CONFERENCE HIGHLIGHTS of the SECOND ASIAN INDIGENOUS WOMEN'S CONFERENCE

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Organized by
Asian Indigenous Women's Network (AIWN) and Tebtebba

Local Host: Innabuyog-CWERC

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History of the Asian Indigenous Women's Network and Convenor's Report By Vicky Tauli Corpuz[1]

First Asian Indigenous Women's Conference

This will present a brief history of the Asian Indigenous Women's Network (AIWN) and the background of this 2nd Asian Indigenous Women's Conference.

The first Asian Indigenous Women's Conference was held in Baguio City in the Cordillera region of the Philippines on January 24-30, 1993. The conference brought together 150 women from 13 Asian countries and a few from Europe and the Americas with the bulk of the participants coming from local organizations in the Cordillera. The theme of the conference was "Sharing Commonalities and Diversities, Forging Unity Towards Indigenous Women's Empowerment". It had as its general objective "to convene Asian indigenous women to share their various situations, fully understand how global developments impact on them, and collectively define what they can do to address common concerns." The conference gave birth to the Asian Indigenous Women's Network (AIWN). The participants agreed that this will be a loose network which has the aim of helping organize indigenous women in the region.

The Cordillera Women's Education and Resource Center (CWERC), was the key organizer of the conference. This plan was inspired by the participation of the CWERC Director, this writer, in two conferences; the First International Indigenous Women's Conference which was held in Adelaide, Australia in July 7-12, I988 and the Second International Indigenous Women's Conference which was held in Karasjohka, Samiland, Norway from 5 to 9 August 1990. The CWERC Director was a member of the International Coordinating Committee which prepared for this Second Conference. Since there was no Asian network for indigenous women, we thought it would be a good idea to set up one through a regional conference.

AIWN Objectives

The main objective of the AIWN was to support, sustain and help consolidate various efforts of indigenous women in Asia. The AIWN aimed to enable indigenous women to empower themselves by becoming aware of their rights as women and as indigenous peoples, and help them develop their own organizations or structures for empowerment. In order to achieve these aims, the AIWN had the following activities:

- Networking and information sharing to keep each other updated on developments within their respective organizations, sharing of information through the AIWN Newsletter; sharing publications;
- Lobbying and advocacy in various United Nations events and processes dealing with indigenous peoples and women, on sustainable development, traditional knowledge, among others.
- Capacity building activities of network members through participation in training and education activities, conferences, workshops, exposure programs and other relevant activities.

4) **Engendering indigenous peoples' organizations and networks**. This means doing gender analysis of indigenous peoples' issues and sensitizing indigenous peoples on women's issues and perspectives.

Overview of AIWN Achievements

When the AIWN was formed in 1993, it was agreed that the main task of the network was to set up indigenous women's organizations in as many Asian countries, as possible. At the conference there were less than 10 women's organizations. It was also foreseen that it will take some time before another regional conference will be convened. After the first conference, the secretariat was based at the Cordillera Women's Education and Resource Center (CWERC).

In 1997, this was transferred to the Gender Desk of Tebtebba (Indigenous Peoples' International Centre for Policy Research and Education). There were two reasons for this; first, CWERC decided to focus on local work and cannot attend to international work, and secondly, the AIWN convenor became the Director of Tebtebba which had a mandate to do international work. The AIWN did not secure any institutional funding for its own because it did not have a legal personality. So, in the main, the modest secretariat work was supported by Tebtebba. It got a little funding from Mama Cash for the AIWN newsletter.

Some of the accomplishments for the past ten years are as follows:

1. Organization building, education and training

Around 100 indigenous women's organizations were set up during this time with the direct and indirect help of the network. These organizations are found in the Philippines, Bangladesh, Thailand, Nepal, Northeast and Central India, Taiwan, Cambodia, Burma, Indonesia and Malaysia. Gender sensitivity training sessions and women's leadership workshops were done with some of these organizations. These were undertaken with a big number of indigenous women's organizations and NGOs in the Chittagong Hilltracts in Bangladesh.

INNABUYOG, the federation of indigenous women's organizations in the Cordillera Region in the Philippines expanded significantly. It now has 98 member organizations. Recently, the indigenous women in the Philippines had their 1st National Indigenous Women's Conference and this gave birth to BAI, the National Federation of Indigenous Women's Organizations.

In South Asia, the South Asia Indigenous Women's Forum was created in January 2003. AIWN/Tebtebba participated in the South Asian Indigenous Women's Conference which was held in Dhulikel, Nepal in Jan. 20-26, 2003 which gave birth to this forum.

2. Lobbying at the UN, organizing indigenous women's caucuses, and participating in campaigns of women and indigenous peoples' organizations.

- · AlWN has facilitated and organized some indigenous women's caucuses like the Indigenous Women's Workshop in the UN-ESCAP (United Nations Economic, Social Council of Asia and the Pacific) Women in Development Forum in Manila.
- Organized the Indigenous Women's Tent at the NGO Forum in Beijing during the 5th World Women's Conference in 1995. It came up with the *Beijing Indigenous Women's Declaration* which has been used as an education and awareness raising tool for indigenous women in

various parts of the world. This was translated into Spanish and was used by indigenous women in Central and South America for their gender-awareness education work.

- · In the year 2000 it helped coordinate the International Indigenous Women's Forum which was held during the Beijing + 5 UN General Assembly Special Session in the UN headquarters in New York.
- Participated in and presented interventions at the UN-WGIP sessions from 1994-1998.
- · At the 2nd Session of the UN Permanent Forum on Indigenous Issues which was the last two weeks of May 2003, the final report included an item on the 2nd Asian Indigenous Women's Conference and called for the support of the UN bodies for this process.
- The AIWN participated in the side-event on Indigenous Women and Peace-Building during the 2nd Session of the UN Permanent Forum and it was here where we pushed that the 3rd Session for 2004 should consider "Indigenous Women" as its theme. This was subsequently adopted by the Permanent Forum. This side event was organized by the South Asian Indigenous Women's Forum.

3. Research and Documentation and Publication on issues and situations of indigenous women

Various research activities were undertaken jointly with some NGOs and some of these are the following:

- · Globalization and indigenous women: Philippine Case: This was published as a pamphlet by the Third World Network and in a publication of the APWLD (Asia Pacific Women Law and Development) and also in the International Workgroup On Indigenous Affairs (IWGIA) Newsletter. The author of this paper is Victoria Tauli Corpuz.
- · Asian Indigenous Women and Globalization- this was a commissioned research which was funded by Tebtebba and it was published also *Chaneg* (magazine of the CWERC, Tebtebba (Magazine of Tebtebba) and the IWGIA newsletter. Jill Carino authored this paper.
- The WTO Agreement on Agriculture and the Potato Women Farmers in the Cordillera -This was a joint project between Pesticide-Action Network, Asia Pacific (PAN-AP) and AIWN/Tebtebba. AIWN/Tebtebba did the research. This was written by Ruth Sidchogan-Batani.
- The AIWN newsletter came up with three issues: Issue No. 1 in October 1999, Issue No. 2 in October 1999 and Issue No. 3 in December 2003. The funds from MamaCash were used for these publications.

