

REGIONAL WORKSHOP SUMMARY REPORT

Engaging Human Rights Institutions Toward the Promotion of Land Rights as Human Rights



15-16 November 2018 | Pullman Bangkok Grande Sukhumvit | Bangkok, Thailand





institutions (IFIs).

Founded in 1979, the **Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC)** is a regional association of national and regional networks of civil society organizations (CSOs) in Asia actively engaged in food security, agrarian reform, sustainable agriculture, participatory governance and rural development. ANGOC network members and partners work in 10 Asian countries together with 3,000 CSOs and community-based organizations (CBOs). ANGOC actively engages in joint field programs and policy discussions with national governments, intergovernmental organizations (IGOs) and international financial

The complexity of Asian realities and diversity of CSOs highlight the need for a development leadership to service the poor of Asia—providing a forum for articulation of their needs and aspirations as well as an expression of Asian values and perspectives.

ANGOC is a member of the Global Land Tool Network (GLTN), Global Forum on Agricultural Research (GFAR), Indigenous Peoples' and Community Conserved Areas and Territories (ICCA) Consortium and the International Land Coalition (ILC).



Land Watch Asia (LWA) is a regional campaign to ensure that access to land, agrarian reform and sustainable development for the rural poor are addressed in national and regional development agenda. The campaign involves civil society organizations in Bangladesh, Cambodia, India, Indonesia, Kyrgyzstan, Nepal, Pakistan and the Philippines. LWA aims to take stock of significant changes in the policy and legal environments; undertake strategic national and regional advocacy activities on access to land; jointly develop approaches and tools; and encourage the sharing of experiences on coalition-building and actions on land rights issues. ANGOC is the convener of the LWA campaign.

ANGOC can be reached at:

33 Mapagsangguni Street, Sikatuna Village
Diliman, 1101 Quezon City, Philippines
P.O. Box 3107 QCCPO 1101, Quezon City, Philippines
Tel: +63-2-3510581
Fax: +63-2-3510011
Email: angoc@angoc.org
URL: www.angoc.org



REGIONAL WORKSHOP SUMMARY REPORT

“Engaging National Human Rights Institutions Toward the Promotion of Land Rights as Human Rights”

15-16 November 2018 | Pullman Bangkok Grande Sukhumvit, Bangkok, Thailand

Organized by

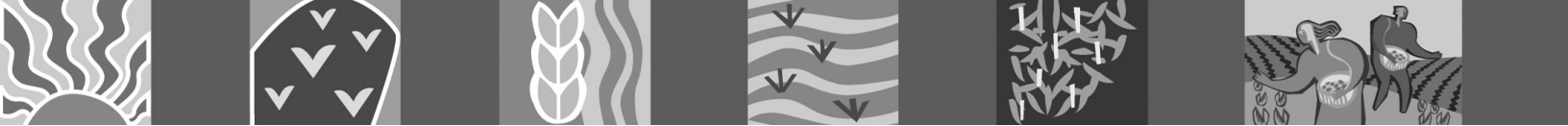
Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC)
Land Watch Asia (LWA) and
International Land Coalition-Asia (ILC Asia)

In partnership with

United Nations Office of the High Commissioner on Human Rights (UN OHCHR)
and United Nations Development Programme (UNDP)

With support from

International Land Coalition (ILC) and UNDP Business and Human Rights



ANGOC, Land Watch Asia (LWA), ILC-Asia, UN OHCHR and UNDP Business and Human Rights thank the speakers and participants of this regional workshop and acknowledge the contribution of ILC for making this publication possible.

The views expressed in this document do not necessarily reflect the views and policies of ILC, UN OHCHR and UNDP Business and Human Rights.

Editorial Team: Antonio Quizon, Nathaniel Don Marquez,
Jose Ignatius "Joel" Pagsanghan, Gerard Jerome
Dumlao, Denise Hyacinth Joy Musni

Production Team: Nathaniel Don Marquez, Gerard Jerome Dumlao,
Denise Hyacinth Joy Musni, Marianne Jane
Naungayan, Timothy Salomon, Joseph Onesa,
Lennie Rose Cahusay

Layout and Design: Gerard Jerome Dumlao

Cover Artwork: Maria Liza S. Almojuela

ISBN: 978-971-8632-50-5

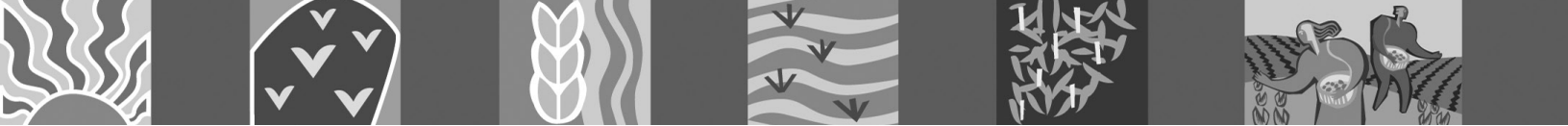
Citation:

Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC). (2018).
*Regional Workshop Summary Report: Engaging National Human Rights Institutions
Toward the Promotion of Land Rights as Human Rights*, 15-16 November 2018,
Bangkok, Thailand. Quezon City: ANGOC.



CONTENTS

Introduction	6
Bangkok Declaration on Land Rights as Human Rights	9
Theme 1: Land and Resource Conflicts in Six Countries in Asia	13
Theme 2: The State of the United Nations Guiding Principles on Business and Human Rights (UNGPs BHR) in Selected Countries in Asia	20
Theme 3: Developing A Scorecard for Assessing Investments in Land and Agriculture	26
Ways Forward	30
List of Participants	33



INTRODUCTION

Land has always been a source of conflict. Today, not only is the number of land conflicts rising, but the degree of conflict – violence in many cases – is also intensifying. Conflicts occur in land grabbing cases as governments actively encourage agribusiness investments at the expense of the loss of land and livelihoods among poor farmers and rural workers. The private sector as well as State-owned enterprises comprise another important group of actors involved in agribusiness investments and land concessions that trigger conflicts.

Moreover, data on land conflicts shows the strong correlation between land grabs and human rights violations against land rights defenders and communities alike. Incidents arise with the aggressive onslaught of “development” for mining, plantations, and economic zones.

Even land rights activists and defenders disappear or are killed, subtle ways of harassment through legal means are being employed by the State authorities to silence them. In many instances, access to the judicial system is limited, and the right to seek redress in cases related to public interest is curtailed. This has an effect of limiting space available to citizens to demand accountability from the State and other stakeholders. On the other hand, criminal cases are filed against farmers, indigenous peoples, women (e.g., qualified theft/arson/trespassing) as they assert their human rights and rights to land.

LAND RIGHTS AS HUMAN RIGHTS

Land rights can be seen from a human rights perspective. Respect for people’s land rights is necessary in order to achieve sustainability and prosperity for people and communities, both at the local and global levels. As a UN Special Rapporteur pointed out: “Land rights is a gate to maintain certain human rights such as the right to water, the right to adequate housing, the right to health, the right to adequate standard of living, the right to food, and other rights...” Any violation, land grab and eviction that causes loss of people’s right to land is also related to certain human rights violations. From a



human rights perspective, there is indivisibility of human rights and therefore, the State has the obligation to promote and protect people's economic, social and cultural rights. These, in turn, contribute to the protection of civil and political rights.

The South Asia Association for Regional Cooperation (SAARC) has not made any official declaration on land rights and issues related to farmers in the region. As critics point out, SAARC has not recognized the interrelatedness of poverty alleviation, agricultural production, food security, and land rights/access to land. In Southeast Asia, the policy of the Association of South East Asian Nations (ASEAN) on non-interference and country-independence approach have hindered the implementation of land rights as human rights.

“The land rights issue is one of the challenges faced by Thailand and other Asian and agrarian countries as land is the fundamental element for agriculture. From a human rights perspective, land right correlates to other rights, such as the right to adequate food, water and housing; the right to freedom of movement and residence; the right to take part in cultural life; and the right of indigenous people to their traditional lands, territories, and resources including water.”

Wat Tingsamitr, Chairperson, National Human Rights Commission of Thailand

DEFENDING LAND RIGHTS AND HUMAN RIGHTS DEFENDERS

Building on a previous regional initiative, the Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC) in partnership with Land Watch Asia (LWA) partners in Bangladesh, Cambodia, India, Indonesia, Nepal, and the Philippines, are implementing the program *“Defending Land Rights and Human Rights Defenders”* which aims to contribute to the goal of reducing land rights violations and ensuring that the right to land is recognized as a human right -- as land rights organizations and communities become part of the regional and country dialogues. This initiative aims to:

- ❑ popularize the concept of land rights as human rights through engagement with National Human Rights Institutions (NHRIs) and regional bodies in policy discussions;
- ❑ prepare Land Conflict Monitoring Reports in six countries;
- ❑ contribute to the popularization of UNGP BHR processes; and,
- ❑ undertake the development of a scorecard for assessing prospective private investors in land and agriculture.



