



**29<sup>th</sup> Regular Session of the UN Human Rights Council  
Item 2 and 3: Annual report of the United Nations High Commissioner for Human Rights and  
reports of the Office of the High Commissioner and the Secretary-General**

**Oral Statement Delivered by R. Iniyang Ilango on behalf of  
Asian Forum for Human Rights and Development (FORUM-ASIA)**

**Monday, 22 June 2015**

Thank you Madam Vice President. FORUM-ASIA welcomes the progress report of the High Commissioner on improving access to remedy for business-related human rights abuses<sup>1</sup>. We echo the report's assertion that victims and witnesses of business-related abuses may often be reluctant to seek remedies given fear of reprisals.

In Asia, victims, witnesses and human rights defenders (HRDs) who address abuses related to business activities have faced falsified criminal charges, harassment and even arbitrary execution. For example in Thailand Mr. Chai, a land rights defender was killed in February 2015<sup>2</sup> for advocating against land-grabbing by a Palm Oil Company in Khlong Sai Pattana. In the Loei province of the country, community members that protested chemical contamination by a local gold mine, have been subjected to constant threats, violent attacks<sup>3</sup> and judicial harassment<sup>4</sup> for seeking accountability and access to remedies. In Porac, Pampanga, Philippines, Apung Tony Tolentino a land rights defender has been detained since April 2014 under trumped-up charges based on a complaint by a private land developer<sup>5</sup>. In Myanmar/Burma last May, three land rights activists were among nine people sentenced to a prison term in connection with a symbolic plough protest in Mandalay<sup>6</sup>.

In Asia, victims and HRDs who seek domestic judicial remedies encounter immense challenges due to strong and undue influence exercised by the private sector over public institutions. Collusion between government and business or corporate capture is a growing obstacle to justice and effective remedy to victims. We urge the accountability and remedy project of the Office of the High Commissioner for Human Rights (OHCHR) to consider ways of finding solutions to this challenge.

Lastly, while we note the rationale for the project to focus on severe cases, we emphasise that the final results of the project must be in the direction of remedies for the whole range of business related human rights abuses. We also further call on the OHCHR and member states to ensure that outcomes of the project strengthens deliberations by the Open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights.

Thank you Madam Vice President.

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<sup>1</sup> A/HRC/29/39

<sup>2</sup> FORUM-ASIA, Press Release, [Thailand: regional human rights group condemns murder of land rights defender](#), 12 February 2015.

<sup>3</sup> FORUM-ASIA, [Item 3: Interactive Dialogue with the Working Group on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises](#), 12 June 2015.

<sup>4</sup> FORUM-ASIA, Press Release, [Thailand: Mining Company must withdraw threat of legal actions against community leaders](#), 28 October 2014.

<sup>5</sup> Asian Human Rights Defenders Portal, [Philippines: Free Apung Tony Tolentino, Protect Human Rights Defenders!](#), 28 April 2015.

<sup>6</sup> Asian Human Rights Defenders Portal, [Burma: Land rights activists sentenced for plough protest in Meikhtila](#), 28 May 2015.