4. Networking among Asian indigenous women

Networking between AIWN members has also been sustained up to the present. This is done with the maintenance of communications through e-mail among the members. This number has increased in the last three years. For those who did not have e-mail, materials were sent to them by post. Three issues of the AIWN newsletter have been published. At present, the Secretariat has established an AIWN listserve for regular exchange of information and communications.

AIWN participated in a "Workshop on Asian Indigenous/Dalit/Aboriginal Women Overcoming Violence" which was held from 8 to 14 September 2003 in Chiangmai, Thailand. This was sponsored by the Christian Conference of Asia and the World Council of Churches. This came up with a Statement called "Reclaiming Our Right to Wholeness".

5. Networking and solidarity work with other indigenous women outside of Asia

AlWN has participated in the Intercontinental Encounter of Indigenous Women in the Americas which was held in Peru in 1998. It also helped African indigenous women conceptualize the African Indigenous Women's Conference which gave birth to the African Indigenous Women's Organization (AIWO). It actively participated in the conferences of the Indigenous Women's Network of the Americas. This includes the indigenous women from Central, South and North America. It is a member of the International Indigenous Women's Coordinating Committee.

In October 1 to 4, 2002, the AIWN participated in a conference called "Celebrating Mountain Women". This was held in Bhutan and it was organized by the ICIMOD (International Centre for Integrated Mountain Development). This was an international conference but most of the participants were indigenous women as most of us are mountain women.

6. Mission of the UN Special Rapporteur on the Human Rights and Fundamental Freedoms of Indigenous Peoples and the International Conference on Conflict Resolutions and Peace-Building.

Tebtebba helped organize these events. It ensured that indigenous women participated in the conference and that they had an audience with the Special Rapporteur. The Special Rapporteur's report had a section on the human rights situation of indigenous women and children. The Conflict conference had a workshop on the Role of Indigenous Women in Peace-Building Processes and several indigenous women from Asia participated in this workshop. There was an output on Gender and Conflict Resolution and Peace-Building which came out mainly from the Asian indigenous women participants.

Globalization, Militarization, and Asian Indigenous Women

The economic, social and political situation of indigenous communities has deteriorated in many places in the region. Economic globalization has played a major role in worsening the situation. The particular impacts of globalization on Asian women at present include the following: the dispossession of women of their lands and their displacement from these through legal and illegal schemes of land acquisition by mining, oil and gas corporations, logging and plantation companies, and state-sponsored protected areas; increasing difficulties in ensuring food security for their families because of the worsening conditions for subsistence food production; outmigration of indigenous women to urban centers or across borders giving rise to other problems including unemployment, underemployment and discrimination in the labor sector; worsening impoverishment, sex-trafficking of indigenous women, and forced prostitution.

In addition, human rights violations against indigenous peoples, violence against indigenous women, conflict situations, and environmental destruction and degradation have greatly affected indigenous women in Asia today. Many communities are still heavily militarized and this has lead to gross violations of the human rights of women, indigenous peoples' and children. There are many reports of incidences of rape of indigenous women. The latest ones are the rape of 9 Jumma women in Mahalchari, Khagrachari District at the Chittagong Hill Tracts. This happened when settlers, through the instigation of the military burned the villages in Mahalchari which led to the razing of 350 houses. This took place in August 16, 2003. Up to now, only one woman came out in the open to seek for justice. The rest are still traumatized

and very scared to speak out.

In the Philippines, during the National Conference, Aeta women from Central Luzon reported 4 rape cases of Aeta women which were perpetrated by the military. All these women are also very scared to speak out as there are threats against them, should they report these.

Health problems are increasing and have not only affected the women but children as well. Manifestations of difficulties in family and home care, and the loss of traditional culture, family cohesion and community solidarity have been experienced by the women. Lastly, cases of loss of indigenous knowledge and commercialization of culture for tourism purposes have increased.

It is within this context that the plan to hold the Second Asian Indigenous Women's conference came about. The conference will be held in the midst of the global economic and political crises being experienced all over Asia and other parts of the world as well. It is an opportune time for the Asian indigenous women to gather once more and take stock of what it has achieved and plan how it can move ahead. The Second conference is also conceived to be an organizational conference which will set up governance structures for the network.

Preparations for the Second AIWN Conference

A series of preparatory processes were undertaken last year. Some of these were consultations with various indigenous women's organizations in some countries. During the 2001 meetings of the UN-Working Group on Indigenous Populations in Geneva, Switzerland, indigenous women in Asia came together to discuss the possibilities of holding a second conference. Then, on October 25-27, 2002 a meeting was held in Chiangrai, Thailand. The workshop was sponsored by the Rural Indigenous Women Task Force (RIF-TF)of the Asia Pacific Forum on Women, Law and Development (APWLD) in coordination with the AIWN and Tebtebba Foundation.

The workshop was an important preparatory step for the Second Asian Indigenous Women's conference which was originally planned to be held at the last quarter of 2003. However, since it will take time to raise enough resources for this the dates were changed for March 2004. The participants in the workshop assessed what the AIWN has achieved especially in terms of increasing the number of women's organizations and advancing the women's agenda within the indigenous peoples' struggle. It was agreed that 2004 was an opportune time to hold the Second Asian Indigenous Women's conference.

An interim preparatory committee for the conference was created. The members of these were the AIWN Secretariat and Tebtebba, Asian Indigenous Peoples' Pact, IMPECT and the RIW-TF of the APWLD. Tebtebba was given the mandate to prepare the project proposal and secure the funds for the Second AIWN Conference. AIWN does not have a legal personality, meaning it is not legally registered in any country, so to facilitate the generation of resources, Tebtebba had to play this role. The main bulk of the preparatory work was shouldered by Tebtebba.

Mobilizing participants to the conference was done through the help of various Indigenous Peoples formations and support groups. IMPECT in Thailand together with the APWLD took care of inviting hilltribe women. PACOS, BRIMAS, and the Center for Orang Asli Concerns together with AIPP helped in Malaysia. AMAN (the National Federation of Indigenous Peoples' Organizations in Indonesia) mobilized in Indonesia. BAI worked in the Philippines.

The APWLD helped to invite women from Burma and Cambodia and Mongolia. IKAP in Chiangmai, helped to identify women in China. Majority of the participants are members of the AIWN and the new ones, hopefully, after this conference will become members.

Build-up Activities Leading to the 2nd Asian Indigenous Women's Conference

Research and documentation of the national situation of indigenous women in selected countries.

To prepare for the regional conference we thought it would be good if the indigenous women themselves will be able to do some research on their situation so the sharing will be substantial during the conference. 10 countries were chosen where these researches can be done. These are Indonesia, Burma, Thailand, Malaysia, Cambodia, Bangladesh, Nepal, Philippines, Vietnam and India. For this, Tebtebba was able to acquire some modest resources which paid for a small honorarium for the researcher-writers. The national situationers will be presented at the Conference. Additional papers came in from the ethnic minority women in China, from the tribals in India and also from the Ainu of Japan.