At the country level, partners shall engage CSOs, NHRIs, and the government in the dialogue process in relation to the formulation and monitoring of the National Action Plan of the UN Guiding Principles of Business and Human Rights (UNGP BHR). Country papers were prepared and discussed in the six countries in order to: (a) provide an overview of the relevance of the UNGP BHR in the context of land and agricultural investments, (b) identify the challenges faced in mainstreaming the UNGP BHR, and (c) formulate key recommendations from the consultation processes.

On the other hand, the Country Land Conflict Monitoring Report aims to contribute towards a better understanding of land and resource conflicts and to highlight human rights issues in the context of these conflicts through evidence-based data. The specific objectives of the said reports are to:

- ❑ discuss the impacts and outcomes of land and resource conflicts on local communities and on land rights defenders;
- ❑ assess the nature and causes of land and resource conflicts;
- ❑ discuss the available conflict prevention, response and resolution mechanisms in each country; and,
- ❑ recommend actions towards the prevention and resolution of such conflicts.

Finally, CSO partners shall develop a scorecard as a tool to be used by communities to evaluate *private* investments in land and agriculture at their initial exploratory stage or during their initial phase of operations. The tool may not yet apply to all types of investments – it would have to be revised and refined for it to apply to concessions, State-owned companies, and investments that have been operating for longer periods. Noting that developing an effective scorecard system requires a long and thorough consultative process, this tool is not expected to be a finished product but rather, a work-in-progress.

Towards this end, ANGOC, LWA and ILC Asia have convened a regional workshop in partnership with UN OHCHR and UNDP Business and Human Rights to:

- ❑ present the results of the initiative “*Defending Land Rights and Human Rights Defenders*”;
- ❑ identify key action areas on pursuing land rights as human rights; and,
- ❑ explore partnerships among different stakeholders in the region. ■




them characterized by impunity, against individuals and communities, especially against human rights defenders, which phenomenon is now referred to as “developmental aggression;”

4. Whereas, access to justice by affected communities are generally rendered inutile by cumbersome, lengthy, costly, and sometimes corrupt judicial, quasi-judicial, and administrative remedial mechanisms;
5. Whereas, the Universal Declaration of Human Rights (UDHR) and other covenants, principles, aspirations, and declarations arising therefrom, such as the (a) International Covenant on Civil and Political Rights, (b) International Covenant on Economic, Social and Cultural Rights, (c) United Nations Declaration on the Rights of Indigenous Peoples, (d) Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests, (e) United Nations Guiding Principles on Business and Human Rights, and (f) Sustainable Development Goals for 2015-2030 support the recognition of land rights as human rights and essential to human dignity;

OUR CALL TO ACTION: PROTECT, RESPECT, AND REMEDY

6. With the passage of the UN resolution on the Rights of Peasants and Other People Working in Rural Areas on 28 September 2018, we urge the UN General Assembly to adopt a declaration, formally recognizing land rights as human rights. We look forward to a legally binding treaty that shall obligate States to pursue agrarian reform that guarantees land for the rural poor;
7. We urge all governments, in consultation with all relevant stakeholders, to formulate and implement a National Action Plan on Business and Human Rights, and/or Human Rights National Action Plan, incorporating the UN Guiding Principles on Business and Human Rights (UNGPs). States have the obligation to PROTECT communities against human rights violations and abuses committed by businesses, arising out of the use and exploitation of land and its resources. We urge business enterprises, private and State-owned, to RESPECT the human rights of communities where they operate. Finally, we call on governments and businesses to take effective measures to REMEDIATE all human rights violations against individuals and communities arising out of the operations of businesses in their communities.



In regard to all of the above, we especially call for the genuine adherence to the principles of Free, Prior, and Informed Consent (FPIC), and the conduct of Environmental and Human Rights Impact Assessments before business projects are approved and operationalized.

8. We call on governments to respect the independence of NHRIs, allowing them to fully and effectively fulfill their mandates consistent with the Paris Principles, and call on the establishment of NHRIs in countries where they do not yet exist.
9. In light of shrinking democratic space, we call on governments to respect and protect the rights of civil society organizations, non-government organizations, land and human rights defenders, and media.
10. We call on regional bodies, such as the Association of Southeast Asian Nations (ASEAN), South Asia Association for Regional Cooperation (SAARC), the Southeast Asia National Human Rights Institution Forum (SEANF), ASEAN Intergovernmental Commission on Human Rights (AICHR), and the Office of the High Commissioner on Human Rights (OHCHR) to be proactive in protecting human rights in land and resource conflicts in the light of rising developmental aggression.

OUR COMMITMENT

11. Together with other land/human rights defenders and organizations, we commit ourselves to continuously monitor and document human rights violations and abuses arising out of land conflicts, bringing these violations and abuses to the attention of international bodies, such as the United Nations through the Universal Periodic Review (UPR) Process, and to vigorously engage governments and businesses on these issues through vigilant and non-violent means.

Bangkok, Thailand. 16 November 2018.



Signed:

National Human Rights Institutions

- National Human Rights Commission of Bangladesh (NHRCB)
- Kazi Reazul Hoque, Chairperson, NHRCB
- Al Mahmud Faizul Kabir, NHRCB
- Yagya Prasad Adhikari, Director, National Human Rights Commission of Nepal (NHRCN)
- Commissioner Roberto Eugenio T. Cadiz, Commission on Human Rights of the Philippines (CHRP)
- Jesus Torres, Division Chief, Economic, Social, and Cultural Rights Center, CHRP

Civil Society Organizations

- Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC)
- Association for Land Reform and Development (ALRD), Bangladesh
- Association for the Realisation of Basic Needs (ARBAN), Bangladesh
- Cambodian Center for Human Rights (CCHR), Cambodia
- Centre for Legislative Research and Advocacy (CLRA), India
- Community Development Association (CDA), Bangladesh
- Community Self-Reliance Centre (CSRC), Nepal
- Consortium for Agrarian Reform (KPA), Indonesia
- Ekta Parishad, India
- Human Security and Equity Research Unit, Chulalongkorn University Social Research Institute (CUSRI), Thailand
- International Land Coalition-Asia (ILC-Asia)
- People's Campaign for Agrarian Reform Network, Inc. (AR Now!), Philippines
- Social Development Foundation (SDF), India
- STAR Kampuchea, Cambodia
- Xavier Science Foundation (XSF), Philippines ■



THEME 1:

LAND AND RESOURCE CONFLICTS IN SIX COUNTRIES IN ASIA¹

Country Monitoring Reports on Land Conflicts were prepared by CSOs in six countries -- to understand the nature, causes and impacts of land and resource conflicts, and to highlight human rights issues in the context of these conflicts. The reports likewise provided an overview of some of the available conflict response and resolution mechanisms in each country.

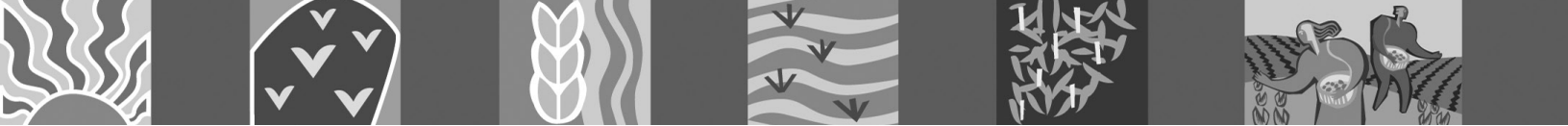
Different forms of violence were the overriding themes of the cases studied, the most visible of which is physical – killing, injury, incarceration, eviction, and forced displacement. Psychological violence was also manifested in several ways -- grave threat, verbal abuse, harassment, defamation, and discrimination. Economic and political violence were also noted in many of the cases.

Land conflicts affect entire neighborhoods and communities in significant numbers, causing physical and psychological harm, with extensive impacts on their social, economic and political lives.

BANGLADESH

Bangladesh consists mostly of fertile alluvial lowland or delta plains with one of the world's most dense populations (1,265 people per square kilometer). Thus, land scarcity is pronounced. Water resource access is a major issue. About 10 percent of the country consist of inland waters and 17 million people are involved in often seasonal fishing.

¹ This summary is based on presentations of CDA (Bangladesh), SK (Cambodia), EP (India), KPA (Indonesia), CSRC (Nepal), ANGOC (Philippines), Antonio Quizon and discussions from the Panel on "The state of land conflicts in selected countries in Asia". For more details, refer to the 2018 ANGOC regional publication "*In Defense of Land Rights – A monitoring report on land conflicts in six Asian countries*".



The country's elaborate tenancy systems were made worse by the *zamindari* system under British colonial rule. Today, Bangladesh has a highly skewed land ownership structure, with 60 percent of all households functionally landless, as they own only 4.2 percent of all lands.

Bangladesh has a rich history of land rights movements. The country also had brief periods of land reforms (1972, 1991) but they had limited impact due to corruption, landowner circumvention, etc. Among the major land conflict issues is the encroachment into indigenous peoples' lands in the Chittagong Hill Tracts, conversion of land for military camps, and State plantations.

