

*"This program built my capacity as a human rights defender and as an advocate of the marginalised communities"*



*"it was the most intense and rewarding training session that I have ever undertaken. Highly recommend as it really is a life changing experience"*

# Program Report

## **Regional Indigenous Peoples, Human Rights and Advocacy Program 2012, Sabah, Malaysia**

A Capacity Building Program for Indigenous  
Advocates in the Asia Pacific Region  
April 23 – May 2, 2012.

## 1. Background and Overview of the Program

***This program built my capacity as a human rights defender and as an advocate of the marginalised communities. After this training, I am able to work for marginalised communities very effectively<sup>1</sup>***

Since 2004, the Diplomacy Training Program has organized and facilitated a regional capacity building program for civil society advocates focused on protecting and promoting the rights of Indigenous Peoples. The 10-day program has been held in Australia, Thailand and the Philippines. Since 2010, the Diplomacy Training Program has held the program in partnership with regional NGO, Asia Indigenous Peoples Pact.

In Australia and across the Asia-Pacific region, Indigenous peoples face particular challenges to their human rights, and to their rights as Indigenous peoples. These challenges are often rooted in past processes of colonisation (and de-colonisation) and made more urgent by the pace of economic development. Exploitation of natural resources has contributed to marginalisation and discrimination rather than realisation of rights. Indigenous peoples find themselves the victims of development rather than the beneficiaries. Competition over land and resource can lead to conflict.

Climate change is impacting on Indigenous peoples –through the direct impacts on vulnerable communities, and through responses to climate change including a shift to hydro power (large dams) and funds and programs related to Reducing Emissions from Deforestation and Forest Degradation in developing countries (REDD).

In 2007 the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted, providing a newly recognised international framework to guide policy and practice in relation to Indigenous peoples. The challenge has now shifted from recognition of Indigenous peoples' rights to implementation of agreed standards at the national level. The UN Permanent Forum on Indigenous Issues and the UN's Expert Mechanism on the Rights of Indigenous Peoples provide new opportunities to progress Indigenous peoples' rights. The UN Special Rapporteur on the Rights of Indigenous Peoples, the Universal Periodic Review and human rights treaties have provided new avenues of international accountability.

DTP's 2012 Indigenous Peoples, Human Rights and Advocacy training program is the ninth regional course that the Diplomacy Training Program (DTP) has organised for advocates for Indigenous peoples' rights from the Asia-Pacific region.

This year, twenty-seven participants from 12 different countries in the region completed the 10-day intensive training program - from Australia, Bangladesh, Burma/Myanmar, Cambodia, India, Indonesia, Malaysia, Nepal, Philippines, Pakistan, Thailand, Sri Lanka.<sup>2</sup> Their advocacy work focuses on a range of issues for Indigenous peoples – preventing forced evictions and land-grabbing, challenging the destruction of rainforest for oil palm (bio-fuel) plantations, preventing the construction of mega-dams, creating sustainable employment, preserving indigenous cultural rights, combating political killings and

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<sup>1</sup> This and other quotes from the participant evaluations are included in bold, italicised text throughout the report.

<sup>2</sup> The complete list of participants and their short biographies is attached as Annex '1'.

disappearances, providing legal assistance and building peace and reconciliation. This year's program was enriched through the shared experiences and expertise of the participants.

The program provided participants with comprehensive and practical knowledge of international standards and mechanisms which can be used to protect and promote Indigenous peoples' rights.

DTP's trainers are highly experienced practitioners and academics from the Philippines, Australia, the US and Malaysia. Participants were provided with opportunities to develop and practice skills in strategic advocacy, campaigning and lobbying, and engaging the media effectively. Through the program's participatory approach, involving group work, role plays, facilitated discussions and individual presentations, the participants explored the practical application to their own communities and contexts of the principles, concepts, methods and mechanisms introduced by the team of expert program trainers. A field visit to an Indigenous community protesting their forced eviction for a new dam emphasised the relevance of the program to the real and urgent issues facing Indigenous communities.

As reflected in the final participant evaluations, the training program was a success in meeting the expectations of participants for new and valuable knowledge and skills. This report draws from those evaluations, provides a description of the program and includes some recommendations and reflections for next steps.

The 2012 training program was organized in partnership with the Asia Indigenous Peoples Pact (AIPP), Jaringan Orang Asal SeMalaysia (JOAS), and the Centre for Malaysian Indigenous Studies-University of Malaya (CMIS). This year's program was made possible through the financial assistance of the Fred Hollows Foundation, Oxfam Australia and the Ford Foundation. On behalf of the participants DTP would like to thank these organisations for enabling the 2012 Indigenous Regional program.

## **2. Purposes of the Program:**

- To enhance the capacity of Indigenous peoples' advocates and their organizations to engage in peaceful and effective advocacy to protect and promote their rights in their societies
- To enable Indigenous peoples' advocates and their organizations to promote the Declaration on the Rights of Indigenous Peoples and other human rights agreements as a standard to guide good government policy and practice.
- To build the skills of advocates to participate and engage effectively with government and private sector to build better governance, sustainable, participatory development and to promote and defend their human rights and rights as Indigenous peoples;
- To build the knowledge and skills of Indigenous peoples' advocates and their organizations to use the Universal Periodic Review process to achieve practical change in their societies
- To enable the exchange of experience and good practice between Australia and countries in the region in relation to recognition of Indigenous rights, shared land use and management, traditional knowledge, and corporate social responsibility/accountability
- To strengthen regional networks and grassroots and national level organizations to work effectively to defend and promote their human rights in the context of the challenges of rapid economic development and climate change
- To increase the priority given to the protection and promotion of Indigenous peoples' rights by National Human Rights Institutions (NHRIs) and to build the capacity of NGOs and NHRIs to work together.

*I thought it was an excellent combination of training sessions and hands on practical experience. I learn best when I get to apply the knowledge and I think this program was extremely well organised that way*

### 3. Location & Venue

The location of this year's program was based on advice from DTP's regional partner, Asia Indigenous Peoples' Pact (AIPP). AIPP canvassed the opinions of their members across the region, and suggested Sabah, Malaysia. Advice was also sought from the Centre for Malaysian Indigenous Studies. Sabah was chosen because it was believed that holding the program could make a positive contribution to the work of local organisations and advocates. In Sabah and Sarawak, Indigenous peoples are facing urgent and pressing issues of economic development – deforestation, palm-oil plantations, dams and mining.

Sabah is on the island of Borneo and Malaysia's eastern-most state. Sabah has good but under-resourced local civil society organisations, and these are part of a still developing national network of Indigenous peoples' organisations. It was felt that the local organisations would benefit from the networking and capacity building opportunities of hosting a significant regional training program.

Sabah's capital is easily accessible by air across the region, making it a cost effective place to bring participants from across the region. Sabah is very ethnically diverse: the majority of Sabah's 3 million people are of Indigenous origin (60% of all people in Sabah), Chinese (20% of the population) and other ethnic Filipino, Indonesian and Malay ethnic groups.<sup>3</sup>

Following discussions between the partners, Seaside Travellers Inn, a small family-owned resort, was chosen to provide accommodation and training venue.

### 4. Program Partners

***Fantastic content, fantastic people, fantastic organization – overall a hugely useful programme that will hopefully be run many more times.***

The **Asia Indigenous Peoples Pact (AIPP)** is a regional organization in 1992 to strengthen the cooperation and solidarity among Indigenous peoples across Asia.

The **Jaringan Orang Asal Se-Malaysia (JOAS)** is the umbrella network for 21 community-based non-governmental organisations focusing on indigenous peoples' issues. As the focal point for indigenous rights and advocacy in Malaysia, JOAS provides indigenous communities with representation at the national, regional, and international level.

The **Centre for Malaysian Indigenous Studies** at the University of Malaya was established in 2004 to coordinate the work of various faculties and researches on Indigenous issues in Malaysia. It also aims to contribute in building the capacity of Indigenous peoples by promoting engagement with the government and other institutions and enhancing the participation of Indigenous communities in policies that affect them.

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<sup>3</sup> <<http://www.minorityrights.org/4542/malaysia/indigenous-peoples-and-ethnic-minorities-in-sabah.html>> Accessed on 21/05/12

**PACOS Trust** is a community based voluntary organisation in Sabah, Malaysia aiming to help raise the quality of life of indigenous communities. It has been actively involved with communities since 1987.

## 5. Participants

There was an open call for participants, distributed through DTP's alumni networks and partner organisations and through AIPP's networks. Eight-five applications were received with supporting references. Selections were made in consultation with AIPP and other partners.

## 6. Funding

The program was made possible through modest grants from the Fred Hollows Foundation and Oxfam Australia. In addition DTP sought to raise funds through charging a participant's fee for the course. Most of the participants raised some or all of their airfares to enable their participation in the program. We appreciate that this imposed a strain and burden on some of the participants. Regrettably, DTP was not able to secure the funding to enable all of the selected participants to attend the program.