In the Philippines, the indigenous women opted to hold the first national conference of indigenous women, which gathered the various local and regional situationers. This was done from 24-25 January 2004. This gave birth to BAI, the national federation of indigenous women's organizations in the Philippines.

Sub-regional conferences

Some areas held regional conferences in order to consolidate or form regional alliances or federations or other mechanisms for coordination which they see fit. So far it was South Asia which managed to hold this in January 2003 in Nepal with the following objectives:

- a. to provide a forum for indigenous women of South Asia to exchange their experiences and concerns on issues affecting indigenous women in the regional and global context;
- b. to explore the indigenous women situation and issues in South Asia and to address common issues and concerns;
- c. to prioritize their issues and develop strategies and action plans; and
- d. to develop mechanisms for networking with other indigenous women in Asia.

The conference came up with some recommendations and strategies and created the South Asia Indigenous Women Forum which will serve as a mechanism for networking and coordination among indigenous women's organizations in South Asia. A core group which is composed of one representative per country in the sub-region was created.

Conclusion

Indigenous women in Asia have come a long way from the First Asian Indigenous Women's

Conference in I993. While the AIWN has not functioned as a full-blown network, it managed to help organize indigenous women's formations, at the local, national and sub-regional levels. At the first conference, many of those who participated were non-indigenous women who were working with indigenous women. This time, the greatest majority of the participants are indigenous women, themselves, who have their own women's organizations and networks.

Indigenous women were also able to put together a picture of their national situation in preparation for this conference. These are very valuable documents, mainly because these are written mainly by the indigenous women, but also because for the first time we will be able to put together a more comprehensive picture of the situation of Asian indigenous women.

Several researches have also been done on specific issues, such as indigenous women and globalization, indigenous women and conflict situations, mining and indigenous women, among others. These have contributed in putting indigenous women's issues in the center of the debates and discussions on indigenous peoples.

The challenge for us is to continue building upon these achievements and to tighten further our links with each other so we can be more effective in building a strong indigenous women's movement which is an integral part of the general movement of indigenous peoples and also the women's movement.

WELCOME ADDRESS

Leonora Membrot

Chairperson, Innabuyog (Regional Alliance of Indigenous Women's Organizations in the Cordillera, Philippines)

Gawigawis ay agew tako am-in! Id-an mi ay Innabuyog nan panangpasangbay ken dakayo am-in! Warmest greetings to everyone and welcome to the 2nd Asian Indigenous Women's Conference. Innabuyog, the regional alliance of indigenous women's organizations in the Cordillera, Philippines is indeed honored to be host and part of the organizers of this historic activity. Our indigenous sisters and comrades, welcome to our land!

Eleven years ago, Innabuyog and the Cordillera Women's Education and Resource Center (CWERC) hosted and were the main organizers of the 1st Asian Indigenous Women's Conference. That first conference was also held in Baguio.

It was a historic event in the sense that it gathered over a hundred delegates from various indigenous women's organizations and groups in Asia, resulted to the formation of an Asian situationer of indigenous women—a fruition of the rich sharing of struggles, experiences, responses and aspirations, and organizationally, the formation of the Asian Indigenous Women's Network. The network was aimed at enabling the formation of indigenous women's organizations in areas where there are none, strengthen those that are existing, set up national indigenous women's formations, broaden the network, facilitate the exchange of information and capacity-building for members of the network.

Many developments have occurred from the time AIWN was set up to this time that we are having the second conference. That is now the role of this second Conference to know what

the developments are and how should we set the direction of this network. Without prejudice to the sharing and discussions that will take place in this Conference, we in Innabuyog are convinced that the past eleven years had been positive in terms of our organizing work, capacity-building and networking among indigenous women in our own territories and countries, in varying levels. Some may have even reached an Asian and international level of networking. Concretely, this is what the second conference will try to find out. We say positive as this period had been the time that our lands and lives were being ravaged by globalization and global militarization in the form of imperialist wars of aggression. And this situation is seen to worsen as global militarization in the form of imperialist wars of aggression. And this situation is seen to worsen as global power structures could not let their eyes away from the wealth of our lands and resources. Power structures will not let our resistance go unopposed. Thus it is indeed urgent for us indigenous women of Asia to forge stronger unity in terms of how we view our situation and the actions that we should take, taking into consideration the uneven development of our organizations and the capacity we have at this point. The fact that we are here indicates our interest to share our experiences, gain insights from eact other's experience and define a common direction of action.

If we have set up our own organizations as indigenous women in different levels, that is our big contribution to the growing indigenous peoples' movement in our countries and in Asia. It is also our contribution to the wider women's movement being women and to people's movements as we cannot also isolate ourselves from the rest of society.

We will be interacting for three days and we hope that we have known each other better within the days of the conference, on March 8 when we will commemorate the International Working Women's Day and the days for the community visit.

Matagotago tako datako pay men-es-esaen nan nemnem tako para isnan paggawisan tako am-in!

Long live the indigenous women of Asia and let us strive for a better future for indigenous peoples and other peoples aspiring for a better world!

KEYNOTE ADDRESS

Heightening the Empowerment and Solidarity of Indigenous Women in Asia

Vicky Tauli Corpuz[2]

Introduction

Kagagasing ay mang-ila ken dakayo am-in. It is such a joyful sight to see you all today, eleven years after we had our First Asian Indigenous Women's Conference in January 1993. Those years have not passed without us achieving gains in various arenas. Your presence today is a testimony of how far we have come. For those of you who were present in the 1993 conference you will see a difference in terms of the number and the diversity of identities of indigenous women who are here. Each of us here is a member of one or more of any of the

following;

- § an indigenous women's organization at the community level
- § a federation of indigenous women's organizations
- § an indigenous peoples' organization or federation
- § an indigenous peoples' NGO
- § a political party or a women's political party
- § a university or institute doing research on gender or on indigenous women
- § a women's organization or a women's NGO
- § a support group or support NGO for indigenous peoples
- § a funding partner or a donor agency.

We welcome all of you to this ancestral land of the Igorot-Ibaloi peoples of the Cordillera.

Indigenous women as key players in the indigenous peoples' movements

Within the past 11 years, we have achieved significant gains. But these were achieved because we did not separate from the broad indigenous peoples' movement and for some, the national movements for sovereignty and democracy. When the AIWN was formed it was already fashionable to talk about building autonomous women's movements. We did not buy this because it is clear to us that gaining our rights as indigenous women cannot be separated from gaining our rights as indigenous peoples. We knew at the very outset that we should be an integral part of the indigenous peoples' movement and we should be key players in this at whichever level this is found.

This does not mean that we will not engage in organizing separate indigenous women's organizations. We strongly believe we should. However, we should not separate ourselves from the indigenous peoples' movement.