As of 2014, the government still holds two (2) million hectares of *khas* land and water bodies (of which only 24 percent are agricultural) that should be distributed to the landless. However, distribution of agricultural *khas* lands often involve bribes and corruption. Also, most *khas* land are illegally occupied by rich peasants, and 95 percent of *khas* water bodies have been grabbed by local elites.

“Cambodia has experienced four major shifts in property regime within a single generation, due to decades of internal war and foreign occupation.”

Antonio Quizon
ANGOC

The government is custodian of 850,000 hectares of land under the Vested Property Act, plus another 405,000 hectares under the Abandoned Property Act (Barkat, 2007). These lands have not been returned to their owners despite a 2001 Supreme Court ruling.

Land cases continue to clog judicial dockets as some two million hectares are under litigation. Land related cases take an average of 9.5 years for settlement. Land, in general, is the cited source of almost 60 percent of all legal disputes in Bangladesh (TI, 2017).

CAMBODIA

Cambodia has experienced four major shifts in property regime within a single generation, due to decades of internal war and foreign occupation. From 1975 to 1979, the Khmer Rouge regime abolished private property, destroyed cadastral maps and the entire institutional infrastructure of the land system. War and forced relocation resulted in the dislocation of millions of people and the loss of property rights.

After 1889, all lands were considered as State property. Reclaiming land rights and land sales in the 1990s were marked by corruption and land grabs due to weak institutions. In 2001, a Land Law was passed and cadastral and registry systems were re-established.



Today, the State controls 80 percent of the country's 18.1 million hectares. State land management has favored granting large-scale economic land concessions (ELCs) to private companies, creating conflicts.

As of 2016, over 20 percent of all State lands (2.6 million hectares) has been awarded to large-scale concessionaires, including foreign corporations. Moratoriums on new ELCs were declared in 2012, but the implementation has been questionable.

“Traditional and customary land tenure systems existed long before India became a nation-State. Feudal systems deepened under British colonial rule as land became a central source of State revenue.”

For most people, the continuing challenge is how to formalize their property rights under the 2001 Land Law in the face of competing claims. Given limited information and resources for formal titling, many people rely on mere “recognition” of their land claims.

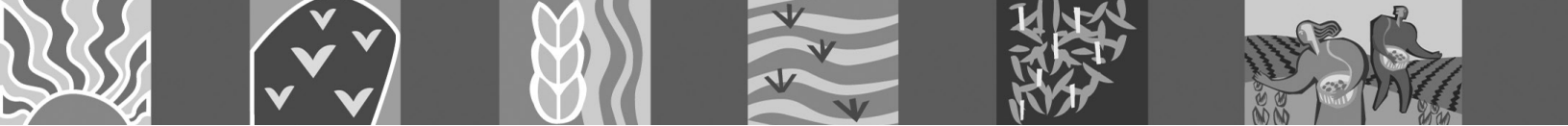
INDIA

Traditional and customary land tenure systems existed long before India became a nation-State. Feudal systems deepened under British colonial rule as land became a central source of State revenue.

After independence, land reforms were instituted to address landlessness and social exclusion, which was done in three phases: (1) abolition of *zamindars*; (2) tenant protection acts; and, (3) land ceilings and redistribution. State-level reforms were most successful in West Bengal and Kerala States. Land ceilings were not implemented at all in other States.

Many anti-discrimination and social protection acts were passed, but with earlier structural adjustment programs and later economic growth and investments under market liberalization, the gap between the rich and poor has been growing. This exacerbates existing land inequalities and divides (i.e. discrimination against women, and *dalits*).

The key drivers of land conflict are development projects (Special Economic Zones), conversion of forests to other uses, and privatization of community lands under common property use and tenure.



INDONESIA

Dutch colonial land and agrarian systems continued after Indonesia's independence in 1949. Subsequently, State-supported migrations and private investments were implemented to consolidate State control over islands outside Java, which resulted to conflicts with indigenous peoples over *adat* lands.

The government introduced land redistribution through the 1960 Basic Agrarian Law and the 1962 Land Reform Program. However, the Land Reform Program was implemented for only five years then reversed when the military took over in 1966. Since then, no land reform program has been implemented. There has also been no restitution of indigenous lands since independence.

As of 2016, the Ministry of Environment and Forestry had issued land concessions to 499 enterprises covering 68.7 million hectares, or 38 percent of the country's land area. Meanwhile, 25 percent of the population now living in forest areas remain without security of tenure.

In 2017, President Jokowi promised to redistribute 9.1 million hectares of land.

NEPAL

Land in Nepal is historically governed by customary and non-formal practices, as indigenous groups comprise 36 percent of the population. Historically, State ownership of land fell under the monarchy, with complex feudal systems and bonded labor.

The government implemented the Land Reform Act of 1964, yet as of 2016 only 28,124 hectares have been redistributed (1.5 percent of all agricultural lands).

Nepal is experiencing a new dimension of land conflicts:

- ❑ Common issues: inheritance among family members, boundary conflicts between neighbors, conflict between landless people and State authorities and between landowners and tenants;
- ❑ Growing migration to *terai*, growth of informal settlers, land grabs;
- ❑ Discrimination against women, indigenous peoples, *dalits*;
- ❑ Conflict between statutory law and customary systems; and,
- ❑ Escalating land prices, population growth, and increasing fragmentation of landholdings due to the inheritance law.

From 2012-2016, around one-fourth of all court cases is land related.



PHILIPPINES

The Philippines has had a long history of colonialism, which determined its land governance. The Spanish regime introduced the Regalian Doctrine and *hacienda* or plantation systems, sharecropping tenancies, and forced labor.

The American occupation facilitated the entry of foreign companies into mining and logging and into modern capitalist plantations, especially in the southern island of Mindanao. The Americans also introduced the Torrens title and registration system, resulting in massive land grabs.

After independence in 1945, several land reform programs were legislated in response to escalating agrarian and social unrest; but implementation was stifled by landowning interests entrenched in power, and the lack of government funding and support.

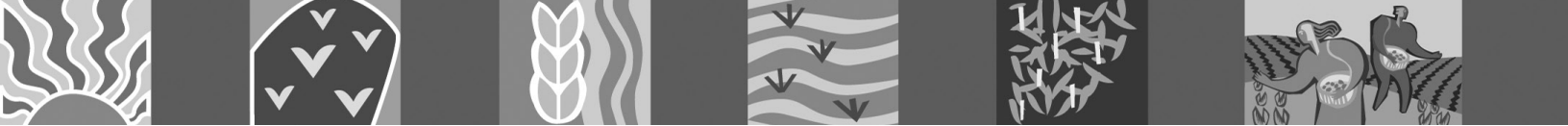
The 1986 People Power revolution that ousted a 20-year dictatorship brought about the 1987 Constitution that introduced social reforms—leading to landmark legislation like the Comprehensive Agrarian Reform Program (CARP), the Indigenous Peoples Rights Act (IPRA), and the Fisheries Code.

While CARP implementation is 90 percent completed, nearly 800,000 hectares of land still have to be redistributed. These lands are the most difficult to redistribute, as they consist of large, private landholdings. Landowners are now pushing back, resulting in an increase in violence since 2009. Growing private agribusiness investments unfavorable to small landholders have also of late been a source of conflicts.

Through the IPRA, 221 ancestral domain titles covering 5.4 million hectares have been recognized, but ancestral land titles are still not respected. There is continuing encroachment into IP lands by mining investments and migrants.

Meanwhile, weak implementation of the Fisheries Code has continued to negatively impact the small fishers.

Also, multiple government agencies continue to issue land titles, licenses, and permits, which lead to overlapping claims and conflicts over land rights.



RECOMMENDATIONS

In light of these issues and challenges faced by communities with regard to their land rights, the participants of this regional workshop put forward the following agenda for action:

To Governments:

- ❑ Implement Constitutional provisions that guarantee equal rights to land for women, peasants, landless and *scheduled castes*;
- ❑ Recognize and respect diverse tenure systems upon which people's livelihoods depend, including communal and customary tenure systems;
- ❑ Fully implement agrarian reforms. Revive land reforms through responsive legislations;
- ❑ Protect especially poor communities from arbitrary eviction and displacement;
- ❑ Investigate and address cases of incursion and displacement of indigenous peoples;
- ❑ Protect land rights defenders;
- ❑ Legislate and implement land use policies in order to protect agricultural areas against fragmentation and land use conversion, and to strengthen local food security;
- ❑ Adopt and implement the UN Guiding Principles on Business and Human Rights (UNGPs) in land and resource governance;
- ❑ Address violations of land/human rights where they occur;
- ❑ Reach out and inform local communities, especially vulnerable groups, of their land rights and entitlements;
- ❑ Train government staff (including police and military) on dealing with conflict – especially on gender and cultural sensitivity, and respect for human rights;
- ❑ Fast-track the resolution of land-related cases;
- ❑ Strengthen local mediation mechanisms for addressing land conflicts; and,
- ❑ Ensure integrity, transparency and public access in the management of land records.

