



JPIC Directors Jaime Campos, OFM and Rufino Lim, OFM at the JPIC Office's at international course on migration. Photo: © FI/Christian Seno, OFM

## FRANCISCANS INTERNATIONAL NEWSLETTER | 2018/02

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Welcome to the second issue of Franciscans International's Newsletter in 2018!

In this issue, you can read about Franciscan International's recent side-event during the United Nations Permanent Forum for Indigenous Issues in New York, an analysis of the issue of human trafficking in Malaysia, a report from a recent mission visit in Zambia, and the OFM JPIC Office's international course on migration in Guadalajara, Mexico.

You may have noticed that we've sent a request during the past weeks in which we asked you to re-subscribe to our mailing list. Due to the E.U.'s new data privacy law, the General Data Protection Regulation (GDPR), which comes into effect on 25 May, we are required to request updated permissions from our subscribers.

**If you want to keep up to date with the latest news from Franciscans International, please confirm your interest** by following the links embedded in the Newsletter email you just received or by following the links sent to you in previous messages. You may also re-subscribe on our Facebook page (<https://www.facebook.com/FranciscansInternational/>) or on our website (<https://franciscansinternational.org/subscribe/>).

Thank you for your continued support and we hope you will find our Newsletter informative and engaging.

Faternally,

Markus Heinze, OFM



(left) Asia-Pacific Program Coordinator Budi Tjahjono, far left, met with members of various organizations participating in the Indonesian network to combat human trafficking. Photo: © FI/Budi Tjahjono (right) A market in Zambia. Photo: © FI/Sandra Ratjen





## ZAMBIA: ADDRESSING HUMAN RIGHTS ISSUES AND THE EXPLOITATION OF NATURAL RESOURCES

*Enkeleda Papa, Africa Program Coordinator*

Zambia was reviewed for a third time by the UN Universal Periodic Review (UPR) Working Group in October 2017 receiving a total of 203 recommendations by the other Member States. During the UPR adoption, in March 2018, the Government of Zambia accepted 183 recommendations, including some calling for the protection of human rights and the environment in relation to extractive industries.

It is within this context that Franciscans International (FI) in collaboration with its Zambian partners seized the opportunity of Zambia's UPR to denounce the multitude of human rights violations and abuses of local communities due to mining operations in the Copper-belt Province and the North-Western regions. As a result, several UN Member States called on Zambia to improve the governance of its natural resources and urged the authorities to ensure meaningful participation of local communities in decision-making processes directly affecting them.

In a statement at the Human rights Council, FI recalled that "the effective participation of communities affected by projects of exploration and extraction of natural resources on their land is not only required to comply with human rights obligations and principles but is also key to achieving sustainable development." FI then recommended to the Government to "ensure meaningful community engagement, notably through the timely and comprehensive disclosure of project-related information, in an adequate and accessible form. Independent and thorough human rights impact assessments should be carried out before the start of the project, and at the different phases after."

The UPR is a process that does not end in Geneva. In fact, for it to be effective, it is essential that States, in synergy with other stakeholders, follow up on the recommendations and work together towards ensuring their implementation.

For this reason, last April FI conducted a follow-up mission in Zambia to assist national stakeholders in the implementation phase of the UPR. In collaboration with a group of Zambian civil society partners, FI organized a series of activities in Lusaka and Luapula aimed to ensuring Zambian stakeholders' awareness of government's commitments at the international



FI team meeting local communities in Zambia together with civil society partners. Photo: © Franciscans International

level. They also intended to provide a platform for dialogue to ensure the effective implementation of UPR recommendations.

To this end, FI made sure to meet with various civil society actors to inform them about the outcome of Zambia's 3rd UPR, with a specific focus on the recommendations related to natural resources and extractive industries. This meeting was also the perfect occasion to highlight the crucial role of civil society actors in monitoring the implementation of recommendations and in measuring Government's progress.

Furthermore, FI initiated a dialogue with governmental authorities at local and national levels to discuss their plans to implement the UPR recommendations. During this dialogue FI also confronted local and national authorities with claims and observations of continuing human rights violations in the context of the extractivist model of development that the country is still pursuing.

FI also met with local communities in Luapula, a province in the Northern Zambia, where plans to start oil exploitation are likely to threaten the rights of local communities. During this visit to Luapula, FI interacted with traditional leaders, community members, civil society, media, local government and Church representatives. The presence of FI in the area gave local partners the opportunity to inform communities about their rights, as well as informed local authorities about their obligations to protect them. The meeting with the concerned communities showed that lack of adequate information and engagement with people who will be the first affected by extractive activities are still a reality in the country. This also confirmed the added



value of FI's support to national actors in demanding the implementation of UN recommendations by their States

### **HUMAN TRAFFICKING IN MALAYSIA: AN UNRESOLVED ISSUE**

*Budi Tjahjono, Asia-Pacific Program Coordinator*

On 11 February 2018, Adelina Jemira Sau, a 21-year-old Indonesian maid, died in the Bukit Mertajam Hospital, in Penang, Malaysia. Her head and face were swollen, her legs covered in infected wounds. Before being rushed to the hospital, she was found sitting helpless on the porch of her employer's house in the company of a Rottweiler tied to a rope beside her. When interviewed, the neighbors said that she had been forced to sleep on the porch in the company of the Rottweiler for over a month.

