staff, including Bev Joeman and ..... to the success of the program.

This year's program was made possible through the financial assistance of the Australian Government through the Australian Non Government Cooperation Program (ANCP) and Oxfam Australia and training support from the OHCHR . On behalf of the participants, DTP would like to thank these organisations for their support.

### **Program Highlights**

Jannie Lasimbang shared her experience of the significance of travel and being exposed to the realities of others to her awakening to the inequalities and the problems which beset the peoples of Sabah. She also

talked about the strength that comes from solidarity. And she encouraged the participants not to feel scared on the international instruments “ the experts have complicated it “.

Patrick noted that when DTP was in Sabah in 2013 for the regional program..... International focus and pressure has contributed to the shelving of the dam