To National Human Rights Institutions (NHRIs):

- ❑ Include and cite land conflict monitoring reports in the annual reports of the National Human Rights Institutions and Commissions

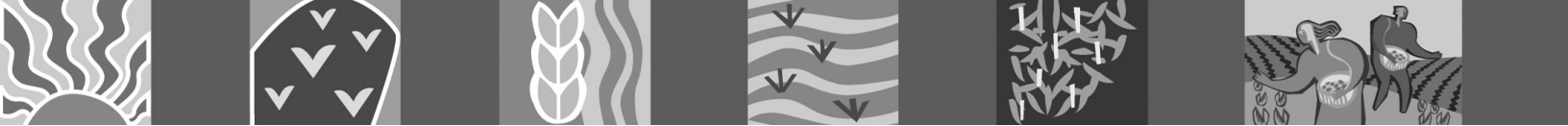


To Businesses and Private Sector:

- Strictly implement government regulations; adhere to the highest standards of environmental and social safeguards

To Civil Society Organizations:

- Organize and empower affected communities;
- Improve reporting and response mechanisms;
- Promote non-violent action; and,
- Establish independent people's commissions to investigate land conflicts, including the conduct of businesses and the role of the State, towards the protection of local community rights. ■



THEME 2:

THE STATE OF THE UNITED NATIONS GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS (UNGPs BHR) IN SELECTED COUNTRIES IN ASIA²

On 16 June 2011, the United Nations Human Rights Council endorsed the Guiding Principles on Business and Human Rights as part of implementing the UN “*Protect, Respect, and Remedy*” Framework. This was brought about by the realization that – at the peak of globalization – delineation of clear roles and responsibilities of business enterprises at the local, national, and international level are very important to ensuring human rights practice (UN OHCHR, 2011).

The UNGP BHR standards address the wide range of potential impacts of the business sector. These may be positive, such as increasing access to employment or improving public services; or negative, such as polluting the environment, underpaying workers, or forcibly evicting communities.

In 2008, the United Nations endorsed the ‘Protect, Respect, and Remedy Framework’ for business and human rights,³ which recognizes unequivocally that States have the *duty* under international human rights law to *protect* everyone within their territory

² This summary is based on presentations of Livio Sarandrea (Business and Human Rights Chief Adviser and Manager of UNDP’s project: Business and Human Rights in Asia), Joel Pagsanghan and discussions from the Panel on “The state of UNGP BHR in Selected Countries in Asia.” For more details, refer to the 2018 ANGOC regional publication “*Upholding Land Rights Amidst the Land Rush: A situationer on the United Nations Guiding Principles on Business and Human Rights in selected countries in Asia.*”

³ This framework was developed by then-Special Representative of the UN Secretary General, Professor John Ruggie, following three years of research and worldwide consultations with businesses, civil society, governments and victims of corporate human rights abuses.



National Human Rights Commission of Thailand Chairperson Wat Tingsamitr shares his country's initiatives to promote and implement the UNGP BHR. (Photo by NHRC of Thailand.)

and *jurisdiction* over human rights abuses committed by business enterprises. This duty means that States must have effective laws and regulations to prevent and address business-related human rights abuses and ensure access to effective remedy for those whose rights have been abused.

The UN Framework also addresses the *responsibility* of businesses to *respect* human rights wherever they operate and whatever their size or industry. Companies need to be aware of their actual or potential impacts, prevent and mitigate abuses, and address adverse impacts where they are involved. The UN Framework also makes the important clarification that the responsibility of businesses exists independently of the duty of State to protect human rights.

Finally, the UN Framework recognizes the fundamental right of individuals and communities to *access effective remedy* when their rights have been adversely impacted by business activities. States must ensure that the people affected have effective access to remedy with the court system or other legitimate non-judicial process. For their part, business companies should establish or participate in grievance mechanisms for these adversely affected individuals or communities.



In 2011, the UN Human Rights Council unanimously endorsed the UNGP BHR, a set of guidelines to operationalize the UN Framework. Following the endorsement, the UN Working Group on Business and Human Rights, consisting of five independent experts, was assigned to guide the implementation of the UNGP BHR.

The UNGP BHR set out a list of effectiveness criteria for State- or business-based non-judicial grievance mechanisms. These criteria stipulate that effective grievance mechanisms should be legitimate, accessible, predictable, equitable, transparent, and rights-compatible. Simply put, they must provide genuine remedies for the victims of human rights violations by companies and must not amount to communications or political exercises.

The Working Group on the issue of human rights and transnational corporations and other business enterprises (also referred to as the Working Group on Business and Human Rights/UNWG), mandated by the United Nations Human Rights Council (UNHRC) to promote the effective and comprehensive implementation of the UNGPs, noted in its 2016 Guidance on Business and Human Rights that National Action Plans (NAPs) can be an important means to promote the implementation of the UNGPs (DIHR, n.d.).

“We should convince companies and governments that compliance to the UNGP BHR can only improve their image, and consequently, their bottom lines.”

Livio Sarandrea, Business and Human Rights Chief Adviser, UNDP

Engagement at the country level involve CSOs, National Human Rights Institutions (NHRIs) and governments conducting dialogues for the formulation and/or monitoring of a National Action Plan (NAP) on the UNGP BHR. Six country papers were also prepared – for Cambodia, Bangladesh, Nepal, India, Indonesia, and the Philippines – in order to provide an overview and relevance of the UNGP BHR in their respective contexts.

MAINSTREAMING UNGP BHR

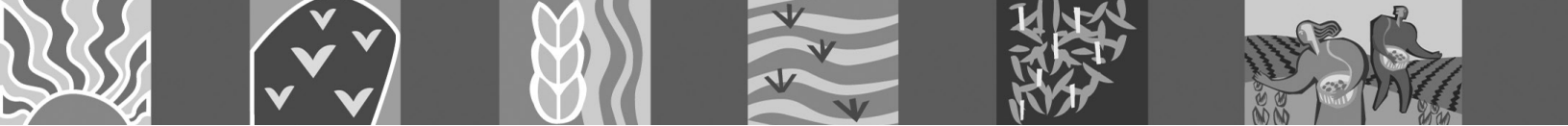
The six countries studied have all been actively engaging for recognition of the UNGP BHR through consultations with government, CSOs, and the academe; awareness-raising activities; and coordinating with the NHRIs in the formulation of the NAP.

In South Asia, engagements have been extended to the business sector via regional and national conferences and meetings with business federations.

Except for Indonesia, which has a NAP formulated by its NHRI (Komnas HAM), all countries have yet to initiate the NAP formulation. However, the government of Indonesia has yet to implement the NAP prepared by Komnas HAM. On the other hand, it should be noted that Cambodia has yet to establish an NHRI.

STATUS OF BHR IMPLEMENTATION IN SIX ASIAN COUNTRIES

Country	National Action Plan (NAP)	Initiatives by NHRIs/NHRCs	Initiatives by CSOs and the Private Sector
Bangladesh	Yet to be initiated	<ul style="list-style-type: none"> Conducted follow-up consultations; Established NHRC-CSO partnership 	<ul style="list-style-type: none"> CSOs partnering with NHRC on BHR activities Produced a BHR policy brief
Cambodia	Yet to be initiated	<ul style="list-style-type: none"> State HRIs and CSOs engaging on possible establishment of NHRI 	<ul style="list-style-type: none"> Awareness-raising on the UNGP BHR through meetings, workshops, factsheets, handbooks and reports Convened A Working Group to promote the establishment of an NHRI
India	Yet to be initiated	<ul style="list-style-type: none"> Held regional and national consultations on BHR, with the private sector NHRCI nominated by Commonwealth Forum to be focal point for BHR Conducted meetings with industry federations Developed a self-assessment tool for business 	<ul style="list-style-type: none"> Organized dialogues with the business sector on impact of land grabbing Dialogue for Change Conference led by Ethical Trade Initiative Awareness-raising on FPIC related to BHR among CSOs Media coverage of BHR issues
Indonesia	<ul style="list-style-type: none"> NAP formulated by NHRI but needs Executive approval Ministry of Justice (Kemenkum HAM): leading government to recognize and adopt NAP Ministry for Economic Affairs as Focal Point for UNGP BHR implementation 	<ul style="list-style-type: none"> Komnas-HAM pushing BHR not only in Indonesia but in Southeast Asia Together with some CSOs, initiated formulation of NAP on BHR 	<ul style="list-style-type: none"> CSOs supporting NHRI-initiated formulation of NAP Business Council for Sustainable Development established Conflict Resolution Unit to address land issues Indonesia Global Compact Network established BHR Working Group



Nepal	Yet to be formulated	<ul style="list-style-type: none"> • Conducted a regional conference, a consultation meeting, and a multi-stakeholder dialogue, all with government participation 	<ul style="list-style-type: none"> • LAHURNIP working with UN, NHRI; publications on BHR • CSRC plans to assist in NAP formulation
Philippines	PHRC consultation on NAP led to declaration of intent to draft HR Action Plan 2018-2020	<ul style="list-style-type: none"> • International workshop, national dialogue, and stakeholders consultation held • Position paper submitted to Congress on Amendments to Corporation Code • Development of BHR monitoring tool • First national investigation of HR “harms caused by climate change” launched • National inquiry on IPs • Human Rights inventory in mining investments 	<ul style="list-style-type: none"> • Multi-sectoral Forum held • Development of monitoring tools on business and human rights • Produced a BHR policy brief

Source: *Regional UNGP BHR Scoping Study* powerpoint presentation by Joel Pagsanghan.