We have to help strengthen our indigenous peoples' movement. But we also have an added responsibility. We are aware that there are democratic deficits in our indigenous peoples' movements and in our own tribes or communities in terms of ensuring gender balance and sensitivity. So we took it as our task to help develop indigenous women's leadership and to engender indigenous formations and processes and our communities. What is the point of being liberated as an individual woman if your own indigenous people or tribe has disappeared because you lost your land and your culture which are the sources of your distinct identity?

It was important for us to work out how to maintain the fine balance between our individual rights as women and our collective and individual rights as indigenous peoples.

For some time we straddled between the indigenous peoples' movements and the women's movements because we also wanted to ensure that the women's movement will take up the issues of indigenous peoples. But as the women's movements are more developed in terms of their reach, research, education work and theoretical building compared to us, indigenous peoples, many of us consciously made decisions to invest more of our energies in the indigenous peoples' movements. There are much more women activists than indigenous

activists. We owe it to our indigenous communities to focus more in building up our own movements.

This was the main reason why the AIWN sort of became invisible for some years. The AIWN invisibility was more in terms of projection. However, in so far as being faithful to what we agreed upon, which was to help build indigenous women's organizations and develop indigenous women's leadership, this was being done.

Looking back, I think we made a very wise decision. We now have a crop of prominent indigenous women leaders and women's leadership in the indigenous peoples' movements. Our participation in many inter-governmental bodies and processes has led to a situation where we now speak and represent ourselves. We do not need non-indigenous leaders, NGOs, or politicians to speak on our behalf.

We have an ownership over the gains achieved by the indigenous peoples at the United Nations and in the regional and national levels because we were actively involved in these arenas. We were at the center of the battles many which we have won and some which we lost. If we took the path of building an autonomous indigenous women's movement and spent our efforts building up the AIWN outside of the mainstream indigenous peoples' movements we will not be where we are now.

The male indigenous leaders recognize the contributions the indigenous women made. Now, gender-balance has been established as a norm among indigenous peoples when we have our own processes. When there is a caucus of indigenous peoples in Geneva, New York or elsewhere, the balance between men and women, between the north and the south, between Spanish speakers and English speakers had to be ensured. Of course, it has not been perfect but the consciousness is there already and this is implemented as best as we can. Much more remains to be done, but we should be proud of what we have achieved.

Globalization and the War on Terror

We also know that we are faced with more serious problems as many governments are caught up in the globalization race and they are willing to sacrifice indigenous peoples to be ahead of the race. The international rules made at the WTO and the continuing efforts of the World Bank and the IMF to impose their neoliberal economic, political and social policies remain as the root causes of many of our problems. The privatization of our waters, forests, ancestral lands, other social services like health and education, are making life doubly difficult for us. On the other hand, the continuing attempts of governments to claim that our lands are public lands and they have the sole prerogative to decide how to use these, remains as a big problem of indigenous peoples. For as long as our rights to our ancestral territories and our natural resources are not respected, we will always be threatened by privatization schemes which gives primacy to the market and public land laws which gives the state the power to decide our land tenure and land ownership systems.

Governments are also becoming aware of our growing strength and unity and they would like to nip this in the bud. Because of what we have gained in terms of getting the international community to recognize us, as subjects of international law they can not do their worst without getting some reaction. We have become more aware of our rights and we are seriously struggling to have these rights recognized and respected. Since our issues touch the holy

cows of nation-states, such as territorial and resource rights and national sovereignty, we are faced with tremendous odds.

The global war on terrorism which has become another pre-occupation of the United States, the sole power in the world, is also a development which will have far-reaching adverse impacts on us. We, indigenous peoples, who are consistently resisting mainstream development projects, could easily be branded as terrorists to justify our extermination.

All these issues have to be in our heads when we think of strategies to empower ourselves.

But let us first see what we have achieved before we talk about the challenges.

What did we achieve?

UN Draft Declaration on the Rights of Indigenous Peoples

1993 was a milestone for indigenous peoples. After 8 years of formulating the Draft Declaration on the Rights of Indigenous Peoples, the UN-Working Group on Indigenous Populations (UN-WGIP) at their 11th Session, finally completed their work in 17 August 1993. This was submitted to the Sub-Commission on the Promotion and Protection of Human Rights. This Draft and the process it undertook are unprecedented in the history of the UN in drafting international instruments for three reasons;

- § First, because the people who were subjects of the rights being discussed were able to participate directly and were fully involved in almost every step of the drafting process.
- § Secondly, because of the assertion of indigenous peoples, even the traditional UN processes and mechanisms for participation of non-state actors had to change. The UNWGIP was the first UN body which had to accommodate the participation of groups which did not have official accreditation with the Economic and Social Council (ECOSOC).
- § Third, this is the first UN document which extensively addresses collective rights. Human rights instruments have referred only to the rights of individuals within states and state responsibility to those individuals.

The 8 years it took to draft this is much shorter than the 20 years the UN took to draft the UN Declaration on Civil and Political Rights and on Economic, Social and Cultural Rights. Several of us here became very active in following up how this draft is being dealt with at the governmental process of the Working Group on the Draft Declaration. While this remains as a draft, it is now used as a framework and a reference point for countries who will be creating their national laws on indigenous peoples. This was the framework of the 1997 Indigenous Peoples' Rights Act of the Philippines (IPRA). It is also a reference point for UN bodies, agencies and programmes, other multilateral bodies and donor agencies, as well as NGOs when they create their policies on indigenous peoples. The *UNDP Policy of Engagement with Indigenous Peoples*, for instance, used this as their framework.

Agenda 21 and the Rio Declaration on Environment and Development and the World Summit on Sustainable Development

While we were engaging with these processes around the Draft Declaration, we also tried our best to get involved with other processes. We followed up the Commission on Sustainable Development sessions, which is the mechanism for ensuring the implementation of Agenda 21 of the UN Conference on Environment and Development. In 1992 at UNCED, we worked hard to ensure that the Rio Declaration will have something on indigenous peoples. We also lobbied that Chapter 26 (Recognizing and Strengthening the Role of Indigenous Peoples and their Communities) of Agenda 21 be brought in.

Principle 22 of the Rio Declaration states:

Indigenous peoples and their communities and other local communities have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development.

We took part in the Rio +5 processes and here we asserted that "sustainable development and self-determination are two sides of the same coin". We cannot talk of sustainable development if the right of indigenous peoples to self-determination is not respected. This right ensures that we will be the ones who will determine how economic, social, cultural and political development should be achieved in our communities. It also recognizes our permanent sovereignty over our natural resources. This was the first time that indigenous peoples spoke at a UN General Assembly Special Session.