The physical and mental abuses inflicted upon Adelina by her employer—who was charged with employing a foreign worker illegally and murder—eventually killed her. She was from the Indonesian Province of East Nusa Tenggara (NTT Province), one of the poorest regions in Indonesia, and in all likelihood, was a victim of human trafficking.

The NTT Province has been one of the main contributors of Indonesian migrant workers in Malaysia. It is estimated that 20% of the 4.9 million residents in this province live under the poverty line. Mr. Bruno Kupok, the head of the local Manpower and Transmigration Office, affirmed that by 2018, there were 200,000 people from NTT Province working across Malaysia—nearly 75% of them undocumented.

According to the Secretary of the Agency for the Placement and Protection of Indonesian Migrant Workers (BNP2TKI), in the first three months of 2018 alone, 19 undocumented Indonesian migrant workers from NTT Province died in Malaysia. In 2017, the number of deaths of migrants from NTT Province working in Malaysia was 62; in 2016, it was 46.

The International Organization for Migrants (IOM) reported that from 2005 to 2014, there were 7,193 victims of trafficking in Indonesia, of which 82% were women and girls.

To address this striking situation, Franciscans International (FI) has joined the Indonesian church and other local and international advocacy groups to



Activists and students from East Nusa Tenggara province hold a rally in front of the presidential palace in Jakarta on March 26 calling for President Joko Widodo to take special steps to stop human trafficking. Photo: © Ryan Dagur/ucanews.com

form an Indonesia-based network to combat human trafficking of men, women and children. The network aims to deal, at the national level, with individual cases of trafficking and abuses, and to coordinate with government officials on legal action.

At the international level, FI has contributed to raising the human trafficking issue during the 37th regular session of the U.N. Human Rights Council in Geneva, last March. On this occasion FI and partners have focused their intervention on the need, from the Government of Malaysia, to accept and comply with international standards protecting the human rights of migrant workers—in particular domestic workers—and reinforce the measures preventing abuses.

In November 2018, Malaysia will be under the scrutiny of the Universal Periodic Review where the human rights situation in the country will be assessed by the UN in Geneva. The hope is that at the end of this process, the Government of Malaysia will take the necessary steps to effectively address the human trafficking issues occurring within its borders.

### **SIDE EVENT ON INDIGENOUS PEOPLES' RIGHTS TO LAND IN BRAZIL**

*Marina El Khoury, UN Representative in New York*

Franciscans International recently partnered with the Indigenist Missionary Council (CIMI) to organize a side event titled "Indigenous peoples' collective rights to lands in Brazil: Context, challenges, and recommendations" during the 17th session of the UN's Permanent Forum on Indigenous Issues. Held on 17 April 2018, the side-event aimed at promoting the rights of Indigenous Peoples to their lands, territories and natural resources in Brazil. Marina El Khoury,



Franciscans International's UN Representative in New York, moderated the event, which is part of Franciscans International's longstanding involvement with defending the human rights of Indigenous Peoples in Brazil.

The side-event began with the testimonies of two leaders, Adriano Karipuna and Leila Rocha, who discussed their work and shared concerns facing their respective communities. As a leader of the Karipuna People, Adriano spoke of the significant increase in the issues facing Karipuna lands since 2011, with the surge in the number of prospectors and invaders seeking timber and other resources. He denounced the local and national authorities for letting economic interests take precedence over the respect of indigenous communities, the Amazonian forest and their right to traditional lands. The current threats include hydroelectric plants, railways and roads that cut through the Karipuna lands and the continued presence of construction workers.

Leila Rocha, a leader of the Guarani Nandeva People from the indigenous territory of Yvu Katu, located on the border of Mato Grosso do Sul and Paraguay, denounced the Brazilian government's underachievement in respect to the Indigenous Peoples in the country. In the State of Mato Grosso do Sul, the Guarani have suffered greatly, with violent killings at the hands of large agricultural companies. "These lands have always been ours, we were born there, we live there, and yet we are being chased out and massacred" she added. Leila called on the UN to pressure Brazil to demarcate the lands of Indigenous Peoples, and to respect the previous demarcations as well. She noted how the Guarani have lived through enough suffering, pain, hunger and homelessness. She appealed to the audience. "We want a life with dignity. Without land we are nothing. The land is our mother, the land is our life".