RECOMMENDATIONS

Recognizing the challenges faced in mainstreaming and formulating the National Action Plans (NAPs), the following areas for action were identified at country and regional levels:

On Formulation of NAP by governments:

- NAP should be formulated and implemented at the country-level through multi-stakeholder processes;
- For governments to work with CSOs on BHR initiatives;
- Engage businesses/private sector on BHR;
- Regular review on the implementation of UNGP-BHR at national and regional levels; and,
- Implement and respect free, prior, and informed consent (FPIC).



On Code of conduct for regional/international bodies:

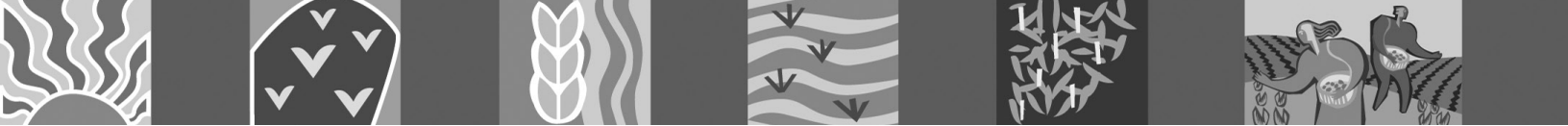
- ❑ Encourage governments to sign the legally-binding instrument to regulate in international human rights law transnational corporations and business enterprises; and,
- ❑ For regional bodies such as ASEAN, SAARC, SEANF, AICHR, and OHCHR to be proactive on addressing BHR issues, engaging both CSOs and Private sector in the dialogue processes.

On Joint CSO-NHRI/NHRC monitoring of BHR in land and agricultural investments:

- ❑ Development of tools (such as the scorecard for land and agricultural investments) and indicators to monitor BHR implementation;
- ❑ Look into the Convention on Biological Diversity (CBD) indicators on governments' compliance with its targets;
- ❑ Continue making case studies on business interests that affect land rights; and,
- ❑ Monitor the compliance of corporate/private sector and governments to the UNGP BHR, and other international declarations (ex. Paris accord), and international policies.

On Advocacy by CSOs:

- ❑ Produce alternative/shadow reports on the implementation of BHR and other human rights tools/declarations;
- ❑ Lobby national governments to protect CSOs and respect their freedom of expression;
- ❑ Support the establishment of an independent NHRI in Cambodia;
- ❑ Influence consumers to support and endorse businesses that abide by good business practices;
- ❑ Begin studying and documenting China's and India's investments in the land sector in Asia; and,
- ❑ Together with other land/human rights defenders and organizations, monitor and document human rights violations and abuses arising out of land conflicts, bringing these violations and abuses to the attention of international bodies, such as the United Nations through the Universal Periodic Review (UPR) Process. ■



THEME 3:

DEVELOPING A SCORECARD FOR ASSESSING INVESTMENTS IN LAND AND AGRICULTURE⁴

Investments on land and agriculture are on the rise in Asia due to increasing demand for food, more incentives for biofuel production, and the growth of global trade liberalization.

While driving economic growth, the impacts of business ventures on communities may at times be negative. These negative impacts are exacerbated by the fragmented nature of the land sector in most Asian countries, characterized by overlapping land policies and agency jurisdiction. This situation leads to conflicting claims over land and human rights abuses against farmers and indigenous people.

To monitor the impacts of agricultural business investments on tenurial security, CSO members of the Land Watch Asia Working Group on Land Rights as Human Rights initiated the development of a *Scorecard for Private Business Investors in Land and Agriculture*. While still a work in progress, the *scorecard* is meant to assess private investments' sensitivity to the land and human rights of communities affected or will potentially be affected by their projects.

To objectively assess investments, evaluators ought to be guided by a set of principles accepted both by the international community and by stakeholders at the grassroots level. The scorecard was guided by the seven recommended *Principles of Responsible Agricultural Investments (rai)* developed by ANGO through consultations with

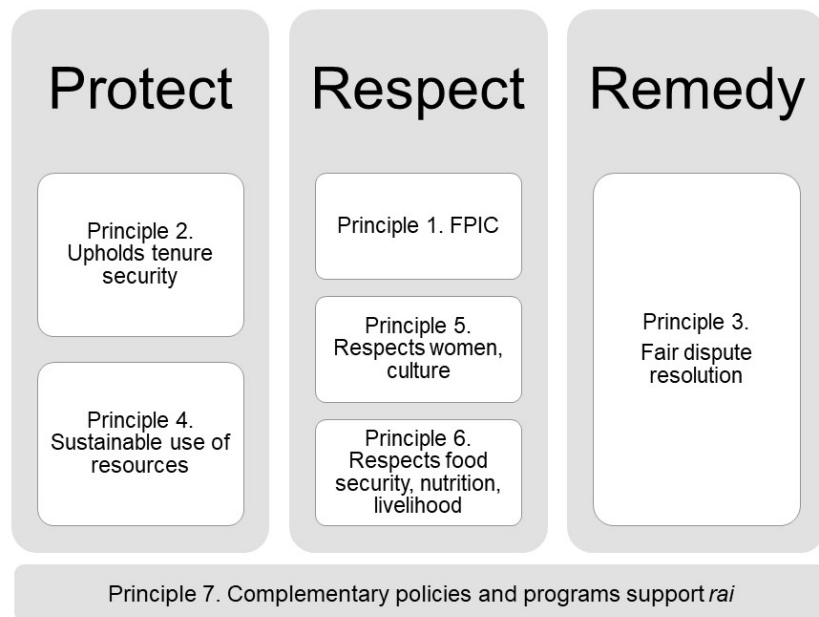
⁴ This summary is based on presentation of Roel Ravanera and Denise Hyacinth Joy Musni and discussions from the Panel on "Developing Scorecard for Private Investments in Land and Agriculture."



grassroots organizations, CSOs, and Philippine government, and the UN Guiding Principles on Business and Human Rights' *Protect, Respect and Remedy* framework.

Taking into consideration both the *rai* principles and the UNGP BHR, an initial list of indicators were developed by ANGO and the Land Watch Asia Working Group on Land Rights as Human Rights. These indicators were then subjected for discussions in the six countries.

Figure 1. Integrated framework for responsible land and agricultural investments



(Ravanera, 2018)

This scorecard tool is to be used by *communities* to evaluate *private* investments in land and agriculture in their *initial exploratory stages*, or those investments that *have just begun operations*.

STRUCTURE AND SCORING

The tool is divided into three major sections (*Protect, Respect, Remedy*), with indicators under each section. There are 20 indicators overall.

Companies which meet the criteria will be rated with the corresponding *full score* for the indicator, while those who do not satisfy the criteria will be provided with a score of *zero* for that indicator only.



SCORECARD FOR ASSESSING INVESTMENTS IN LAND AND AGRICULTURE

PROTECT (45 points)	5 points	<input type="checkbox"/> The communities' right to use (<i>access, withdraw, and exploit resources</i>) the land is not diminished.
	5 points	<input type="checkbox"/> The communities' <i>control/decision-making rights (management and exclusion)</i> over the land are not diminished.
	5 points	<input type="checkbox"/> There is no threat of involuntary eviction of rights holders and communities.
	5 points	<input type="checkbox"/> Proposed and actual arrangements and mechanisms such as joint ventures, management contracts, and marketing agreements, among others are fair and legal. Economic risks and benefits are shared between the investor/company and the concerned communities.
	5 points	<input type="checkbox"/> Lands allocated by the community for livelihood, community space, residence, and other needs as may be identified by the community, are not curtailed by the investor/company.
	5 points	<input type="checkbox"/> Full and truthful information on the investment, including contracts and relevant documents are transparent, accessible, and are in a language understood by the communities, including women and other most marginalized groups.
	3 points	<input type="checkbox"/> The investor/enterprise is compliant with national laws and internationally-accepted standards for responsible investments.
	4 points	<input type="checkbox"/> The investor/company utilizes and manages natural resources sustainably.
	4 points	<input type="checkbox"/> Minors (younger than 18) are not employed/exploited by the investor/company for labor.
4 points	<input type="checkbox"/> Workers of the company and concerned communities are not exposed to occupational hazards (ex. Health and geophysical hazards).	
RESPECT (45 points)	6 points	<input type="checkbox"/> Rights holders and communities confirm that they were involved in the consultation and negotiation processes.
	6 points	<input type="checkbox"/> Rights holders and communities were given adequate time to make an informed decision regarding their stake in the investment.
	5 points	<input type="checkbox"/> Coercive and deceptive acts were not or are not being committed by the investor/company.
	5 points	<input type="checkbox"/> Sacred sites, and sites of religious, cultural, or educational significance, are respected and not desecrated by the investor/company.
	6 points	<input type="checkbox"/> Customary and indigenous knowledge, systems, and practices, are acknowledged and respected by the investor/company.
	5 points	<input type="checkbox"/> Food sovereignty, nutrition, or livelihood of the community, especially of vulnerable groups such as women, farmers, fisherfolk, forest dwellers, informal settlers, PWDs, whose rights to the land and resources may be affected, are not threatened by the investor/company.
	6 points	<input type="checkbox"/> The unity of the concerned communities, and cohesion of members of the communities, are not divided or challenged by the investment.
	6 points	<input type="checkbox"/> No community leader or member was physically and psychologically harmed, or harassed legally/ criminalized by the investor/company.
	REMEDY (10 points)	5 points
5 points		<input type="checkbox"/> Communities displaced by the investor/company were provided with safe relocation, just compensation, restitution, and/or rehabilitation.