At the World Summit on Sustainable Development, we also participated actively starting from the first preparatory meeting to the Summit itself. From 2001-2002 we were part of the organizing committee which prepared the Indigenous Peoples' International Summit on Sustainable Development which was held in Kimberley, South Africa, before the WSSD. From there the whole indigenous peoples' delegation went to Johannesburg and lobbied. With much difficulty, we succeeded in getting a sentence in the Johannesburg Declaration. This is paragraph 25 which says "We reaffirm the vital roles of indigenous peoples in sustainable development". The 's' in the term peoples was finally put in an official UN Declaration. This was a struggle we had been fighting for a long time because the 's' is not just a letter. It is a recognition that we are peoples and therefore we have the right to self-determination.

At the World Conference on Racism and Racial Discrimination the term 'indigenous peoples' was in but they had to qualify this, at the behest of the United States, to say this does not mean that indigenous peoples are subjects of international law. We moved one step further because there is no qualification on the use of the term in the Johannesburg Declaration.

Beijing World Conference on Women, Beijing Declaration and Platform of Action

In the midst of all these, we took part in the preparatory meetings leading to the Beijing World Conference on Women which was held in 1995. At the Asia-Pacific preparatory meeting, both the NGO and official processes, we were there. In Beijing we took the lead in organizing the Indigenous Women's Tent which became the center of all the activities of indigenous women. This was where we drafted the *Beijing Declaration of Indigenous Women* and it was adopted by all the indigenous women delegates present in Huairou and Beijing. This Declaration is a distillation of our issues as indigenous women and it has been translated into Spanish and circulated widely. You will see a copy of this in your kit. Unfortunately, this was where we lost

our mural woven by the DKK women especially for the First Asian Indigenous Women's Conference.

We proceeded to Beijing for the official conference and here we lobbied to ensure that indigenous women's concerns will enter the Beijing Declaration and the Beijing Platform of Action. Paragraph 32 of the Declaration says:

Intensify efforts to ensure equal enjoyment of human rights and fundamental freedoms for all women and girls who face multiple barriers to their empowerment and advancement because of such factors as their race, age, language, ethnicity, culture, religion or disability, or because they are indigenous people.

Through our lobbying the Beijing Platform of Action contained many references to indigenous women.

After 1995, we concentrated more on the UN bodies directly dealing with indigenous peoples and in globalization issues, particularly the role of the World Trade Organization. It was only when the Beijing +5 process took place that we became active again in the multilateral processes on women. We took part in this in New York by co-organizing the Indigenous Women's Caucus and speaking at the official plenary session.

The Establishment of the Permanent Forum

Our focus between 1995 to 2000 was shifted to the goal of having the UN establish the Permanent Forum on Indigenous Peoples. Within this period we also got engaged with the international and national campaigns against WTO. Within this period, we thought it was more crucial that we put more focus on bringing indigenous peoples issues to a higher level in the UN System. We studied the UN structures addressing women and we thought it maybe worthwhile to take the path women took and aim higher.

As early as 1992, the idea of having a Permanent Forum for Indigenous Peoples at the UN was raised by indigenous peoples when the International Year of Indigenous Peoples was declared. This was officially adopted during the Vienna World Conference on Human Rights (1993) as one of the goals for the proposed International Decade of the World's Indigenous Peoples. From then on we participated in the unity building processes of indigenous peoples on what shape the Permanent Forum should take. We took part in the lobbying processes to get the governments to accept the idea and establish this at the UN.

On July 28, 2000, the UN-ECOSOC approved the Commission on Human Rights Resolution on the establishment of the Forum. Then the UN General Assembly approved this in December 2000. Now the Forum will have its Third Session in May this year and the theme is on "Indigenous Women".

We were not very active in the UN processes on women because there is already a strong constituency working on this, the women's movements. For indigenous peoples, it was just us, indigenous peoples, basically. So if we separate ourselves and put more energy into doing work in the women's bodies, it might come to a point that it will only be indigenous men speaking and lobbying at the UN-WGIP or the UN-WGDD. The men, by themselves alone, would not be able to do the work effectively. We were also convinced that poverty and marginalization which is brought about by their loss of control over their ancestral lands and resources are the main problems of indigenous women.

Campaigns Against Globalization and the World Trade Organization and the World Intellectual Property Organization.

The WTO came into being in January 1994 and this began the implementation of the most onerous agreements related to trade and finance liberalization. Very few indigenous peoples were following up the developments in this arena and we were one of them. We were in Singapore during the first WTO Ministerial, in Geneva and in Seattle. At Seattle, we drafted and united upon the Seattle Declaration of Indigenous Peoples. In Cancun, last year, we also did the same. We have the Cancun Declaration of Indigenous Peoples. A copy of this is also in your kit.

We presented some of the sharpest critiques of the WTO Agreements because what these represent are mainly the interests of the former colonizers of our territories and of their transnational corporations. The critique of the TRIPS Agreement (Trade Related Aspects of Intellectual Property Rights) of the WTO had its beginnings from indigenous peoples' rejection of the western intellectual property rights regime which was imposed on the whole world. Indigenous peoples cannot allow that corporations, individuals, museums and universities claim patent rights over our biological resources, our medicinal plants, our indigenous knowledge and our human genetic materials. This is what the TRIPS Agreement is all about. We have to be faithful to what our elders have taught us about the sacredness of life and ensuring that our intricate relationship with nature is maintained, as we are part of nature. Thus it is an imperative that we fight the TRIPS Agreement and the whole ideology and world view behind it.

This time, it was not just our territories and our resources which were eyed with greed by the corporations and by governments. They saw gold in our human genetic resources because they discovered that many of our genes are not adulterated and because some of us live in isolated communities and did not intermarry with the dominant populations. This initiative to harvest our genes was led by the Human Genome Diversity Project, but now it is undertaken by the world's most powerful pharmaceutical and biotechnology corporations.

The World Intellectual Property Organization (WIPO) which is the body protecting IPRs, is the adjunct of the WTO in ensuring that the TRIPS Agreement will be implemented. It is because of this, that we could not avoid but also get engaged with this body.

Relevance of these for indigenous women

You may ask, are these relevant for us who are living in our own communities or those who have been displaced from these communities? Will having these language in the UN Declarations and having a Draft Declaration and a Permanent Forum help us win our land claims and our fight against mining corporations? This depends on how aware we are of the existence of these instruments and spaces, and whether we are willing to use them as one of our tools. The connections between our community struggles and the international work have to be strengthened so that gains in the international arena will be used in the local struggles.

The unfortunate reality is that we are now in a globalized world. Decisions done at the

boardrooms of corporations in New York or Paris, in the Executive Board meetings of the World Bank, the Asian Development Bank and the IMF, and in the green room of the WTO, will have direct effects even on the most remote and isolated indigenous peoples' community in this world. We can fight them at the level of the community when they physically come and mine our lands. We can set up barricades, take up arms and petition the government to stop these. Sometimes we succeed to kick out one corporation. But because the laws and framework of development have not been changed, tomorrow we will see another corporation with a different face coming in. This time it may be not be a transnational corporation but a state corporation or one owned by a local politician.