## 7. Program Methodology and Materials

***Focusing on real-life campaigns and experiences and having the opportunity to engage in more discussion were common elements of the most useful sessions. Following each with an activity was exhausting but also a critical element of the learning process.***

The DTP's training approach is based on the philosophy that individuals working together have the power to effect change. The program reflects a deep respect for the knowledge, experiences and perspectives that participants bring to the program. The program adopts a balanced content of knowledge and skills in an integrated way, and teaching methodology that foster interaction and participation. DTP places emphasis on the practical application of knowledge on human rights and advocacy skills and encourages trainers to use participatory training methods such as role plays and exercises wherever possible and encourage participants to share their own experiences.

Wherever possible it seeks to include real life advocacy exercises. Other activities such as the welcome and closing dinners, film night, solidarity night and cultural night are also designed to encourage collaboration and networking among participants in a less formal setting. Building networks and solidarity, not to mention bonds of long-lasting friendship are encouraged outside the formal structure of the program.

At the start of the program participants are divided into groups to help manage the program and this works effectively. Participants are also encouraged to keep a daily diary for their own purposes, and each participant is asked to make a presentation during the program.

Participants are given an extensive manual consisting of a number of short chapters on the topics covered, written by experts in the field. The manual was designed to be a practical tool during the training and participants are encouraged to read relevant chapters prior to particular sessions. It is also designed to be a reference tool for participants in their work after the training. An electronic copy of

materials for distribution to participants at the end of the training is also produced compiling all materials and output developed in the program.

## 8. Description of the Program

***Honestly, every session was interesting, useful, and the solidarity and cultural nights were very appropriate elements as well. The best part has to be then the participants and trainers themselves, as they brought the issues and content to life***

### 8.1 Opening Ceremony

At the Opening Ceremony, presentations from Jannie Lasimbang (SUHAKAM), Ramy Bulan (CMIS) and Dr Sarah Pritchard (DTP) set the stage and provided the context for the program by providing participants with an overview of the status of Indigenous peoples' rights in the Asia Pacific region, and the continuing work of Indigenous peoples and NGOs to achieve recognition of their rights in many of the countries in the region.

Participants heard that while human rights are inherent in every human being, it is international and national law which provides the medium through which rights are recognized and which provides mechanisms of enforcement and accountability. Drawing from experiences particularly in Australia and Malaysia, the opening speakers discussed the development of international human rights law and the way this had contributed to and interacted with constitutional and other legal developments in countries in the region.

Jannie Lasimbang, former Executive Director of AIPP, and now Commissioner with SUHAKAM, the Malaysian National Human Rights Commission, provided insight into the robust advocacy work that civil society has initiated towards legal recognition of Indigenous rights and the potential of legal recognition for advancing Indigenous people's rights. Her session also reflected on the limits of the law in fully realizing Indigenous rights, the obstacles in implementing the law and the continuing need for advocacy at all levels and spaces.

### 8.2 Program Schedule

***My expectations emerged when I received the draft programme. Seeing names of leading individuals and organisations in the region indicated that it would be stellar and the execution did not disappoint!***

The days were divided into four sessions per day and there were 34 training sessions spread throughout the 10-day program, with a day spent on a field trip in an Indigenous community.<sup>4</sup>

**Day 1 – What are human rights? Introduction to human rights and the Universal Declaration of Human Rights.**

Participants were asked about their own understanding of human rights and the group built up a comprehensive list of the rights to which they believed belong to everyone. Dr Pritchard walked the participants through the history of human rights and then the group together spent time becoming

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<sup>4</sup> Please see Program Schedule in Annex '2'.

familiar with the Universal Declaration of Human Rights (UDHR) – adopted by governments at the UN in 1948. The UDHR contains the rights that they had identified.

Opportunity to relate the articles of the UDHRs to their own concerns was provided through a practical exercise whereby the participants prepared for a meeting with the United Nations Special Rapporteur on the Rights of Indigenous Peoples, Professor James Anaya. In groups the participants prepared to address Professor Anaya on **the major human rights issues, the major challenges and desirable responses from the UN human rights system**. Speakers were encouraged to be mindful of and to practise the protocols of international diplomacy when they role-played their appearance before Professor Anaya.

**Day 2 – The UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and the UN HR system and the rights of Indigenous Peoples.**

Dr Sarah Pritchard told the inspiring story behind the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). This story of Indigenous peoples' advocates engaging with UN system to seek justice and recognition and redress as a response to colonisation and dispossession is a story of achievement against the odds. Through the UN Working Group on Indigenous Peoples (WGIP) Indigenous peoples and their allies worked to ensure that their histories, realities and aspirations were reflected at the United Nations.

**Key steps in the history of the United Nations Declaration on the Rights of Indigenous Peoples**

1492	Columbus and the development of the doctrine of discovery/ conquest begins
1919	League of Nations Established
1930's	US First Nations representative appeals to League of Nations for justice and rights
1945	The United Nations is established following World War 2
1948	Universal Declaration of Human Rights
1960s -1970s	Decolonisation and the policies of assimilation and integration
1982	The setting up of the Working Group of Indigenous Peoples (WGIPs) – an independent working group to review developments and set standards. The WGIPs adopted a uniquely open procedure which enabled the sharing of stories about dispossession and oppression, about contemporary disadvantage and about hopes for the future which became reflected in the UNDRIP. The struggle to move governments to accept the UNDRIP
1992	Indigenous Guatemalan leader, Rigoberta Menchu awarded the Nobel Peace Prize
1993	International Year of the Worlds Indigenous Peoples
1994-2005	1 <sup>st</sup> and 2 <sup>nd</sup> International Decade of the Worlds Indigenous Peoples
2001	United Nations Permanent Forum on Indigenous Issues United Nations Special Rapporteur on Indigenous Issues
2007	General Assembly adopts the UNDRIP
2008	Expert Mechanism on the Rights of Indigenous Peoples

The group explored the text of the UNDRIP with Dr Pritchard.

Participants were given an exercise to enable them to connect the articles of UNDRIP with the concerns they face with their governments. Participants found that the issues they were concerned with found expression in the Declaration – and the individual articles in the Declaration were interrelated. They

came to the conclusion that all governments should be re-evaluating their policies in relation to the UNDRIP.

***I'll provide one day training to my staff to focus on the UN system, UNDRIP, UNDHR/ update the training manual on the advocacy and lobby[ing]***

A more detailed understanding of the United Nations human rights system, including the principal organs of the United Nations, the Human Rights Council, the human rights treaties and their treaty bodies was built up through Dr Pritchard's sessions. Participants spent time looking at some of the reports, particularly relevant to their needs and concerns, written by specific UN treaty bodies.

**Day 3 – UN system and Indigenous Peoples (UNPFII and EMRIP), Domestic and international remedies for violations of the rights of Indigenous peoples, Indigenous Peoples Advocacy with International Mechanisms**

Participants had looked forward to engaging DTP Board Member, Professor Megan Davis via Skype to hear directly from an Expert Member of the UNPFII on its work and mandate, but unfortunately the technology was not adequate to enable this. Dr Sarah Pritchard provided an overview of the UNPFII and of the opportunities the UNPFII affords for Indigenous advocacy. Subsequent sessions examined two additional specific mechanisms available to advocates on Indigenous concerns, the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) and the Special Rapporteur on the Rights of Indigenous Peoples.

A panel discussion, facilitated by Adrian Lasimbang, Executive Director of JOAS concluded the day. The panellists, all experienced advocates, shared their lesson and reflections in a lively session. Participants were urged to be **creative** in order to get attention, to be **assertive** to ensure that they are heard and to be very **prepared** as they will often find they are placed in the position of the "Indigenous expert". Seeking other platforms to raise issues, contacting groups with expertise in areas such as the media and finding someone in power to support you were some of the tips shared with the participants.

**Day 4 – Developing strategic approaches for IP rights advocacy, Indigenous Peoples Rights Advocacy through Community Education and Empowerment, Securing the Ancestral Lands of Indigenous Peoples**

The first session of the day was facilitated by Patrick Earle, Executive Director of the DTP. Patrick's session on strategic advocacy consolidated the insights gained in the previous days' panel session. Dr Colin Nicholas then facilitated two sessions to develop participants' knowledge and understanding of how community groups can achieve their rights. Colin's first session focused on "*the intentional action of a group to bring about a specific or targeted change*" and he introduced the concept of 'Activism Threshold', the (tipping) point that needs to be exceeded for change to occur. A high level of organisation, networking, gaining media coverage and both political and public support are all critical factors for reaching the desired Activism Threshold. Colin used numerous examples of activism carried out by Orang Asli to demonstrate the concept. The public awareness and empathy that has been built up through the concerted, peaceful activism of the Orang Asli has resulted in the government engaging with dialogue with Orang Asli on the new land policy. Dr Nicholas then took participants through a useful methodology, used in Malaysia and elsewhere that could be used to establish legal (Native) title to Ancestral lands.