IMPROVING THE SCORECARD

Participants shared their insights on how the tool can be improved further, to wit:

On the limitations of the tool:

- ❑ The tool is more of an “*assessment tool*” rather than a *scorecard* because a scorecard addresses questions of competitiveness
- ❑ Determine the limitation of the applicability of the tool in terms of what land investments can be measured by this tool
- ❑ Simplify the tool by not asking too much information that the communities will not be able to access

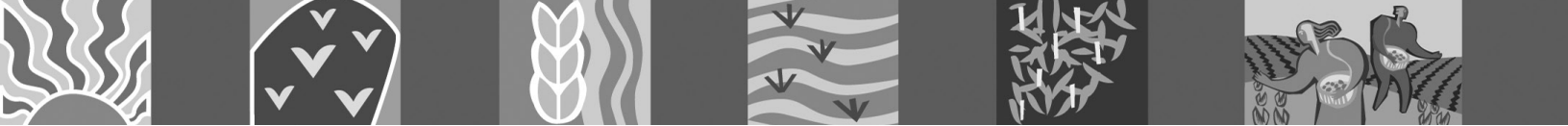
On the indicators:

- ❑ There should be a common definition of terms, because the local communities may not be familiar with certain terms used
- ❑ Some statements need further refinement, as there should be only one ‘idea’ per indicator

On building capacities of the communities that will use the tool:

- ❑ A user’s manual should be developed as a guide for communities when applying the said tool
- ❑ The said manual should be reviewed periodically to incorporate feedback from the users

As the *scorecard* is still in its development stages, the tool should be further refined and validated with different stakeholders at the national and regional levels. There are plans to test out the use of this tool with local communities to assess and monitor new investments. National Human Rights Institutions and Commissions have recognized the relevance of this tool, and expressed willingness to be engaged in support of this initiative. ■



WAYS FORWARD

The participants were divided into four groups to identify key areas for engagement among stakeholders (at local, national/State, and regional/Asia levels) in addressing land and resource conflicts.

There was recognition that the inequitable distribution of land and resources remain as a major root cause of poverty, social conflict, and human rights violations and abuses against the marginalized and vulnerable communities.

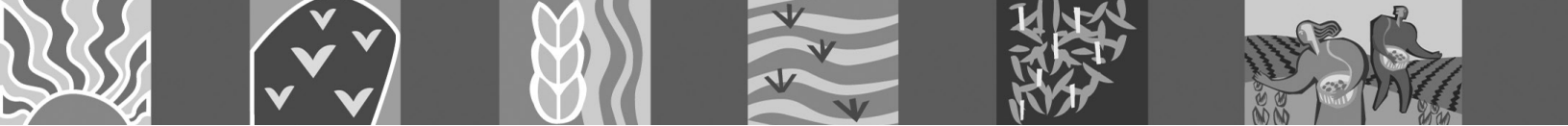
The participants reaffirmed the need to reduce land rights violations and to recognize rights to land as human rights. Hence, it is important that this regional initiative should continue so that land rights organizations and communities become part of the regional and country dialogues. In particular, the workshop participants sought to engage regional bodies, such as the Association of Southeast Asian Nations (ASEAN), South Asia Association for Regional Cooperation (SAARC), the Southeast Asia National Human Rights Institution Forum (SEANF), ASEAN Inter-governmental Commission on Human Rights (AICHR), and the Office of the High Commissioner on Human Rights (OHCHR) to be proactive in protecting human rights in land and resource conflicts in the light of rising developmental aggression and land grabbing cases.

Towards this end, the participants committed to:

- a) pursue the lobbying for governments to formulate and implement a National Action Plan (NAP) on Business and Human Rights, and/or Human Rights National Action Plan, incorporating the UN Guiding Principles on Business and Human Rights (UNGPs);
- b) continuously monitor and document human rights violations and abuses arising out from land conflicts and land grabs, and bring these violations and abuses to the attention of various stakeholders; and,
- c) pursue the development of a scorecard as a tool that communities can use in assessing private investments related to land and agriculture.

RECOMMENDATIONS ON WHAT PARTICIPANTS CAN DO TOGETHER

Level	Key stakeholders	Key activities
Local	CSOs	<input type="checkbox"/> Continue the conduct of land monitoring initiatives <input type="checkbox"/> Be involved in the fact-finding and investigation processes of NHRIs and NHRCs
	NHRIs and NHRCs	<input type="checkbox"/> Be involved in the further development of CSO monitoring and assessment tools
National	CSOs	<input type="checkbox"/> Strategic studies on land grabbing as inputs to formulation of campaign agenda <input type="checkbox"/> Develop campaign strategy on addressing land grabs
	NHRIs and NHRCs	<input type="checkbox"/> Conduct fact-finding and investigation of land conflicts <ul style="list-style-type: none"> • Identification of land issues • Consultations • Preparing the reports • Submission of results in the Governments as inputs to legislation formulation and program implementation <input type="checkbox"/> Include the CSO land monitoring results in the reports of NHRIs and NHRCs
	CSOs, NHRIs and NHRCs	<input type="checkbox"/> Build national capacities in understanding UNGP BHR <input type="checkbox"/> Organize parliamentary caucuses on UNGP BHR <input type="checkbox"/> Jointly lobby for the formulation and implementation of National Action Plans of UNGP BHR <input type="checkbox"/> Dialogues with policy-makers to make space in the formulation of legislations <input type="checkbox"/> Engage media in their initiatives <input type="checkbox"/> Convene resource conflict resolution tribunal/commission
	UNDP BHR and OHCHR	<input type="checkbox"/> Facilitate and organize training courses on BHR for NHRIs, NHRCs and CSOs
	UNDP BHR, OHCHR, NHRIs, NHRCs and CSOs	<input type="checkbox"/> Facilitate training courses on land rights for the judiciary system
	CSOs	<input type="checkbox"/> Training on land conflict monitoring and development of database system for storing and updating <input type="checkbox"/> Continue engaging SEANF, AICHR, SAARC, UNDP BHR, OHCHR on land rights
Regional and International	UNDP BHR and OHCHR	<input type="checkbox"/> Carry on the results of land conflict investigations <input type="checkbox"/> Link CSOs, NHRIs and NHRCs to international processes (UPR, etc.)
	UNDP BHR, OHCHR, NHRIs, NHRCs and CSOs	<input type="checkbox"/> Organize inter-regional forums on BHR <input type="checkbox"/> Convene follow-up discussions on identifying priorities <input type="checkbox"/> Conduct peer learning activities such as sharing on cross-border initiatives on climate change, pollution, water degradation, mining, etc.



The UNDP BHR Team acknowledged that the Land Watch Asia Working Group on Land Rights as Human Rights (i.e., CBI 9-10 Asia CSO members) represents a valuable resource for the advancement of business and human rights, and has committed to ensure that governments or whoever is in-charge of BHRs at the country level draw on this resource. The team also committed to assist the working group with technical resources. It was suggested that the group utilize the Universal Periodic Review (UPR) mechanism, and to maximize the Sustainable Development Goals (SDGs) agenda.

The Office of the High Commissioner for Human Rights (OHCHR) welcomed the proposal to create an inter-NHRI working group for cross-cutting or regional issues like BHR and climate change; and added that their office would be very happy to extend their support to this endeavor. The OHCHR further suggested that the group make the best possible use of the UN Special Rapporteur mechanism to advance the agenda on land rights.

Representatives of NHRIs in Bangladesh, Nepal, and the Philippines committed to work closely with CSOs in their respective countries for advocating business and human rights, specifically on land rights concerns.

