Submission by Freann Financial Services (FFS)
Non-Governmental Organization in Special Consultative Status with the United Nations Economic and Social Council (ECOSOC)
Thematic Report on Enforced Disappearances in the Context of the Defense of Land, Environment, and Natural Resources

Introduction

Freann Financial Services (FFS), as an NGO holding special consultative status with ECOSOC, is committed to promoting sustainable development and upholding human rights. Our engagement with communities affected by land and environmental disputes highlights the prevalence and severe impacts of enforced disappearances. This submission draws on our work with marginalized groups, including Indigenous Peoples, rural communities, and human rights defenders, focusing on their vulnerabilities and strategies for prevention, accountability, and redress.

Context

Key Contributing Factors

Power Imbalances:

- Disputes often arise in contexts where marginalized groups face powerful actors, including transnational corporations, private developers, and state entities with vested economic interests.
- A lack of meaningful consultation and informed consent with affected communities exacerbates tensions.

Criminalization of Dissent:

- Governments and private actors frequently brand defenders of land and resources as threats to national security or economic progress.
- Laws that restrict protests or advocacy further isolate these defenders, increasing their vulnerability.

Role of Business Activities:

- Industrial activities such as mining, logging, and large-scale agriculture often displace communities and contribute to environmental degradation.
- These activities frequently involve state actors, non-state armed groups, or private security forces, heightening the risk of enforced disappearances.

Main Actors

- **State Actors:** Inadequate governance, corruption, and lack of accountability within law enforcement create conditions for state complicity or direct involvement in disappearances.
- **Non-State Actors:** Transnational corporations, local businesses, and criminal organizations often employ intimidation tactics, including enforced disappearances, to suppress resistance.

Impacts

Societal Consequences

- Communities are destabilized when defenders are disappeared, silencing critical voices and discouraging collective action.
- Environmental degradation accelerates, as the absence of resistance emboldens exploitative activities.

Gendered and Intersectional Impacts

- Women defenders face gender-based violence and unique challenges, such as loss of familial support systems and stigmatization.
- Indigenous women experience compounded discrimination due to their ethnicity, gender, and socioeconomic status.

Accountability and Redress

Best Practices

1. **Community-Led Documentation:**
    - Training communities in documentation and evidence preservation ensures that cases are not lost to bureaucratic inefficiencies.
2. **Strategic Litigation:**
    - Partnerships between civil society organizations and legal experts have resulted in landmark rulings holding perpetrators accountable.

Challenges

- **Judicial Impunity:** Perpetrators are rarely prosecuted, especially when they are powerful actors.

- **Access to Justice:** Survivors and families of the disappeared face financial, linguistic, and geographic barriers.

Recommendations

- Establish specialized investigative bodies with the mandate and resources to address enforced disappearances in these contexts.
- Provide financial and legal support to victims' families and communities.

Prevention and Protection

Effective Strategies

1. **Early Warning Systems:**
    - Establishing mechanisms for monitoring risks in high-conflict zones allows for rapid response.
2. **Policy Reforms:**
    - Strengthening international frameworks for corporate accountability, such as mandatory human rights due diligence.

Role of Various Actors

- **States:** Ensure alignment of national policies with international human rights standards.
- **Businesses:** Adopt transparent practices and implement safeguards to mitigate risks to defenders.
- **Civil Society:** Build coalitions to amplify the voices of affected communities and advocate for systemic change.

Case Studies

Example 1: Indigenous Resistance to Mining Operations

In a rural region of Ghana, FFS documented the enforced disappearance of three Indigenous leaders opposing a transnational mining project. The absence of state intervention compounded the community's fear, disrupting efforts to protect their ancestral lands. Our intervention through advocacy at the regional human rights body led to an international investigation, applying pressure on state authorities.

Example 2: Women's Leadership in Land Defense

Another women-led coalition faced violent suppression during protests against logging operations. Following the disappearance of its leader, FFS supported the group in building international alliances, resulting in her eventual release and heightened international scrutiny of the perpetrators.

Conclusion

Freann Financial Services emphasizes the urgency of addressing enforced disappearances in the context of land, environmental, and natural resource defense. By strengthening international accountability mechanisms, fostering collaboration between stakeholders, and empowering vulnerable communities, the cycle of impunity can be broken. We call on the Working Group on Enforced or Involuntary Disappearances to integrate these findings into its thematic report and advocate for systemic changes to protect defenders and their communities.

Contact Information

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