Cleber Buzatto, Executive Secretary of CIMI, shared concerns that the issues facing indigenous people in Brazil seem to increase and becoming more complex over time. 2018 has been a particularly precarious year, with direct attacks on indigenous leaders, individuals, their lands and natural resources, and even their allies. Having presented recently documented incidents indicating the growing trend of violations of indigenous peoples' rights, he noted that "The challenges are greater than ever." Cleber



Adriano Karipuna (above left) shares his experiences as a leader of the Karipuna people during a side-event organized and moderated by Franciscans International. Photo: © Luiz Roberto Lima

explained that these incidents happen in areas that are geographically very distant, but there's a common thread linking all these incidents: they are indicative of anti-indigenous policies, with significant agri-business interests in the background. He shared how the current administration has used legislative, executive, and even judicial measures that violate the constitutional rights of indigenous people.

Antonia Urrejola, a Chilean Human Rights Lawyer and current Rapporteur on Indigenous Peoples Rights for the Inter-American Commission for Human Rights (IACHR), explained her role in raising awareness and promoting the rights of Indigenous Peoples, following the situation of specific cases, strengthening the work of the IACHR, training civil servants about indigenous peoples and creating mechanisms for their protection. The Rapporteur shared her preoccupation and concern with the situation of indigenous people in Brazil. She was affected by the data that CIMI documented, especially with the increase of violence and of child mortality. The IACHR already called out the budget cuts to FUNAI (the National Indian Foundation, the Brazilian government body that establishes and carries out policies relating to indigenous peoples), legislative steps back and the pressure from agri-business. The Rapporteur assured that the IACHR is closely monitoring the situation and announced her plans to visit Brazil in November 2018.

An engaging interactive discussion followed the presentations. A video recording of the event can be found on Franciscans International's Facebook page: <https://www.facebook.com/FranciscansInternational/>.



## OFM JPIC COURSE ON MIGRATION

Br. Christian Seno, OFM

From April 9 to April 16, approximately 55 Franciscan friars and lay partners in ministry gathered in Guadalajara, Mexico to participate in the OFM JPIC Office's international course on migration. The annual course was organized by Jaime Campos, OFM and Rufino Lim, OFM and sought to present the issue of migration holistically while serving as an orientation for the Order's new JPIC animators.

Titled *Migration: Causes, Walls, and Franciscan Perspectives*, the course was divided into three parts. The first part focused on root causes and drivers of human mobility. Gerardo Cruz Gonzalez, from El Instituto Mexicano de Doctrina Social Cristiana, provided a comprehensive socio-political history of migration in the Americas and offered six theoretical approaches to analyze this phenomenon. For Mr. Cruz Gonzalez, a critical understanding of the history of migration is important in order to provide Franciscans not only with a recollection of the past but also with the tools to help in our resistance against injustice. Rafael Alonso Hernández López, the director of FM4 Paso Libre, a migrant shelter in Guadalajara, presented on the impact of "Social, economic, political violence and climate change" on migration while Melissa Angélica Vértiz Hernández, of the Working Group on Migration Policy, presented on social inequality as a primary driver of migration.

The second part of the JPIC course focused on "walls" - both physical and metaphoric - that act as barriers in the migration process. Fray Tomás González Castillo, OFM, founder of La 72 and a partner of Franciscans International, gave an overview of the legal and political hurdles that inhibit migration in Mexico. Fray Tomás noted that various initiatives, such as the Programa Especial sobre Migración and the Programa Frontera Sur, have been proposed by the Mexican government with the intention of protecting the human rights of migrants who transit through the country. These programs, however, have failed to protect the rights and safety of migrants - on the contrary, they have increased border security through militarization and have caused a surge in violence and illegal activities along migratory routes, such as trafficking



Photo: © OFM JPIC

and extortion, as well as physical and sexual assault. "Mexico is a minefield for anyone who crosses its borders as an 'irregular migrant'. Mexico is a transversal wall that one has to jump, a gigantic clandestine grave where we can find the remains of those who were able to jump this invisible wall but who have fallen into the hands of criminals."

The last part of the course highlighted Franciscan perspectives and responses to migration. Martin Carbajo, OFM from the Pontifical University Antonianum and Juan Rendón, OFM from Fundación Franciscana Santo Tomás Moro in Colombia explored the various ways in which our Franciscan charism calls us to respond to global migration. Rooted in the spirituality of Saint Francis of Assisi, the presenters focused on Franciscan themes, such as minority, human dignity, and the common good.

As Franciscans International works to ensure that human rights remain at the center of migration policy at the United Nations, especially in regard to the *Global Compact for Safe, Orderly and Regular Migration*, the OFM JPIC course provided a good snapshot of Franciscan engagement with migration at local, national, and regional levels.

## HELP US DEFEND HUMAN RIGHTS

Franciscans International is entirely dependent on donations from Franciscan orders and congregations, funding agencies and institutions, parishes, and people sensitive to Franciscan values of solidarity, peace, social justice, and respect for the environment.

Make a difference, help us protect human rights by making a donation.  
<https://franciscansinternational.org/donate/>



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