The Chair of Timor Leste NHRI—the concurrent Chair of the Southeast Asia National Human Rights Institution Forum (SEANF)—committed to include the land rights as human right concept in SEANF’s Technical Working Group, as well as during its annual meeting in 2019. The Chair also expressed SEANF’s commitment to engage the CSOs in national and regional dialogues on BHR and on land rights as human rights.

The ILC Secretariat shared that they are very happy that Asia is building a solid platform on preventing land grabbing and protecting land rights defenders, and remains committed to support the initiative.

On behalf of ANGO, Vice Chairperson Chet Charya stressed the importance of sharing experiences and working together at the regional level, not only for the CSOs but also the NHRIs. She hopes that this activity will lead to developing national and regional action plans for BHR, specifically for upholding land rights as human rights. ■

“As we mark the 70th anniversary of the Universal Declaration of Human Rights, the realization of the importance of human rights, including its links to land, are of paramount importance.”

Katia Chrizzi, Deputy Regional Representative, OHCHR-Southeast Asia



LIST OF PARTICIPANTS

BANGLADESH

Rowshan Jahan Moni
Deputy Director
Association for Land Reform and Development
(ALRD)
Email: rowshanmoni@alrd.org

Md. Mahamudul Haque
Associate to Executive Director
Community Development Association (CDA)
Email: mahmud_raj@yahoo.com

Al Mahmud Faizul Kabir
Director
National Human Rights Commission of
Bangladesh (NHRCB)
Email: amfkshahin@gmail.com

Mohammad Nazmul Haque
First Secretary
Bangladesh Embassy in Thailand

Muhammed Kamal Uddin
Coordinator
Association for Realisation of Basic Needs
(ARBAN)
Email: arbn@dhaka.agni.com

Kazi Reazul Hoque
Chairman
National Human Rights Commission of
Bangladesh (NHRCB)
Email: krh_bnhri@yahoo.com

Zahid Hossain
National Human Rights Officer
Office of High Commissioner for Human Rights in
Bangladesh
Email: zahid.hossain@one.un.org

CAMBODIA

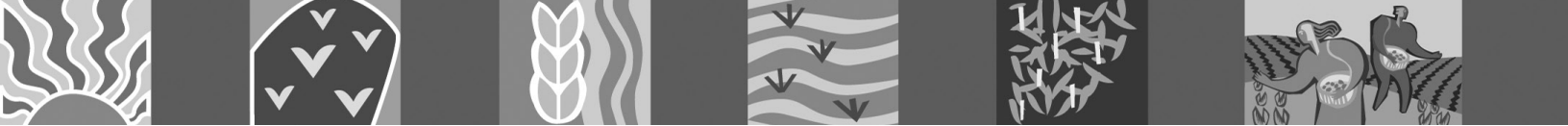
Chet Charya
Executive Director
STAR Kampuchea (SK)
Email: star-director@starkampuchea.org.kh

Rim Phatbophaphoung
Project Assistant
Cambodian Center for Human Rights (CCHR)
Email: bophaphoungphat.rim@cchrcambodia.org

INDIA

Aneesh Kumar Keloth Kaitheri
National Convener
Ekta Parishad (EP)
Email: ektaaneesh@gmail.com

Vidya Bhushan Rawat
Director
Social Development Foundation (SDF)
Email: vbrawat@gmail.com



Vinod Bhanu
Executive Director
Centre for Legislative Research and Advocacy
(CLRA)
Email: vinudirect@gmail.com

INDONESIA

Dewi Kartika
Secretary General
Consortium for Agrarian Reform (KPA)
Email: dewikartika.kpa@gmail.com

Widiyanto
Project Manager
OXFAM-Indonesia
Email: Widiyanto@oxfam.org.uk

NEPAL

Yagya Prasad Adhikari
Director
National Human Rights Commission of Nepal
(NHRCN)
Email: yagya.adhikari@nhrcnepal.org

Anita Kharel
Manager
Community Self-Reliance Centre (CSRC)
Email: anita@csrcnepal.org

Gita Pandit
Admin and Finance Coordinator
Community Self-Reliance Centre (CSRC)
Email: geeta@csrcnepal.org

PHILIPPINES

Roberto Cadiz
Commissioner
Commission on Human Rights of the Philippines
(CHRP)
Email: abastillasanna@gmail.com

Jesus Torres
*Division Chief of the Economic, Social and Cultural
Rights Center*
Commission on Human Rights of the Philippines
(CHRP)
Email: guvernaculum@gmail.com

Kimberly Alvarez
Policy Officer
People's Campaign for Agrarian Reform (AR Now!)
Email: kbalvarez@gmail.com

Roel Ravanera
Executive Director
Xavier Science Foundation (XSF)
Email: rravanera@xu.edu.ph

THAILAND

Seree Nonthasoot
Representative of Thailand
ASEAN Intergovernmental Commission on
Human Rights (AICHR)
Email: sernon@gmail.com

What Tingsamitr
Chairperson
National Human Right Commission of Thailand
(NHRCT)
Email: int.hr.nhrct@gmail.com



Ladaporn Paoluengtong
*Director of the Law and Policy Development Unit,
Research and Technical Support*
National Human Right Commission of Thailand
(NHRCT)
Email: info@nhrc.or.th

Chidchanok Karinchai
*Legal Officer, Human Rights Protection Unit 2,
Human Rights Protection Bureau*
National Human Right Commission of Thailand
(NHRCT)
Email: info@nhrc.or.th

Kawisara Somsud
National Human Right Commission of Thailand
(NHRCT)
Email: info@nhrc.or.th

Sayamol Charobnratana
Human Security and Equity Research Unit
Chulalongkorn University Social Research
Institute
Email: saya21@yahoo.com

Pornchai Noibanngong
Human Rights Officer
Email: p-rnchai@hotmail.com

TIMOR LESTE

Jesuina Ferreira Gomes
Deputy for Good Governance
Ombudsman for Human Rights and Justice
(PDHJ)
Email: nigom99@yahoo.com.au

ASIA AND INTERNATIONAL

Nathaniel Don Marquez
Executive Director
Asian NGO Coalition for Agrarian Reform and
Rural Development (ANGOC)
Email: donmangoc93@gmail.com

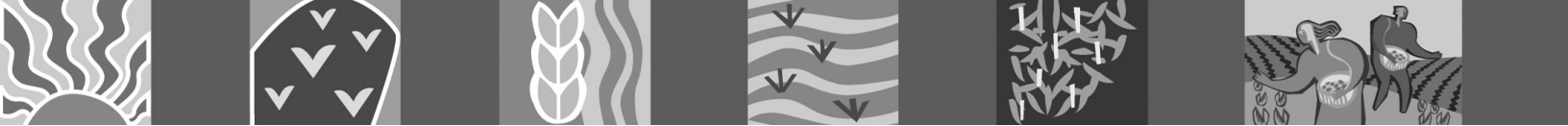
Antonio Quizon
Member/Resource Person
Asian NGO Coalition for Agrarian Reform and
Rural Development (ANGOC)
Email: tonyquizon@yahoo.com

Jose Ignatius "Joel" Pagsanghan
Resource Person
Email : jpagsanghan@gmail.com

Denise Hyacinth Joy Musni
Project Officer
Asian NGO Coalition for Agrarian Reform and
Rural Development (ANGOC)
Email: denisemusni@angoc.org

Timothy Salomon
Project Officer
Asian NGO Coalition for Agrarian Reform and
Rural Development (ANGOC)
Email: tfsalomon@angoc.org

Saurin Siagian
Coordinator
International Land Coalition (ILC) Asia Regional
Coordination Unit
Email: saurin@landcoalition.info



Katia Chirizzi
Deputy Representative
Office of the United Nations High Commissioner
for Human Rights
Email: chirizzi@un.org

Henrik Stenman
Consultant
Office of the United Nations High Commissioner
for Human Rights

Shivani Verma
Office of the United Nations High Commissioner
for Human Rights
Email: vermas@un.org

Fiona Servaes
Human Rights Intern
Office of the United Nations High Commissioner
for Human Rights

Tam Hoang
Advisor
UN Habitat
Email: tam.hoang@un.org

Vanessa Hongsathavij
Center for People and Forests (RECOFTC)
Email: vanessa.hongsathavij@recoftc.org

Livio Sarandrea
*Business and Human Rights Chief Adviser
and Manager of UNDP's project:
Business and Human Rights in Asia*
United Nations Development Programme (UNDP)
Email: liviosarandrea@undp.org

Pichaporn Onora
United Nations Development Programme (UNDP)
Email: pichaporn.onora@undp.org

Neeth Patil
United Nations Development Programme (UNDP)
Email: neeth.patil@undp.org

ANGOC REGIONAL SECRETARIAT

Marianne Jane Naungayan
Project Officer
Email: mjnaungayan@angoc.org

Joseph Onesa
Admin Assistant
Email: jeonesa@angoc.org

Lennie Rose Cahusay
Finance Assistant
Email: lrcahusay@angoc.org

Gerard Jerome Dumlao
Documentor
Email: gjcdumlao@gmail.com

LAND WATCH ASIA WORKING GROUP ON MAINSTREAMING LAND RIGHTS AS HUMAN RIGHTS



Founded in 1979, the **Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC)** is a regional association of national and regional networks of civil society organizations (CSOs) in Asia actively engaged in food security, agrarian reform, sustainable agriculture, participatory governance and rural development. ANGOC network members and partners work in 10 Asian countries together with 3,000 CSOs and community-based organizations (CBOs). ANGOC actively engages in joint field programs and policy discussions with national governments, intergovernmental organizations (IGOs) and international financial institutions (IFIs).