In most cases we never get to see the real owners of these entities. They just have their country managers or foremen who are doing the dirty job. Most of the time they collaborate with governments to facilitate their entry into our communities. The World Bank, the US AID or the EU play a role in shaping national laws to allow for the entry of mines, make Generic Drugs Laws weak or unimplementable, design the national forestry master plan, or the overall agricultural policy to allow for the entry of genetically modified organisms, or even to design our secondary education. Because most of the governments in our countries are heavily indebted, Structural Adjustment Policies are used to whip the government to implement the agenda of the World Bank and their major stockholders.

Carving out Political Spaces and Creating and Using International Instruments

We cannot remain victims of these decisions. We need to find ways to be able to change these decisions wherever they are made. We have to occupy political spaces to be able to do this. If these spaces are not there, then we have to carve out these political spaces, ourselves, with the help of our supporters. This is what was done with the UN-WGIP and the UN Permanent Forum. If we cannot enter the boardrooms of the World Bank, we can use the UN Permanent Forum to ask them to make a report on what they have done in a particular community which has a corporation operating with loans from them.

We need to create international standards which will be agreed upon by governments to ensure that our rights, as indigenous peoples, will be respected and promoted. This is what the Draft Declaration on Indigenous Peoples' Rights is all about. We also have to learn how to use existing international instruments. Whether these are legally binding or not, to our advantage. The ILO Convention 169, the Convention on the Elimination of Discrimination Against Women (CEDAW), Convention Against Racial Discrimination (CERD), Convention on the Rights of the Child, Convention on Biological Diversity, are just some of these.

Our communities should know what these instruments are and how they can use these to protect themselves against these predators. When they fight against corporations, using whatever means they have, support should be given to them in terms of direct legal services, organizing services, information dissemination and nation-wide and worldwide campaigns. Our women should also be able to have the services needed for them to fight against those who rape them, sexually harass them, and keep them in situations of oppression and exploitation.

Where are we now?

Aside from the gains we had in the international arena, we have many gains locally. But we also have increasing challenges. I will not go into this in much detail because some of these are in the written papers. I will just highlight a few as follows:

§ More indigenous women's organizations formed.

This has happened mainly because of the initiatives of indigenous women, themselves, within their own communities or in their own coalitions or networks. INNABUYOG, for instance, the federation of indigenous women's organizations in the Cordillera region in the Philippines, has expanded from less than 20 member organizations in 1993 to almost 100 members at present. In Indonesia, the indigenous peoples established AMAN (the Aliansi Masyarakat Adat Nusantara- Indigenous Peoples' Alliance of the Archipelago) in 1999. Indigenous women pushed for more gender-balance. In 2000 they also created their own indigenous women'network, APAN (Aliansi Perempuan Adat Nusantara), which started first as part of AMAN and then later on became an independent network. In Bangladesh, the Hill Tracts NGO Forum (HTNF) was created in 2000 and within this network there are 11 indigenous women's organizations. AlWN/Tebtebba helped in providing gender trainings for these groups.

§ More active participation and leadership of indigenous women in struggles against development aggression and in defense of ancestral territories and resources, and in peace-building activities.

We will be hearing more stories on this in the plenary and in the workshops. There has been a qualitative improvement in many Asian countries in terms of indigenous women playing key roles and leadership on indigenous peoples' struggles. In Sarawak, indigenous women are in the forefront of the resistance against logging of their ancestral forests and against their displacement by palm oil plantations. In the Philippines, Indonesia and India, anti-mining and anti-dam protests are seeing more widespread participation of indigenous women.

Peace-building and addressing anti-social behaviour has been another pre-occupation of indigenous women. The Naga Mothers' Association (NMA) in Nagaland, a broad community based organization with 35,000 members, deals specifically with the incessant social problems in Naga society like poverty, alcoholism and drug abuse, exploitation of women, peaceful co-existence between different ethnic groups, and as a forum for Naga women. It has been working closely with the Naga Women's Union of Manipur, church and other civil society organizations to pursue peace and development in the region.

The Nepal Tamang Woman Ghedung has actively intervened in the ongoing conflict and peace-negotiations between the Government of Nepal and the Maoists. They gave a workshop to them on indigenous peoples' rights to ensure that these will be addressed in their talks. The peace negotiations broke down, however. Even in the Philippines, there is a demand from indigenous women that the ongoing negotiations between the Government of the Philippines and the National Democratic Front/New Peoples' Army/Communist Party of the Philippines should have an indigenous peoples' agenda and an indigenous person who will be participants in both panels. This demand is being forwarded also to the Moro Islamic

§ The need to strengthen campaigns against violence against indigenous women and against sex-trafficking.

Violence against indigenous women has increased especially in highly militarized areas. 9 Jumma women were raped when their villages in Mahalchari, Khagrachari in Bangladesh were burned by Bengali settlers in August 16, 2003. There is an ongoing campaign against this but it remains unresolved until now. Four Aeta women were raped in Pampanga, Philippines last year. They are still traumatized and they still have to report to the authorities because they are under threat by the military perpetrators.

Sexual trafficking of indigenous women has increased in several countries, like Thailand, Nepal, Mongolia, among others. We need to address how we should deal with this.

There are many reports of indigenous women whose rights are violated by the military, by government personnel, employees of corporations, and even by some armed groups. However, it is sad to say that justice has not been seen by most of these women. There needs to be a stronger and sustained campaigns on this which will bring redress and justice to those who have been victimized.

§ The increasing assertion and recognition of the right of free, prior and informed consent of indigenous peoples.

The situation of indigenous women and children in refugee camps are the most pathetic sights one can behold. This is still the case in the borders of Thailand and Burma, in Bangladesh, in Nepal, and even in the Philippines. The phenomena of displaced indigenous communities because of military operations, dam-building, mining operations, logging, plantations, and protected areas is still continuing in most parts of Asia. The success of indigenous peoples' in getting the international community to recognize that indigenous peoples' free, prior and informed consent should be obtained before any development project is brought into their communities has to be used effectively.

We need to train indigenous peoples to use this right and get governments and corporations to respect this.

§ The need to fight against all forms of fundamentalism

Indigenous women are the ones who suffer the most from all kinds of fundamentalism whether these are religious fundamentalism, market fundamentalism or other forms. We have reported cases of indigenous women who are pushed to convert into Muslim or Hindi or into born-again right wing Christianity. The right to religion has to be respected but what we are seeing increasingly the violation of this right.

Market fundamentalism, which means the neoliberal economic prescriptions of the World Bank, the IMF and the WTO is another problem as we have seen earlier. The ideology being pushed by these is that you have to be efficient and competitive to be able to survive in this globalized world. Indigenous peoples' production and economic systems are seen as

inefficient even if we are the ones who have practiced sustainable agriculture and sustainable consumption and production systems. So for them, it is inevitable that vegetable farmers of Benguet here in the Cordillera have to go bankrupt because they cannot compete with the cheap highly subsidized vegetables from the United States, Australia or New Zealand and China. If we do not agree to apply for patents for our traditional medicines then the pharmaceutical corporations will do this and end up owning rights to our knowledge and our genetic resources.