**Day 5 – FPIC: defending community rights against large scale projects, FPIC Practical exercise, Tools for advocacy and solidarity, Presentation of Participants’ Practical Exercise on the OECD Guidelines**

The sessions on the fifth day of the training program were facilitated by Christina Hill, Mining Advocacy Officer with Oxfam Australia. Christina started the day’s presentations with a session on the right to **Free, Prior and Informed Consent** – a right of Indigenous peoples recognised in UNDRIP. This right can be used by communities concerned about the impact of large scale development projects. Christina’s sessions were built around the principle that companies, as well as governments, have a responsibility to respect human rights and as such, should do no harm. Respecting the right to Free, Prior and Informed Consent is integral to ensuring that companies do no harm. It is both an important right and is important in protecting other rights and so is both a process and an end point. Increasingly companies are recognising Free, Prior and Informed consent in their internal policies.

Christine also introduced participants to the OECD guidelines on Multi National Enterprises. Under the Guidelines companies are expected to contribute to sustainable development, to respect human rights and uphold labour and environmental protection laws and to exercise good governance throughout their operations. Uniquely in the area of human rights and business there is a complaints mechanism that can be used by NGOs to mediate allegations of breaches of the OECD Guidelines. After familiarising themselves with the content of the OECD guidelines the participants participated in a role play which enabled them to practise incorporating OECD guidelines in their lobbying for the protection of Indigenous rights and practices.

**Day 6 – An Introduction to the Right to Development – A Human Right, Tambatuon Village Kota Belud Field Trip**

The early morning session provided by Professor Virginia Dandan on the Right to Development helped prepare participants for the day’s field trip. The UN Declaration on the Right to Development places people at its centre - “*comprehensive economic, social, cultural and political process, aims at constant improvement in the well-being of the entire population and all individuals on the basis of their **active, free and meaningful** participation in development and in the fair distribution of benefits resulting there from*”. Professor Dandan explained that with development being a human right, human rights need to be integral to development efforts and processes.

During the field trip participants visited a community facing eviction for the dam and learnt more of the some of the human rights issues thrown up by development. The group travelled up to the Indigenous community living in Tambatuon Village in Kota Belud, 80km from Kota Kinabalu. They were able to interact with the people who are protesting the construction of the Tambatuon Mega Dam. Participants were briefed by representatives from Tambatuon and the Kaiduan Dam Task Force, an Indigenous-led multi-sectoral task force constituted to research the socio-economic impact of the dam on the Indigenous community. Participants learnt that the communities had been left out of all government and company consultations about the dam although the construction will result in ten villages in the area being dammed and the submerging at least five of them – the displacement of approximately 9000 people. The day of the visit the Deputy PM of Malaysia had reportedly announced that the area ‘is uninhabited’ and that dam project will definitely go ahead.

NGOs have been working with villagers to get their voices heard. Organisations such as the Action Committee Against Kaiduan Dam have taken villagers to visit other areas that have already been

affected by the construction plans. Participants shared a meal with the Indigenous community, and had the opportunity to share experiences and perspectives.

**Day 7 – Practical Exercise on Right to Development, Economic, Social and Cultural Rights and the MDGs: Making the link visible, The General Comments of the ESCR**

Following a practical exercise on the Right to Development, participants spent the morning with Professor Dandan gaining a more detailed understanding of the content of economic, social and cultural rights contained within the articles of ICESCR. Participants learnt that while economic, social and cultural rights are linked to the Millennium Development Goals (MDGs) the language of human rights is missing from the MDGs and consequently there is no accountability in relation to human rights recommendations.

**Day 8 – ESC Rights – General Comments Practical Exercise, ESC Rights – Monitoring and Accountability - Practical Exercise, The Universal Periodic Review & Indigenous Peoples – Overview, lessons from the first UPR cycle and the UPR 2<sup>nd</sup> Round & Instructions and Introduction for the Role Play, Cultural Night**

Professor Dandan continued her sessions with participants studying the UN ESCR's General Comments. These General Comments elaborate the content of specific human rights such as the Right to Health and the Right to Education, and spell out in greater details the obligations of governments to respect, protect and fulfil these rights. Professor Dandan also highlighted the importance of advocates knowing the content of these General Comments in order to use the treaty body reporting system to hold governments monitored and held accountable.

Binota Dhamai and Joshua Cooper then introduced the UN Human Rights Council's Universal Periodic Review process. This process complements and builds on the UN's other human rights accountability mechanisms – the treaty bodies and special procedures. Findings from different treaty bodies and the SRs are brought into the consideration of state reports, reinforcing the human rights framework outlined in such mechanisms as the DRIP. Every member state of the UN has now been through this process once, and countries including India, Indonesia and the Philippines are about to go through it for a second time. There is a growing body of practice on how advocates can use this process to advance the rights of Indigenous peoples – with governments making recommendations to other governments to protect and promote the rights of Indigenous peoples. As Binota and Joshua explained this process they were also able to share practical examples and insights.

In the evening, a Cultural Night was held, showcasing dances and live music to promote solidarity and celebration of diversity between participants.

**Day 9 – The 2014 World Conference on Indigenous Peoples, The UPR Role Play Exercise, The right of individuals and peoples to international solidarity, Emerging Challenges: Climate change and IP rights – REDD**

The focus on the UPR continued with a practical role play exercise involving all of the participants taking on the roles of governments and civil society.

Binota was able to provide a briefing on planning for the First World Conference on Indigenous Peoples – to be held in New York in 2014. There was also a session on the United Nations Conference on Sustainable Development, or Rio +20. The focus of these discussions was on two themes: (a) a green

economy in the context of sustainable development poverty eradication; and (b) the institutional framework for sustainable development.

The third session explored the emerging challenges posed by climate change. Indigenous peoples are more vulnerable to climate change and other environmental issues because of their close relationship to the land and natural environment and their poverty. Indigenous groups have engaged with various international forums such as the Convention on Biological Diversity, the World Intellectual Property Organization, and World Heritage Committees so that their collective voices can be heard. Facilitated by AIPP's Shree Kumar Maharjan, the recent development in multi-stakeholder collaboration, the REDD Programme (United Nations Collaborative initiative on Reducing Emissions from Deforestation and Forest Degradation) was discussed. The Programme was launched in 2008 to assist countries prepare and implement the national REDD+ strategies, which include conservation, sustainable management of forests and enhancement of forest carbon stocks. There are great concerns that this scheme will further commodify natural resources and exclude traditional Indigenous custodians of natural resources.

**Day 10 – Lobbying – an Introduction and Practical Exercise, The Media and IP Rights Advocacy – Media Skills, Written & Oral Evaluation, Closing Ceremony**

The sessions on day 10 were led by Leonard Alaza and Patrick Earle, focussing on developing knowledge and skills in using lobbying and media as advocacy techniques. Favourable media coverage is often a key part of effective advocacy strategies. The media can be a vehicle for building public awareness, gaining legitimacy, raising support and pressure to act and communicating one's message. At the same time there can be unrealistic expectations that obtaining favourable media coverage always results in change, or that all media is good media. To effectively engage the media in advocacy work requires developing an understanding of how the media works, building relationships between NGOs and the media and the understanding a journalist's work environment – deadlines, limited space, and perceptions of audience and market. For Indigenous advocates, there are pertinent issues that can undermine their relationship with the media – including negative perceptions of Indigenous peoples. It can be difficult to respond well to negative stories about one's own communities. It can also be difficult to make positive stories newsworthy, or to convey the complexities of policy issues through the media when other more sensational items are more appealing. Some Indigenous advocates from the region have to operate in circumstances where there is an absence of free media, censorship, intimidation or corruption of journalists.

## **9. Participant's Evaluation**

***it was the most intense and rewarding training session that I have ever undertaken. Highly recommend as it really is a life changing experience***

***Indigenous peoples always facing problems when it comes to addressing their problem[s] but with DTP they have the strength and motivation***

Feedback from participants in the 2012 DTP Sabah Conference was overall very positive. Evaluation of the program covered three categories: written trainer's evaluation at every session, written program evaluation at the conclusion of the conference and oral feedback at the end of the program.