33 Mapagsanguni Street, Sikatuna Village
Diliman, 1101 Quezon City, Philippines
P.O. Box 3107 QCCPO 1101, Quezon City, Philippines
Tel: +63-2-3510581
Fax: +63-2-3510011
Email: angoc@angoc.org
URL: www.angoc.org



People's Campaign for Agrarian Reform Network, Inc. (AR Now!) is an advocacy and campaign center for the promotion of agrarian reform and sustainable development. Its vision is to achieve peasant empowerment, agrarian and aquatic reform, sustainable agriculture and rural development.

38-B Mapagsanguni St., Sikatuna Village
Diliman, 1101 Quezon City, Philippines
Phone : (632) 433 0760
Fax : (632) 921 5436
Email: arnow.inc@gmail.com



Association for Realisation of Basic Needs (ARBAN), a non-government development organization concerned with the fundamental rights and the basic needs of landless agricultural laborers, sharecroppers and marginalized people, was founded on 18 February 1984. It works with the rural-urban poor and powerless and indigenous people for their socio-economic, cultural, and political empowerment and emancipation from all forms of bondages including injustices, inequalities and dispossession by promoting and practicing democratic values and participatory development processes at all levels through implementing various projects and programs.

House #6/2 ,Block#B, Lalmatia, Mohammadpur
Dhaka-1207 Dhaka, Bangladesh Mohammadpur
Phone: +880 811-1321
Email: arban1984@yahoo.com
Website: <https://www.facebook.com/mis.arban.org/>



Community Development Association (CDA) is a non-government development organization that has been facilitating the rural poor, landless and marginal farmers, the plain land Indigenous people (IP) including differently able men, women, and rural youth with a view to empower, ensure access to land rights and mobilize the people-centered land governance and agrarian reform upon the contextual needs and demands led by 700 village-based peoples organizations in the north-western part of Bangladesh.

Community Development Association (CDA)
Upa-Shahar, Block # 1, House # 51 Dinajpur-5200, Bangladesh
Email: edcda08@gmail.com
Phone: +880531-64428, Cell: +88(0)1713195000
Skype: [jinnah1950](https://www.skype.com/jinnah1950)
Web: www.cdalop.org



Community Self Reliance Centre (CSRC) has been at the forefront of land and agrarian rights campaign in Nepal. CSRC educates, organizes, and empowers people deprived of their basic rights to land to lead free, secure, and dignified lives. The organization's programs focus on strengthening community organizations, developing human rights defenders, improving livelihoods, and promoting land and agrarian reform among land-poor farmers. Since its establishment, CSRC has constantly worked to transform discriminatory and unjust social relations by organizing landless, land poor and marginalized communities to claim and exercise their rights.

Dhapasi, Kathmandu
Phone: 0977 01 4360486 / 0977 01 4357005
Fax: 0977 01 4357033
Email: landrights@csrcnepal.org
Website: csrcnepal.org



Established in 1994 as the **Consortium for Agrarian Reform (KPA)**, the coalition currently consists of 153 people's organizations (peasants, indigenous peoples, rural women, fisherfolk, urban poor) and NGOs in 23 provinces in Indonesia. KPA fights for agrarian reform in Indonesia through advocacy and the strengthening of people's organizations. KPA's focus on land reform and tenurial security, and policy advocacy on these issues has put the coalition at the forefront of the land rights struggles of Indonesia's landless rural poor, especially with indigenous peoples in several areas in Outer Java. KPA encourages a participatory and pluralistic approach which recognizes the development of different systems of land use and tenure to ensure land rights. KPA is a people's movement that has an open and independent character.

Komplek Liga Mas, Jl. Pancoran Indah I No.1 Block E3
Pancoran, South Jakarta 12760
Phone: (021) 7984540
Fax: (021) 7993834
Email: kpa.seknas@gmail.com
Website: <http://www.kpa.or.id/>



Ekta Parishad is a people's movement dedicated to non-violent principles of action, which aims to see India's poorest people gain control over livelihood resources, especially land, water and forest. Ekta Parishad is a federation of approximately 11,000 community based organizations with thousands of individual members. It is currently operating in 10 States working for the land and livelihood rights of India's most marginalized communities.

Ekta Parishad National Office
Gandhi Bhavan, Shyamla Hills
Bhopal 462 002
Madhya Pradesh, India
Tel: +91 / 755 422 38 21
Fax : +91 / 755 422 38 21
Email: epnationaloffice@ektaparishad.com



Social Development Foundation (SDF) was founded in October 1998 with an aim to strengthen the autonomous grassroots movements, build secular democratic leadership among the most marginalised communities and develop scientific temper among people. The organization reached the most marginalized communities and started the land literacy campaign among them. SDF focuses on land reforms with right-based approach. Though the organization was constituted in Delhi, its main grassroots operations are mainly in the Uttar Pradesh and Uttarakhand States. SDF also provides necessary support to engage with policy makers, social movements, academics, lawyers, and civil society organisations.

4/46, II Floor, Malviya Nagar, New Delhi-110017
Email: sdfindia@gmail.com



STAR Kampuchea (SK) is a Cambodian non-profit and non-partisan organization established in 1997 dedicated to building democracy through strengthening of civil societies. SK also provides direct support to communities suffering from resource conflicts like land-grabbing and land rights abuses through capacity building and legal services.

No. 71, Street 123, Sangkat Toul Tompoung1,
Khan Chamkar Morn, Phnom Penh, Kingdom of Cambodia
Phone: (855) 23 211 612
Fax: (855) 23 211 812
Email: star@starkampuchea.org.kh
Website: starkampuchea.org.kh



Xavier Science Foundation, Inc. (XSF) is a non-political, non-stock, non-profit organization established and designed to encourage, support, assist, and finance projects and programs dedicated to the pursuit of social and educational development of the people in Mindanao. It is a legal and financial mechanism generating and managing resources to support such socially-concerned and development-oriented projects and programs.

Manresa Complex, Fr. Masterson Avenue,
Upper Balulang, 9000 Cagayan de oro City, Philippines
Phone: (088) 853 9800
Email: xsf@xu.edu.ph
Website: xsfoundation.org



The International Land Coalition (ILC) is a global alliance of civil society and intergovernmental organizations working together to put people at the center of land governance. Their shared goal of ILC's over 200 members is to realize land governance for, and with people at the country level, responding to the needs and protecting the rights of women, men and communities who live on and from the land.

ILC Global Secretariat:
c/o International Fund for Agricultural Development (IFAD)
Via Paolo di Dono 44
00142 - Rome, Italy
Tel.: +39 06 5459 2445
Website: info@landcoalition.org
Email: asia@landcoalition.info

ILC Regional Coordination Unit:
c/o Konsorsium Pembaruan Agraria (KPA)
Komplek Liga Mas, Jl. Pancoran Indah I
No. 1 Block E3 Pancoran, South Jakarta
12760 Indonesia
Tel: +62217984540



*Empowered lives.
Resilient nations.*

The **United Nations Development Programme (UNDP)** partners with people at all levels of society to help build nations that can withstand crisis, and drive and sustain the kind of growth that improves the quality of life for everyone. UNDP uses new ways and approaches to solve development issues and support the achievement of Sustainable Development Goals in the region. UNDP in Asia and the Pacific delivers country and regional programmes in 36 countries through 24 UNDP Country Offices and the Regional Centre to help empower lives and build resilient nations.



The **B+HR Asia project** promotes and supports the implementation of the UN Guiding Principles (UNGPs) on Business and Human Rights in Asia through regional efforts focused on advocacy, policy development, technical advisory support, capacity building, awareness raising, innovation platforms, regional peer learning events, and South-South cooperation.

United Nations Development Programme
3rd Floor United Nations Service Building
Rajdamnern Nok Avenue
Bangkok 10200, Thailand
Tel: +66 2 304-9100
Fax: +66 2 280-2700
Email: rbap.businessandhumanrights@undp.org
livio.sarandrea@undp.org

This publication summarizes the discussions and key recommendations of the regional workshop on *“Engaging National Human Rights Institutions Toward the Promotion of Land Rights as Human Rights”* held on 15-16 November 2018 in Bangkok, Thailand.

“Land rights is a gate to maintain certain human rights such as the right to water, the right to adequate housing, the right to health, the right to adequate standard of living, the right to food, and other rights...”

– UN Special Rapporteur