Our critique of mainstream development basically is underpinned by the fact that we do have our own concepts and practices of development which have been ignored by governments who think western modernization is the only way to go.

We need to challenge all these and put on the table our own views and proposals.

What is this conference all about?

We are gathered here for three days to do the following;

1. Have a better understanding of our situation, as indigenous women, in our communities and countries in the region.

This is why we asked several of you to write about your own situations and this will be the first part of our conference. Thank you very much for spending time to do the research and write-ups. Thank you to Etot Tamayo, our editor, who edited some of your papers. We will ask you to briefly share with the conference the highlights of your papers. Please focus on the main problems of and opportunities for indigenous women. What did you do to address these problems, and what kind of support do you need from a network like the AIWN? Those who did not write something, please make sure that there is one who will speak for the country.

2. Be informed about the gains we have achieved in the global arena. What are the instruments we helped shape and what are the spaces we created? How can we build upon these?

We know that many of us have not been involved in the international processes so this will be a good opportunity to learn about what indigenous peoples' have gained so far. We cannot possibly cover everything so some of these we put in our kit. Our panelists will highlight the most important ones and will provoke us to think what are the implications of these for indigenous women. In another panel before we go into planning we will also see the various existing networks and programs being done so that we will know what are these resources and formations which we can use and work with.

3. Share how indigenous women have responded to their issues and problems and explore further how to strengthen these responses and use the instruments and spaces we have.

This will be an opportunity to understand better how to use existing spaces and instruments at the local, national and international levels. This will be tackled through the workshops so we can go more in depth into various struggles around specific issues and learn from the wealth of experiences of each other. We can start suggesting plans and strategies on how we can help each other and identify what kind of additional spaces should we create. This is also an opportunity for us to take a deep look into our own cultures and traditions, our customary laws and governance systems and see which we should strengthen and see which we should improve or get rid of.

4. Capture the essence of all our discussions and plans in a Baguio Declaration of Asian Indigenous Women and reshape the AIWN in a form which will best respond to what we will identify as our priority programs.

We will not leave this conference without agreeing on where will we go from here? If we want to heighten our empowerment and solidarity do we think we need an AlWN for this? What distinct contribution can the AlWN do which is not already being done by other formations or which we are not doing already in our own organizations, networks, NGOs or communities? Then we will have to come up with our Baguio Declaration which will distill the most important elements of what we talked about these three days.

Conclusion

We are creating our own tools and instruments and we will use all the venues and possibilities available to us to sharpen and use these tools. We will use the spaces we have created and we will create more spaces. This is what we will attempt to do in our conference for these three days. We will assert that we are not victims and we will take our destiny into our own hands. While we have been victimized we have fought back and we should continue to fight back.

Our task is to plan how to further strengthen our ranks as indigenous women and as indigenous peoples. By doing this we will have bigger chances of making this world a better one for our future generations. We can do this, as our elders have taught and shown us in the past, and as we are showing, through our movements at present. Our task is to link up with all those who will support us and those who will respect our rights to determine how our struggles should be shaped, and how social, cultural, economic and civil, political, collective and individual rights and development should be respected and promoted.

Before I end, I would like to warmly thank those who gave the support for us to have this conference. These are the following:

- § International Workgroup on Indigenous Affairs, Denmark
- § Third World Network, Malaysia
- § MISEREOR, Germany

- § International Fund for Agricultural Development (IFAD), Rome
- § EED, Germany
- § Rights and Democracy, Canada
- § Netherlands Centre for Indigenous Peoples.

I also would like to thank all our supporters who are here with us.

Finally, I reiterate that the solidarity and trust which we have with each other and which we will continue to build, is our strongest asset. This is what will ensure that we will weather all the difficulties we will face. It is this solidarity which will defeat those who would like to destroy indigenous peoples and everything we stand for. It is this solidarity which will guarantee that we will prevail.

Matago-tago tako am-in.

Conference Highlights

- · A total of 108 indigenous women from 13 countries in Asia including three indigenous men as well as non-indigenous activists, advocates and donors participated in the conference. The three indigenous men served as translators/interpreters for their indigenous women participants. The countries represented are: Bangladesh, Burma (Myanmar), China, India, Indonesia, Japan, Kyrgyzstan, Malaysia, Mongolia, Nepal, Philippines, Taiwan, and Thailand.
- The 1st and 2nd Panel Discussions covered the sharing of inputs from the participants on the situation of indigenous/tribal/ethnic minority women in their countries. The 1st panel covered the participants from South Asia and East Asia (Nepal, Bangladesh, India, China, Mongolia and Japan) while the 2nd panel covered those from Southeast Asia (Malaysia, Vietnam, Philippines, Indonesia, Thailand, Cambodia, and Burma). The highlights in the country situationers as shared by the participants include the following:

v The indigenous women in Asia generally compose more or less 50% of the indigenous population and like other indigenous women in other parts of the world, they have a low socioeconomic status compared with the indigenous men or with the non-indigenous women. Despite the diverse cultures and varied customs and practices, the situation of indigenous women is very similar in most Asian countries. They have been discriminated against by a patriarchal society and doubly oppressed by their male counterparts and by mainstream society even in this era of globalization. The women in Chittagong Hill Tracts (CHT) in Bangladesh are traditionally regarded as having a lower social standing than their men like in terms of rights to inheritance, legal and political rights and in decision making. This unequal gender relations has perpetrated the culture in CHT society that women are weak and helpless, and for many years, they have become victims of violence firstly as women, secondly as minority, thirdly in religion and lastly as women laborers. Likewise in Nepal, indigenous women who are mostly farmers and workers are the worst victims of racial discrimination from the dominant Hindu culture and from individual men influenced by Hindu male-dominated values and cultural practices. As an exception, the indigenous women in Sabah, Malaysia play an important role in community governance where women are included in the Council of Elders. The indigenous Kadazandusun, Rungus and Semai women of Sabah participate in decision-making as priestesses, healers and ritual specialists. However, like in many countries, these traditional customs and practices (adat) are slowly disappearing due to the influence of state policies, education and religion.