The following is a tabulation of the ratings given by participants assessing the objectives of the program:

Program Objective	1 (Very poor)	2 (Poor)	3 (Average)	4 (Good)	5 (Very Good)
Enable Indigenous people's advocates and their organizations to promote the Declaration on the Rights of Indigenous Peoples and other human rights agreements as a standard to guide good government policy and practice.				13	13
To enhance the capacity of Indigenous peoples' advocates and their organizations to engage in peaceful and effective advocacy to protect and promote their rights in their societies.			1	11	15
Enable Indigenous peoples and advocates to engage effectively with the UN system, other intergovernmental organisations, national/state governments and corporations		1	4	10	12
To build the skills of advocates to participate and engage effectively with government and private sector to build better governance, sustainable participatory development and to promote and defend their human rights and rights as indigenous people			1	16	10
To build the knowledge and skills of Indigenous peoples' advocates and their organizations to use the Universal Periodic Review process to achieve practical change in their societies			3	10	13
To strengthen regional networks and grassroots and national level organisations to work effectively to defend and promote their human rights in the context of the challenges of rapid economic development and climate change.		1	5	10	10

***“DTP is very clear and precise in its own goals to promote Human Rights and good government policy based on UN standards and international laws”***

Most of the commentary related to the invaluable opportunity to participate in a forum equipping participants with both the confidence and capability to take their advocacy work to an international level. Some applicants indicated that the practice sessions were useful whereas others enjoyed the theoretical element of the trainer's lectures. The majority of participants found the material useful and pledged that what they learned in the program would become integral to their future work in NGOs and civil society. Orientation sessions, lobbying, report writing, communication with the Special Rapporteur were all outlined as possible avenues for the participants to continue in their Indigenous Peoples and Human Rights advocacy in their respective countries. Some of the comments from the participants in post-training feedback:

***I will conduct orientation sessions with the communities I am working with to disseminate information about human rights/Indigenous peoples' rights and the knowledge of the UN system and how it works. The DTP gave me a wider perspective on how I could do advocacy work with possible pressures from the international community. The group (DTP 2012 AA) could help me on that. Some of us are already planning visiting other countries for possible partnerships.***

***I have been to UN before as an observer so perhaps now after I would like to gather more/relevant/important information to amplify the voices of ethnic minorities in the UN***

***It will help me to share the mechanisms of human rights to my people who are ignorant like me (before the DTP training) and it will serve as a stepping stone to go about raising our issues and concerns at the national and international level***

## **10. Outcomes, Reflections and Next Steps**

***The DTP helped me deepen my appreciation for solidarity work and challenged me to take it on a deeper level. I also had a greater understanding of the challenges of doing advocacy work at the international level and made me feel a greater respect for those who are devoting their lives for others***

- 10.1 *DTP Objectives and Participant Expectations:* From the evaluations, the program met both the participants' expectations and DTP & AIPP's objectives for the program. There was a very good group dynamic in the program, and at the end of the program, participants established a group network using social media to stay in touch with each other, and to provide avenues of support.
- 10.2 *Specific Outcomes & Impacts:* During the program, participants came together to draft a jointly signed appeal protesting the killing of a Cambodian environmental activist (a colleague of some of the participants). Some individual participants also committed to take action in support of the villagers of Tambatuon who face eviction for the building of a dam. The Oxfam Guide on FPIC will be translated into Tagalog (Philippines) with the assistance of one of the participants. The impact of the program on the ongoing work of the participants will take longer to evaluate. DTP will work with the participants on follow-up surveys to try and monitor the impact of the training. Previous surveys have highlighted the lasting impact and value of this and other DTP courses.
- 10.3 *Program Content:* Overall there was a good balance of content. It was an intense program that covered a lot of ground, but was also able to go into some depth on particular issues. There needs to be consideration for future programs on how the course can best address issues of gender – whether through specific sessions on Women's Rights – or by requesting and briefing trainers to address gender/include a gender perspective in their work. DTP will review the program and supporting program materials before the next program is held.
- 10.4 *Recommendations from the Participants:* Some participants suggested the need for a follow-up program, for staying in touch and for continued mentoring. There was a suggestion that DTP be in a position to provide small grants to assist participants to implement follow-up projects/activities. There were also suggestions that DTP develop a course on Indigenous peoples rights specifically for

judges and lawyers, and a course with more specific content on international environmental law – as this can be relevant to the advocacy of Indigenous peoples.

- 10.5 *Program Location and Venue:* Sabah proved a good location for the program. It was easily accessible for regional participants, at reasonable cost. The issues facing Indigenous peoples in Sabah were very relevant to program content and themes – and helped to inform the program. The venue was comfortable and the food and support provided very good. The field visit to the community campaigning against eviction was a very useful part of the program.
- 10.6 . *Program Participants:* DTP's training model is based on attracting advocates who have knowledge and experience to contribute to the program and who are committed to applying the training to their work. DTP was able to get 27 of the selected participants to the program, but others missed out because neither DTP nor the participants were able to raise sufficient funds. Efforts were made to ensure both regional diversity and gender balance in the course and this was achieved.
- 10.7 *Program Partners:* There was very positive feedback from the local Malaysian partners about the value of hosting this program in Sabah, and the positive contribution it will have made to their work. The work of the partner organisations, seen through the field visits and the visit to the PACOS offices also helped to inspire the participants. The advice of regional partner AIPP was valued. DTP and AIPP will need to review how to take this partnership forward for future programs.
- 10.8 *Program Funding:* This program was made possible with the support of Fred Hollows Foundation and Oxfam Australia, and through participant fees provided by Caritas and Ford Foundation among others. It was also subsidised through use of DTP's own resources. If the program is to be held again in 2013, more secure funding will need to be found.

***The one thing I have in mind is the message of solidarity of all nations of the world. I would convey that we are not alone struggling with issues but that other nations share similar struggles of which everyone is working for solutions***

***Thank you DTP! Continue your brilliant work, you bring cultures across the borders to unite in one goal. The great work of DTP is not only imparting knowledge and skills on Indigenous Peoples rights but its an international solidarity work. Keep on... thank you so much.***

## **Annexes**

1. Participants' Biographies
2. Program Schedule
3. Trainers and Staff Biographies



# DIPLOMACY TRAINING PROGRAM

AFFILIATED WITH THE FACULTY OF LAW AT THE UNIVERSITY OF NEW SOUTH WALES

A training program for peoples of the Asia-Pacific region

**Indigenous Peoples, Human Rights and Advocacy Program**  
**23 April-2 May 2012, Sabah, Malaysia**

## **ANNEX 1: Participants Biographies**

### **Tara Martin**

#### ***Monadelphous Engineering (Australia)***

Tara holds the position of Indigenous Recruitment Officer for Monadelphous Engineering & Construction, where her responsibilities include finding indigenous Australians sustainable employment in the mining and construction industries. She oversees training and on-site mentoring, aimed to improve career aspirations and improve both livelihoods and future employment opportunities. She identifies as a Yamatji/Wajarri woman from the Midwest of Western Australia. One of the primary activities that is being undertaken by Monadelphous is ensuring that local Traditional Owners (TO's) have first preference in securing employment with the company as well as creating specific training programs for specific jobs that the company has. She believes that the program will help her understand fully what is meant by 'indigenous rights', and improve the way she communicates this to the Indigenous people she recruits and supports. She hopes that the program will develop her capacity and confidence in championing the rights of Indigenous people in her immediate community and in greater Australia.

### **Narlinga Morgan Fitzpatrick**

#### ***Department of Human Services (Australia)***

Narlinga is presently a coordinator of Aboriginal Services and Planning with responsibilities that include planning, development, implementation and review of the Regional Aboriginal Action Plan. The plan guides and supports a range of Aboriginal specific initiatives, programs and projects in across Loddon Mallee Region, maintaining strong relationships between the department and the Aboriginal Community Controlled organisations to name a few. She is currently engaged in is reviewing and restructuring an internal cross-program meeting and information sharing and coordination function of an existing committee. She believes that participating in this training program will provide her with an understanding of Human Rights issues that are shared among other Indigenous people and will be instrumental in the way in which she addresses those issues in her role. She hopes to develop the tools to assist her with advocating for the Aboriginal funded sector and communities that don't have a funded organization. She hopes that the program will provide her with more confidence and skill to advocate the Human Rights of Aboriginal people.

### **Robert John Newie**

#### ***Branch of New Covenant Ministry (Australia)***

John is a full time Pastor and works on a voluntary basis within his community. He is currently involved in the rehabilitation of men of Torres Strait Islander to take up their roles and responsibilities within their homes and community. He has been instrumental in the creation of a men's group on the island and hoping to establish one on every island, subject to need. He aims to set up a national First Nation

men's group to empower men from Torres Strait backgrounds to take responsibility and be accountable to their families and community. He is also involved in a campaign to preserve their customary rights to hunt turtles and dugongs. This has involved some degree of lobbying with candidates for the state election to ascertain their policies in this area. Additionally, he has planned community meetings to press for changes to current Queensland legislation. He believes that the DTP will equip him with the relevant knowledge to address any issue pertaining to basic human rights and consolidate his knowledge with other First Nation peoples who are dealing similar issues and how they deal with individual issues. He hopes he will come away from the program strengthened in his conviction to develop and articulate human rights issues confronting Torres Strait Islander.

### **Hemanta Tripura**

#### ***Legal Aid and Research Advancement – LARA Foundation (Bangladesh)***

Hemanta works as an assistant Private Secretary to the State-Minister, on the Taskforce for Tribal Refugee and IDP Rehabilitation, Khagrachari. His responsibilities include coordinating and maintaining liaison with relevant government and nongovernment stakeholders. Additionally in his capacity as a researcher with the LARA foundation, Hemanta updates and coordinates the day to day activities of the organization with different stakeholders. LARA provides legal assistance to indigenous litigants without the means to seek legal assistance. As a person from legal profession and a member of the Tripura people, he has the vantage point of issues he comes across on both a personal and professional level. He sees the opportunity to participate in the program as an endeavour towards changing the idea of living of the world Indigenous people. Moreover, he believes that this training program will enhance the capacity of his organization to actively engage with international processes in seeking lasting peace and justice in indigenous communities in Bangladesh.

### **Saikat Biswas**

#### ***Oxfam (Bangladesh)***

Saikat is Programme Officer and Coordinator of Oxfam Bangladesh's Diversity and Indigenous Peoples Leadership Programme. He currently leads two projects that have been implemented by 19 local NGOs covering policy advocacy issues for the indigenous communities. Additionally, he coordinates and manages two projects with government officials, public representatives and key stakeholders. He has worked extensively on a program for the past five years that has in its time formed 497 indigenous peoples organizations (CBO), allowed 16474 Indigenous people to be entitled to social safety net services, mobilised 109 acres of land to distribute among the indigenous households, provided bilingual pre-schooling to 16000 indigenous children as well as conducting the research and publication of over 30 Indigenous issue reports. He views the training program as a means of improving his knowledge of the broader human rights framework and could further develop their advocacy programs for Indigenous peoples in Bangladesh. He also expect to receive skills training that will make him a better facilitator and communicator when approaching local indigenous organizations, NGOs, human rights activists, CSO members and government officials.

### **Maria Goretti Mrong**

#### ***Caritas Mymensingh Region of Caritas (Bangladesh)***

Maria Goretti is a woman of Garo ethnicity and works for Caritas as a development worker in their NGO sector and as a Junior Program Officer of Promotion of Livelihood & Human Resource Project (PLHR) in the Mymensingh region. Caritas works to address the core problems of ethnic minorities with regards to their socio-economic development and establishing their rights in greater Mymensingh. In her role, she is responsible for implementing and monitoring the progress of PLHR-related legal and advocacy activities. For Maria, the DTP training will provide her with practical knowledge and skills that will be



useful for her current work. She is interested in participating in the training program in order to address the human rights and related issues of indigenous communities in Bangladesh more systematically in her region.

### **Boniface Khonglah**

#### ***Caritas Sylhet Area Office (Bangladesh)***

Boniface belongs to the Khasi indigenous community and is a development worker in the NGO sector of Caritas. He serves as Program Officer of the Integrated Community Development Project (ICDP) under Caritas Sylhet Area which focuses on the core problems facing Indigenous peoples with regards to their socio- economic development and establishing their rights. He oversees initiatives to raise legal awareness and mediation, human rights, land protection for the indigenous communities and socially marginalised groups. Additionally, he is in charge of promoting programs to create awareness among Indigenous people about their rights. He believes that the DTP training will assist him in gathering experience and knowledge on advocacy and networking and will build his capacity to address indigenous issues in a more pragmatic and effective manner.

### **Rubaiyat-i-Siddique**

#### ***Chittagong Hill Tracts Development Facility (CHTDF), UNDP (Bangladesh)***

Rubaiyat works Programme Assistant for the CHTDF under the auspices of the United Nations Development Program (UNDP). The UNDP-Chittagong Hill Tracts Unit is responsible for monitoring and expediting development programs specially designed for the unique needs of the indigenous population in the Hill tracks area of Bangladesh. In observance of the National Indigenous Populations Day, Rubaiyat helps coordinate a three-day programme showcasing development projects and programmes with visibility in media, the parliament and civil society. She also works to carry out the periodic monitoring missions to project areas with members of the EU delegation for close exposure to the livelihoods of Indigenous people. She hopes the training will give her practical learning about international human rights standards relevant to Indigenous peoples and to expose her to different methods of protecting and promoting indigenous rights. Additionally, she hopes that her participation will lead her to develop her practical advocacy strategies and media skills to engage and learn from the experiences of Indigenous peoples and advocates.

### **Sokha Am**

#### ***Community Legal Education Centre (CLEC) Land Natural Resource Program (LNRP) (Cambodia)***

Sokha has been working as Case Coordinator for the Community Legal Education Centre (CLEC) since 2004 within the Land and Natural Resources Program, providing legal defence in high profile cases. He is currently working on several cases concerning the land of Indigenous people, forced evictions (land swaps, private interests) and economic land concessions. Through the cases, they raise public interest and awareness on issues affecting Indigenous people and villages as well as discussed strategies on how to deal with the cases in order for them to achieve the best outcome. In addition, he has assisted with drafting recommendations on laws and policies to the Cambodian government. He believes that participation in the training program will assist him in improving his understanding of the issues as well as his advocacy skills. He hopes to deepen his understanding of international human rights standards, and various methods of promoting human rights. As he is the advocacy coordinator for his organisation, Sokha anticipates the opportunity to share advocacy and lobbying experiences and tips on how to improve coordination with the authorities, the media and the indigenous communities.

**Chhan Sokunthea*****The Cambodian Human Rights and Development Association (ADHOC) (Cambodia)***

Chhan is in charge of the Alternative Dispute Resolution program of ADHOC. She is constantly engaged in work on ADR with counterpart organisations and organizing training for staff and communities on ADR. She is also involved in activities aimed at training and empowering indigenous groups on human rights and relevant law. She also organizes workshops and dialogue on human rights law by inviting all key stakeholders to attend such as government officers, companies, and victims. ADHOC is also involved in community registration for collective land ownership as well as grassroots community work in indigenous group areas in Mondulakiri, Ratanakiri, Kratie and Stung Treng provinces. She believes that this training will be very useful for both her and for ADHOC. After the training, she plans to update their training manuals to include the knowledge she has gained from the course, as well as organizing a training session for her colleagues.

**Herina Gangmei*****Indigenous Women and Children Foundation (IWCF) (India)***

Herina belongs to the Rongmei Naga indigenous community in Manipur. She currently works in the Research and Documentation Unit of the Indigenous Women and Children Foundation (IWCF) as a Research Associate. Her main responsibilities include research and documentation, compiling case studies, and collecting data on human rights violations specific to the issues of human trafficking and violence against Indigenous women and girls. She is currently involved in a lobby and campaign against human trafficking in the Tamenglong district where they have initiated a rehabilitation program for the victims who are mostly children and young girls from the indigenous communities. She provides support to IWCF's capacity building by participating in community training on human rights among indigenous communities and students. Herina is also actively engaged in the community mobilization against the construction of Tipaimuk dam in Manipur and research on its social impact. She hopes that the DTP will give her deeper understanding of international human rights instruments, its mechanisms and processes and how to relate them to local advocacy work in addressing the issues of indigenous peoples at a local and national level.

**Melki Suwandana Naibaho*****ELSAKA – Lembaga Studi dan Advokasi Kebijakan (Indonesia)***

Melki is from Batak ethnic group working as a Program Support Officer for ELSAKA (or 'Centre for Study and Policy Advocacy'). He oversees the provision of legal assistance to local people, both indigenous and non-indigenous, through judicial and non-judicial support to redress various human rights concerns. His primary responsibility has been to provide assistance to the program coordinator in planning and implementing programs of the organisation, with particular emphasis on situation and response analysis as well as technical support and guidance to the establishment, maintenance and analysis of project monitoring/evaluation systems. Additionally, ELSAKA provides political education in order to give local Medan people greater knowledge of their rights in society. Melki believes that participating in the training program will give him the chance to understand international human rights standards relevant to Indigenous people, to be used as a point of reference by ELSAKA. Moreover he sees it as an opportunity to learn about the nexus between human rights and business, and how sustainability to the environment where Indigenous people live in may be maintained against the production of palm oil. Above all he sees the DTP as an invaluable experience in aiding the organisation build its campaigning and other advocacy tools.

**Gebriel Atong*****JKKK Kg. Punan Bah, Malaysia***

Gebriel works as a Community Leader for the Punan Bah Village Security and Development Committee (JKKK) and identified as a member of the Punan ethnic group from Sarawak, Malaysia.

**David Rajagukguk*****Kelompok Studi dan Pengembangan Prakarsa Masyarakat (KSPPM), Indonesia***

David is a member of the Toba Batak ethnic group from Sumatra province. In the course of his work with KSPPM he has served as a staff for the division on study, research and advocacy. He has worked to organise and encourage the formation of organisations of Indigenous people as a forum to defend their rights and to advocate on their issues both inside and outside of the court system. His advocacy campaigning has brought him to building a coalition with several NGOs, churches, media and other social institutions in order to strengthen the advocacy movement rectifying the damage that industrial presence has caused regarding Indigenous peoples. He hopes to make use of his DTP experience through mentoring Indigenous people in the future as well as equipping himself with knowledge of media and how it may be a powerful tool for human rights advocacy.

**Jenita A/K Engi*****Centre for Orang Asli Concerns (COAC), Subang Jaya, Selangor Assistant Coordinator (Malaysia)***

Jenita is an Orang Asli woman, part of the Temuan tribe from Jelebu Negeri Sembilan, Malaysia. She has been volunteering for COAC since 2007, and the Jaringan Orang Asal SeMalaysia (JOAS) program since 2008. In addition she has carried out some research and participated in seminars at various local universities and NGOs with regards to Orang Asli rights issues.

**Flora Bawi Nei Mawi*****Chin Human Rights Organisation, Burma (Thai)***

Flora works at the Chin Human Rights Organisation where she is particularly involved in empowerment and capacity building program. She reports on human rights and abuses of Indigenous peoples' freedoms through the media and conducts research on sustainable development and public health concerns. She herself identifies as a Chin indigenous woman and believes the training will give her better understanding of indigenous issues and provide her with skills to effectively engage in dialogue with relevant stakeholders in promoting indigenous rights. She believes that the advocacy skills she will learn in the program will prepare her for her future plans to enter into politics as a representative of the Chin peoples. She perceives the greatest challenge facing Indigenous peoples as the lack of awareness of their rights and their inability to receive information and give informed consent on many policies that affect them.

**Devraj Choudhary*****Nepal Federation of Indigenous Nationalities (NEFIN), Nepal***

Devraj is a social activist and Indigenous People's human rights defender who has worked tirelessly to raise awareness on the issues of ILO 169 and UNDRIP as well as workshops on climate change, biodiversity and federalism. He works for the Nepal Federation of Indigenous Nationalities (NEFIN) and identifies himself as Chaudhary, of the Tharu ethnic minority. He hopes that the training will equip him and his organization effectively in their public awareness and promotion campaign and improve their ability to monitor human rights violations against Indigenous people. He has previously been involved in twelve different human rights training programs held in both Nepal and Thailand. He perceives the lack of participatory local development planning, lack of input in policy making and educational development

as the biggest hurdle that indigenous Nepali groups face. His expectations from the program are to increase his knowledge on international mechanisms and remedies for human rights violations against Indigenous peoples as well as to gain practical skills on monitoring human rights violations.

**Mahmood Akhtar**

***Sungi Development Foundation (Pakistan)***

Mahmood has been working as a Program Coordinator in Advocacy and Communication within the Sungi Development Foundation for the last 10 years. A large non-government community based organisation, Sungi works to rectify the abuse and marginalisation of indigenous communities in Pakistan. He has been active in developing advocacy and communication strategies for raising the voices of the voiceless and developed numerous advocacy campaigns regarding violence against women, dam-affected communities, and minority rights. He would like to build his capacity to work effectively in advocacy for the rights of indigenous groups. In addition he would like to build his capacity as an indigenous advocate in order to better respond to human rights challenges and develop effective strategies in defending the rights of indigenous communities.

**Famita Somogod**

***Rural Missionaries of the Philippines – Northern Mindanao Sub-Region (Philippines)***

Famita is the acting Sub-regional Coordinator of the Rural Missionaries of the Philippines, located in Northern Mindanao. She supervises all programs of the RMP-NMR particularly those concerning the human rights advocacy for Indigenous peoples. Among her duties, she oversees and manages 16 litnum schools for Indigenous peoples heads various campaigns, networking and lobbying groups on indigenous human rights issues in the Philippines. She believes that the DTP will give her organisation and herself better insight of how advocacy work for Indigenous peoples is done in the Asia-Pacific region. With new knowledge and skills from the training, she expects that her organisation's grassroots works will be improved by incorporating international standards. She also anticipates the synchronization of the work of RMP-NMR with the greater movement of Indigenous peoples so that the success achieved locally may contribute to the broader struggle of Indigenous peoples. She greatly anticipates the opportunity to connect with and to build solidarity networks with the other Indigenous advocates attending the program.

**Karina Javier**

***Paaralang Mangyan Na Angkop Sa Kulturang Aalagaan (PAMANA KA) & Saragpunta (Philippines)***

Karina works as a field-based Program Officer in Mimaropa, in response to demands for better education for Indigenous peoples and Muslims by the Philippine government's Department of Education (DepEd). She is currently involved in many projects including Teachers' Training and Formation, design of participatory research programs advocacy work for the protection of rights of the Indigenous peoples. She is also involved in campaigns for protection of the environment such as the protection of ancestral waters in one of the Tagbanua communities. In her role within DepED, she assists in the establishment of public-private partnerships to ensure the sustainability of the PRIME Program as well as technical assistance to the Regional Office of the DepED on how to identify strategies to sustain partnerships with local government units, civil society organizations, Indigenous peoples and Muslim communities. Karina anticipates that this training activity will assist in broadening her perspective of Indigenous issues both in the Philippines and abroad. She also sees it as a forum to engage in dialogue and exchange of experiences on how each organisation has dealt with Indigenous issues in their respective countries.

**Kokmaduwa Senanayake Ralahamilage Thushara**  
***Saviya Development Foundation, Sri Lanka***

Thushara is a community program officer for the Saviya Development Foundation, an organisation working with indigenous people in the Ampara district. His organisation aims to instil self-help groups through micro finance programs as well as arranging health clinics of mothers and children. His current project relates to problems with land ownership for indigenous people. He hopes that participation in the program will assist him with his advocacy; his own experiences as an indigenous person have put him face to face with the consequences of war and human rights violations. It will further empower his ability to attend meetings called by the government authorities and private institutions and convince politicians to give financial support to the difficulties facing indigenous people. He expects that the outcome of the program will give him knowledge about the situation of indigenous people in other countries, the global efforts to protect them from threats and finally future directions to implement the institutions that focus on marginalised indigenous people.

**Galus Athoi**  
***PACOS Trust (PACOS), Malaysia***

Galus is the Land Rights Programme officer for PACOS. His organisation has been actively involved in improving the quality of life of indigenous communities in Sabah, Malaysia. PACOS endeavours to create peaceful and united indigenous communities who are equipped with the knowledge and skills necessary to manage their own resources and cultivate opportunities that will raise the overall quality of life. Its three key objectives are the obtainment of Native Customary Land titles and securing user rights to other land, strengthening indigenous knowledge related to resource management, and strengthening positive values, cultures, language and belief systems. PACOS focuses on human resource development and support for peoples' organisations by providing strategies for raising Indigenous peoples capacity to manage livelihood issues. Since 2000, Galus has also been an active volunteer member of Jaringan Orang Asal Se-Malaysia (JOAS).

**Rojieka Mahin**  
***PACOS Trust (PACOS), Malaysia***

Rojieka is a Kadazan and an Indigenous advocate. She participated in the 2009 Awareness of Violence Against Women in Rural Areas workshop that was delivered by the Ministry of Women, Family and Community Development in collaboration with the Sabah Women Action Resource Centre (SAW) and PACOS Trust. She was a participant of the Asia Pacific Indigenous Youth Networks 'Conference on Climate Change', also held in 2009. She was an assistant to the Secretariat during the Conference of Community Education in Public Awareness (CEPA) as well as the Conference of Indigenous Knowledge on Biodiversity. In 2010, she completed the Community Organizing Training Phase 1 (Orientation and Basic Community Organising) program for the Community Organizing Program of PACOS Trust. The following year, Rojieka provided organizational support for the Community Nurseries Training course that was delivered by the Forest Research Institute Malaysia in conjunction with PACOS Trust. Earlier this year, she participated in the School of International Tropical Forestry (SITF), University of Malaysia Sabah, conference on the 'Challenges in Safeguarding Biodiversity Against Deforestation and Degradation'.

**Melati Binti Jamil**  
***The Dr Bolton Orang Asli Trust Fund, Malaysia***

Mel is the Chairperson of the Board of Trustees for the Dr Bolton Orang Asli Trust Fund. The Trust provides assistance to the Orang Asli Indigenous peoples of Malaysia in the form of student grants, and

provision of medical assistance and support for capacity-building programs. She is responsible for selecting grant recipients and identifying which community members are most in need of medical assistance and presenting these candidates to the Board for approval. Mel also works as a Global Mobility Specialist for her own company, Talisman Malaysia. Her interest in this training program stems from a desire to gain a deeper understanding of the issues that effect indigenous communities and the methods of best practice for promoting and protecting Indigenous peoples' rights.

### **Rochelle Diver**

#### ***New South Wales Reconciliation Council (NSWRC), Australia***

Rochelle is an intern with the NSW Reconciliation Council in Australia and is currently undertaking a Master of Human Rights at the University of Sydney. She identifies as a Native American woman and is a member of the Fond du Lac Band of Lake Superior Chippewa in Minnesota, USA. The NSW Reconciliation Council is the peak representative body for reconciliation in New South Wales, Australia. It is comprised of indigenous and non-indigenous Australians who work as a collaborative body to raise awareness and understanding about reconciliation and indigenous issues, conducts social justice, equity and indigenous rights advocacy and provides continued support for the peoples' movement for reconciliation. During her internship, Rochelle has been actively engaged with indigenous and non-indigenous communities in an effort to cultivate and strengthen engagement between the two. She is currently involved in the Schools Reconciliation Challenge, organizes community events that promote inter-cultural collaboration through creative mediums including music, arts and craft. Rochelle is also responsible for the planning and implementation of events taking place alongside Reconciliation Week and contributes to the grant proposals on behalf of the NSW Reconciliation Council. Rochelle is eager to attend the training program so that she can broaden her knowledge on the available tools and resources that can be used to promote and raise awareness about Indigenous peoples' rights. She would also like to gain a more comprehensive understanding of the international provisions relating to Indigenous peoples' rights which will benefit her advocacy as a Native American rights activist in the United States.

### **Pawan Roy**

#### ***Youth Action Nepal, Nepal***

Pawan is the Network and Relationship advisor for Youth Action Nepal. He is a member of the Madhesi community which is a socially and politically marginalized community in Nepal. Previously, he served as the Chairperson for Youth Action which operates as a vehicle for communication between diverse youth groups and community organisations and with different ministries in the government. He has extensive experience as a youth leader working in collaboration with the ministry and the International Youth Council on the implementation of the National Youth Policy Action Plan. Pawan also carries out educational trainings on leadership skills and peace and trust building to encourage the active participation of Nepalese youth in the community. In 2008, Pawan introduced Indigenous peoples' rights issues to the Youth Action Nepal agenda. He was instrumental in identifying the types of structural discriminations that confront members of Nepal's marginalised ethnic communities from the Eastern Terai. Pawan was an advisor to the two-year Nepal Government Citizen Partnership Project delivered by USAID and the Nepalese Government. The project was geared towards education, engagement and empowerment of young people from disadvantaged backgrounds and ethnic communities in the Eastern Terai districts.

### **Holly Shrumm**

#### ***Natural Justice: Lawyers for Communities and the Environment, Malaysia***

Holly is a legal practitioner for Natural Justice, a non-profit organisation that facilitates the full and effective participation of Indigenous peoples and local communities in the development and

implementation of laws and policies relating to conservation, customary use of biodiversity and the protection of cultural heritage. The organization collaborates with partners at the local, national, regional and international level to ensure that community rights and responsibilities are respected and represented. Holly is involved in all aspects of the organisation's work, including providing support for communities and community-based organizations in local efforts to secure their rights and territories, advising government agencies on legal issues pertaining to community and the environment, advocacy for community concerns in intergovernmental negotiations as well as coordinating and producing various reports, articles, legal research, and training materials. Currently, Holly is coordinating a local project with Indigenous Dusun communities around Mount Kinabalu in Sabah, Malaysia as well as conducting a global review of laws that support or hinder Indigenous peoples' and local community conserved areas and territories (ICCAs). She hopes to gain knowledge about strategies for effective advocacy which she will be able apply to Natural Justice's ongoing activities. Holly is keen to broaden her regional network of fellow advocates of Indigenous rights and hopes this will lead to concrete collaboration and joint advocacy on related issues.

## Annex 2: Program Schedule

WEEK 1		Mon 23 April	Tues 24 April	Wed 25 April	Thurs 26 April	Fri 27 April	Sat 28 April	Sun 29 April
Breakfast 7:00 - 7:30								
Presentations 8:00 – 8:30			<i>Participant Presentations</i>	<i>Participant Presentations</i>	<i>Participant Presentations</i>	<i>Participant Presentations</i>	<i>Participant Presentations</i>	<i>Participant Presentations</i>
Morning 1 8:30 to 10.00		Opening Ceremony: JOAS Dr Sarah Pritchard Ramy Bulan Jannie Lasimbang	The UN Declaration on the Rights of Indigenous Peoples ( <b>UNDRIP</b> )	The UN system and Indigenous Peoples – the ( <b>UNPFII</b> ) and the Expert Mechanism ( <b>EMRIP</b> )	Developing strategic approaches for IP rights advocacy	The Right to Free Prior and Informed Consent (FPIC), defending community rights against large scale projects	An Introduction to The Right to Development – A Human Right	Practical Exercise on Right To Development
Facilitator(s)			Dr Sarah Pritchard	Dr Sarah Pritchard	Patrick Earle	Christina Hill	Prof Virginia Dandan	Virginia Dandan
Morning Tea 10:00-10:15			Morning Tea	Morning Tea	Morning Tea	Morning Tea	Morning Tea	
Morning 2 10:15-12:00		The state of the promotion & protection of the rights of Indigenous Peoples in Malaysia, & the role of NHRIs/ Suhakam	The UN human rights system and the rights of Indigenous Peoples – a practical exercise	Domestic and international remedies for violations of the rights of Indigenous peoples	IP Rights Advocacy through Community Education and Empowerment -	<b>FPIC Practical exercise</b>	Field Trip – IP Rights, Ancestral Lands, Impact of Mega Dam, IP community advocacy and sharing	Economic, Social and Cultural Rights and the MDG: Making the link visible
Facilitator(s)		Jannie Lasimbang	Dr Sarah Pritchard	Dr Sarah Pritchard	Colin Nicholas	Christina Hill	JOAS/ PACOS Trust	Virginia Dandan
Lunch 12:00 -1:00								
Presentations 1:00 – 1:30			<i>Participant Presentations</i>	<i>Participant Presentations</i>	<b>Participant Presentations</b>	<i>Participant Presentations</i>		<i>Participant Presentations</i>
Afternoon 1 1:30-3:00		An introduction to human rights, and the Universal Declaration of human Rights ( <b>UDHR</b> )	Practical Exercise cont.	Practical exercise	Securing the Ancestral Lands of IPs: the Orang Asli's advocacies for land rights and recognition	<b>Tools for advocacy and solidarity – The OECD Guidelines</b>	Field Trip	The General Comments of the ESCR
Facilitator(s)		Dr Sarah Pritchard	Dr Sarah Pritchard	Dr Sarah Pritchard	Colin Nicholas	Christina Hill	JOAS/ PACOS Trust	Virginia Dandan
Afternoon Tea 3:00-3:15		Afternoon Tea	Afternoon Tea	Afternoon Tea	Afternoon Tea	Afternoon Tea	Afternoon Tea	Afternoon Tea
Afternoon 2 3:15-5:00	Introductory Session 4pm– overview, housekeeping rules, Challenges & Expectations,	Human rights and the rights of Indigenous Peoples – a practical exercise	An introduction to the UN human rights system – treaty bodies, Human Rights Council and special procedures	IPs Advocacy with International Mechanisms – Experience, Gains, Lessons & Future Directions	Securing the Ancestral Lands of IPs: establishing and claiming title cont'd	Presentation of Participants' Practical Exercise on the OECD Guidelines	Field Trip - Participants/ Group Reflections	Free Time
Facilitator(s)	DTP/JOAS	Dr Sarah Pritchard		Panel Discussion – Adrian Lasimbang	Colin Nicholas	Christina Hill	JOAS, DTP, PACOS Trust	
10 Minutes				Diary Session	Diary Session	Diary Session	Diary Session	Diary Session
Evening Activity	Welcome Dinner	Dinner/ Movie Night	Dinner	Solidarity Night	Dinner/ Movie Night	Dinner	Dinner	Free Time



<b>WEEK 2</b>	<b>Mon 30 April</b>	<b>Tue May 1<sup>st</sup></b>	<b>Wed May 2nd</b>	<b>Thurs May 3rd</b>	
<b>Breakfast 7:00 - 7:30</b>					
<b>Presentations 8:00 – 8:30</b>	<i>Participant Presentations</i>	<i>Participant Presentations</i>	<i>Participant Presentations</i>		
<b>Morning 1 8:30 to 10:00</b>	Economic, Social and Cultural Rights – General Comments Practical Exercise	The 2014 World Conference on Indigenous Peoples - Briefing - Binota Moy Dhamai  The UPR Role Play Exercise	Lobbying – an Introduction and Practical Exercise	Departure	
<b>Facilitator(s)</b>	Virginia Dandan	Joshua Cooper	Patrick Earle		
<b>Morning Tea 10:00-10:15</b>	Morning Tea	Morning Tea	Morning Tea		
<b>Morning 2 10:15-12:00</b>	ESC Rights – Monitoring and Accountability	Emerging Challenges: Rio + 20 – Panel – Professor Dandan, Binota Dhamai; Joshua Cooper	The Media and IP Rights Advocacy – Media Skills		
<b>Facilitator(s)</b>	Virginia Dandan	Binota Moy Dhamai	Leonard Alaza		
<b>Lunch 12:00 - 1:00</b>					
<b>Presentations 1:00 – 1:30</b>	<i>Participant Presentations</i>	<i>Participant Presentations</i>	<i>Participant Presentations</i>		
<b>Afternoon 1 1:30-3:00</b>	Esc Rights – Monitoring and Accountability – Practical Exercise Cont'd	The right of individuals and peoples to international solidarity - A Work in Progress – A dialogue with The Independent Expert.	Written & Oral Evaluation		
<b>Facilitator(s)</b>	Professor Virginia Dandan	Professor Virginia Dandan			
<b>Afternoon Tea 3:00-3:15</b>	Afternoon Tea	Afternoon Tea	Afternoon Tea		
<b>Afternoon 2 3:15-5:00</b>	The Universal Periodic Review & Indigenous Peoples – Overview, lessons from the first UPR cycle and the UPR 2 <sup>nd</sup> Round & Instructions and Introduction for the Role Play	Emerging Challenges: Climate change and IP rights - REDD	Closing Ceremony		
<b>Facilitator(s)</b>	Joshua Cooper & Binota Moy Dhamai	Shree Kumar Maharjan			
<b>10 Minutes</b>	Diary Session	Diary Session			
<b>Evening Activity</b>	Cultural Night	Free Time			



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AFFILIATED WITH THE FACULTY OF LAW AT THE UNIVERSITY OF NEW SOUTH WALES  
A training program for peoples of the Asia-Pacific region

## **Indigenous Peoples, Human Rights and Advocacy Program**

April 23<sup>rd</sup> – May 2<sup>nd</sup> 2012, Sabah, Malaysia

### **ANNEX 3: Trainer Biographies**

#### **Dr Sarah Pritchard**

Dr Sarah Pritchard is an experienced international human rights lawyer. She is currently practicing as a Barrister in Sydney, following a distinguished academic career at the University of New South Wales where she was also Director of the Australian Human Rights Centre. She has worked extensively with issues regarding Indigenous rights and human rights in Australia and internationally and remains actively involved in current developments in this area. She addressed the UN Commission on Human Rights in Geneva for a special session on East Timor and has worked closely with the development of an Indigenous agenda at the UN. Sarah has contributed her expertise to a number of DTP programs over the last decade and currently sits as a Board Member of the organisation.

#### **Dr. Ramy Bulan**

Dr. Ramy Bulan is an Associate Professor in the Faculty of Law, University of Malaya. She has a LLB (Hons) from the University of Malaya, a Master of Laws (LLM) from Bristol University in the United Kingdom and a PhD (Law) from the Australian National University (ANU). Her areas of expertise include customary laws, equity and trusts, jurisprudence, the Malaysian Legal System, Native Title and Indigenous Peoples and International Law. Ramy has extensive and diverse experience working in the legal field for Indigenous Peoples' rights and is widely published. She has been the Principle Investigator (PI) for projects like Native Customary Land Rights in Sabah and Sarawak and Conceptual and Legal Framework for Indigenous Land Rights in Malaysia, and has been a consultant on projects concerning Issues and Conflicts on Orang Asli Land Rights in Peninsular Malaysia and Guidelines for Community Development Plan (CDP) for Sustainable Forest Management in the Permanent Forest Estates of Sarawak.

#### **Professor Virginia Dandan**

Virginia Dandan is a former Chair of the United Nations Committee on Economic, Social and Cultural Rights (UNCESCR). She also served on the Committee as an independent expert from 1990 to 2010.

In these roles Virginia was responsible for monitoring state performance on economic, social and cultural rights, and engaging in dialogues with senior state officials, NGOs and independent experts on the matter. She has an enduring commitment to human rights education as a tool for social transformation and has conducted extensive research on issues concerning the right to take part in cultural life. Currently she serves as National Program Manager for the Human Rights Community Development Project, a bilateral program between the Philippine Commission on Human Rights and the New Zealand Human Rights Commission that works with grassroots Indigenous communities in the Philippines. In addition to her academic and practical human rights work, Virginia is also an accomplished artist having delivered solo exhibits of her paintings and sculptures both in the Philippines and abroad. She was the former Dean of the College of Fine Arts at the University of the Philippines.

**Joshua Cooper**

Joshua Cooper is an academic in human rights law, political science and journalism, non-violent social movements, ecological justice in Oceania and Indigenous peoples' rights. He lectures at a number of universities and educational institutions worldwide including the University of Hawaii, the International Training Center for Teaching Peace and Human Rights in Geneva, Galway University in Ireland and the University of the District of Columbia in Washington D.C. He also performs a number of leadership and supervisory roles, including as an Asia Pacific Leadership Program Fellow at the East-West Center, Area Coordinator for Amnesty International USA, Senior Advisor to the Unrepresented Nations and Peoples Organization in the Hague, Board member of Peace Action, Board member of the Human Rights Task Force for the United National Association of the USA, and former Chair of the AIUSA Indigenous Peoples Task Force. Josh has also been selected to work with Nobel Peace Prize Laureate and U.S. Vice-President Al Gore on The Climate Project.

**Jannie Lasimbang**

Jannie Lasimbang is a founding member of Call of the Earth Llamado de la Tierra. She is a member of the Kadazan indigenous group from Sabah, Malaysia. Jannie served as the Secretary General (2000-2004) of Asia Indigenous Peoples Pact (AIPP) Foundation. She also worked as a community organizer and trainer for the Partners of Community Organizations (PACOS TRUST) which focuses on land issues and capacity building for community organisations. In 2008, Jannie was appointed to the United Nations Human Rights Council Expert Mechanism on the Rights of Indigenous Peoples. Jannie is a member of the Indigenous Peoples' Biodiversity Network which comprises 30 indigenous peoples groups from around the world. She continues to be involved in meetings focusing on the Convention on Biological Diversity and remains an active member of indigenous rights advocacy, with a particular focus on indigenous perspectives on intellectual property rights, community research protocols and customary laws.

**Dr Colin Nicholas**

Dr Colin Nicholas is the founder of the Centre of Orang Asli Concerns (COAC), a non-profit organisation that seeks to advance the cause of the Orang Asli Indigenous group through self-development initiatives and in defence of their rights. Colin has a PhD (Distinction) from the Institute of Advanced Studies, Universiti Malaya. He has been widely published in books and academic journals. Some of his publications include Pathways to Dependence (Monash University, 1996), The Orang Asli and the Contest for Resources (COAC/IWGIA, 2000, reprinted 2004) and The Orang Asli and the UNDRIP: From Rhetoric to Recognition (COAC 2010). Colin also served as an expert witness in the precedent-setting 2002 case on the Orang-Asli land rights case that ruled in favour of the Indigenous group. Colin is a DTP alumni having attended the 1990 1<sup>st</sup> Annual Human Rights and Diplomacy program.

**Shree Kumar Maharjan**

Shree Kumar Maharjan is a Newar Indigenous people from Nepal. He has been the Coordinator of Environment Programme of the Asia Indigenous Peoples Pact (AIPP) Foundation since July 2011. He is responsible in coordinating the Climate Change and REDD programme with Indigenous peoples in Asia that is being implemented in Thailand, Nepal, Vietnam, Indonesia and Laos. He is mainly responsible for raising awareness, building capacities, networking and coordination for policy and advocacy at all levels. He finished a degree in Conservation Ecology from the Institute of Agriculture and Animal Science (IAAS) in Rampur, Chitwan, Nepal. Before joining AIPP, he worked in Nepal in community based biodiversity management practices such as community seed banks, grass root breeding, gene bank management, cyber plant conservation project, community based adaptation including participatory researches and development. He was also involved in building capacities of indigenous and local communities to develop their own adaptation plans and programmes at local and national level and supporting them to mainstream them into development plans.

**Patrick Earle**

Patrick Earle has been the Executive Director of DTP since 2003 and has over 20 years experience working in the human rights movement, both in Australia and internationally. Since 2003 Patrick has overseen and facilitated human rights courses for DTP across Indigenous Australian communities and the Asia-Pacific. From 1996 until 2003, Patrick worked with the Human Rights Council of Australia on its groundbreaking project on the relationship between human rights and development and is co-author of "The Rights Way to Development – Policy and Practice". Prior to that Patrick worked for Amnesty International and produced their first International Campaigning Manual on human rights. Patrick is on the Steering Committee of UNSW's Initiative on Health and Human Rights, a Board Member of the Asia Pacific Regional Resource Centre on Human Rights Education, a member of the Human Rights Council of Australia, and a Visiting Fellow at the Faculty of Law at UNSW.

**Christina Hill**

Christina Hill is the Mining Advocacy Coordinator with Oxfam Australia. She has expertise in business and human rights with a particular interest in community-company grievance resolution processes and the gendered impacts of the extractive industries. Christina is the lead author of Oxfam Australia's 'Guide to mining and gender impact assessment', 'Guide to community and company grievance resolution', co-author of Oxfam's 'Community guide to free, prior and informed consent' and contributed to the 'PNG LNG Listening project' report. She has collaborated with industry and other civil society organisations in various multi-stakeholder forums. Christina has delivered training in Papua New Guinea and Indonesia on business and human rights, corporate accountability, and FPIC. She has previously worked in the environment sector for Government and private consulting firms. Christina holds a Masters in International Development and a Bachelor of Engineering.