v Traditionally, majority of the indigenous peoples in Asia are farmers and foresters where most of the socio-economic and cultural practices revolve around farming and natural resource management and utilization. The main feature of the indigenous economic system is its subsistence and being self-reliant. This means that each family produces to fulfill its own needs with a little surplus produce which is sold in the market, and labor is usually provided by family members. Men and women perform different tasks in farming and other livelihood activities. The traditional division of labor has allocated the tasks requiring physical strength to men, and work that requires sustained effort and endurance has been assigned to women. This division is reinforced by traditional customs and beliefs. Generally, it is the indigenous women who do the bulk of the work in farming, like land preparation, planting, weeding and

harvesting aside from performing domestic tasks such as housework and child-bearing and rearing. In Vietnam, minority ethnic women participate in almost all stages of agricultural production and they work even harder than the men. Among the Thai in Thanh Hoa province in Central Vietnam, in the cultivation of hilly lands, men contribute 14.28% of the total work and 30% of the time, while women do 85.71% of the work and 70% of the production time. For the Mong in Phinh Sang Commune in northern Vietnam, rice cultivation in hilly lands is done with men performing 50% of the work and 35% of the time while women contribute 50% of the work and 65% of the time. In addition, indigenous women in Asia play an essential role in the management of resources including water, forest and energy. Indigenous women are involved on a daily basis in forest related activities and possess a wealth of knowledge related to preservation and sustainable use of natural resources. The Dani women in West Papua are the holders of indigenous knowledge in agriculture and are able to identify 70 varieties of sweet potato, while the Ngovi/Moi women know 40 kinds of traditional medicinal plants. Despite these important roles in production and natural resources management, the contributions of indigenous women remain invisible within their community and in the mainstream economy. Many indigenous women who work as wage workers experience wage discrimination. In northwest Bangladesh for example, where most households depend on day labor, the Santal, Oraon, Mahali and Khatrio women work as day laborers in agricultural fields or in the construction industry but the wages for women are lower than for men. As of June 2003, for the same work performed, the earning rate per day was Tk.38 for women and Tk. 44 for men among the Adivasis (aboriginals) during the peak season. During the off-season, a woman's average daily income is Tk.29 and a man's, Tk.35.

v The stark realities in the situation of the indigenous women in Asia are consistently seen in all the country reports. There are countless stories of indigenous women in the region who have been killed and those raped by military and paramilitary forces, in countries like Bangladesh, Philippines, India, Burma, Nepal, among others, who up to now are scared to even come out and tell their stories because of serious threats by the perpetrators who are still scot-free. In the armed struggle waged by the PCJSS in CHT, Bangladesh, indigenous Jumma women were raped by the military not only to violate their honor but at the same time to humiliate the Jumma people as a whole. Jumma women have also been subjected to tortures and imprisonment just because they are related to the men suspected of opposing the government. Even after the signing of the CHT Peace Accord, state violence is still continuing against Jumma women because the CHT Peace Accord has not been properly implemented until now. In the Philippines, militarization is a major issue for indigenous women and has resulted to family and community disintegration. The Mangyan and Aeta women are forced to separate from their families because they are harassed and suspected by the military as members of the New Peoples' Army (NPA), a leftist rebel group. Indigenous women leaders are not spared and they are even targets of summary executions or killings like the case of Budbud Usting, a Mangyan woman leader who was beheaded by soldiers for mere suspicion that she was a rebel. Since 9/11 many governments have launched series of military operations in indigenous territories under the guise of containing terrorism and controlling drug trafficking. In Thailand, about 2,000 indigenous men have been arrested and some killed in the past nine months on mere suspicion as drug pushers. These arrests and killings have left the care of the household to the women. Some indigenous women's organizations are not even allowed to exist anymore.

v It is also alarming to note the increasing number of indigenous women who have become

victims of illegal sex trafficking. Although studies on this are few, there are some alarming cases which needs to be studied further. In Mongolia, crimes of trafficking of indigenous women has increased in recent years. Today, every Mongolian has witnessed sensational stories in newspapers with pictures of young women trafficked to foreign countries for sexual exploitation. But, they rarely see successful court cases where prosecution of traffickers and protection of the victims took place. Mongolian women are trafficked not only to foreign countries but also within the country from province to cities. From the stories of the women who work with the ethnic minorities in Thailand, there is also an increasing number of ethnic women who work as sex workers in the red light districts in Thailand and in foreign countries as well. There is yet no comprehensive research on this issue but from the stories we hear, it seems there are increasing cases of indigenous women as victims of illegal sex trafficking and this may be an issue that should be looked into. In Mongolia, the Centre for Human Rights and Development (CHRD) in cooperation with other state and non-state organizations and individuals implemented a research project to study the country's legal and policy framework on the crime of trafficking and its compatibility with international norms and standards, and to create a baseline date on the current scale of the trafficking problem in Mongolia with the purpose to come up with practical recommendations.

v Globalization has come to indigenous territories in the form of dam construction and other energy projects, commercial plantations, logging and mining industries among other things. In most of the country reports, there are increasing cases of indigenous peoples and their communities which have been displaced from their ancestral lands and who are now suffering from adverse ecological and social impacts of so-called development projects. The most notorious among these are the extractive industries (oil, gas and mineral), large hydro-electric dams, palm oil plantations, pulp and paper industries, and monocrop agricultural plantations, national parks and protected areas, and increasingly biopiracy of indigenous peoples' biogenetic resources and traditional knowledge. Large dams are still being built in spite of the serious impacts of these on the lives, livelihoods, cultures and spiritual existence of indigenous women. In the Philippines, almost all the large dams are built or proposed in indigenous peoples' lands. In India 40-50% of those displaced by development projects are tribal peoples who account for 8% of the nation's 1 billion people. It is a glaring reality that the forced displacement of indigenous peoples from their ancestral lands continues in Asia to this day. In Indonesia, the Moronene people have been evicted many times since 1997 by the Regional State, military and police as their territory became conservation forests. They were threatened, intimidated, deprived of their agricultural fields and harvests, jailed and their houses burned. This condition is also faced by the Wana people who live in the Morowali conservation area. Their lives are threatened with the government's plan to turn 225,000 hectares into a Morowali conservation area. Changes in livelihoods and loss of lands as a result of various development programs and projects has had both positive and negative impact on indigenous women. On the positive side, new activities and resources have become available like in Peninsular Malaysia where the Semai women of today live a relatively easier life. They are less likely to go out to gather forest vegetables because this can now be readily purchased, and they do not have to walk far distances to collect water or collect firewood. However, the overall impact of resettlement and loss of livelihood resources has been much more negative for indigenous women. They have to find alternative means and sources of livelihood and it becomes more difficult for them to do their traditional activities like making handicrafts and food preparation. Their burden of work has doubled as they seek new livelihood opportunities and continue to be responsible for housework, child bearing and rearing. Indigenous women are no longer self-reliant traditional producers of food and are

forced to accept wage employment to supply their basic needs. The changes in indigenous territories brought about by globalization such as the market economy, cultural exchange and more access to information have also brought changes to indigenous culture. With the current focus on the economy or in earning a living, some of the indigenous peoples' traditions and cultural practices are gradually being lost while the younger generation rarely use their dialect and are gradually moving away from their traditions.

v The response and coping mechanisms of indigenous women to the various problems and issues that confront them vary among the Asian countries. The responses and actions range from becoming active participants to the struggles of indigenous peoples alongside the men as part of strong indigenous women organizations like in the Philippines, India and in Malaysia to setting up new organizations for indigenous women like in Bangladesh and Indonesia or becoming members of broad organizations with some awareness raising education on indigenous women's issues like in Thailand and Burma. The main constraints facing the indigenous women's movement in Asia are the general lack of awareness and consciousness not to mention the encouragement to get women involved in decision-making and leadership, and the lack of capacity especially among the rural indigenous women to get involved in matters beyond the village or community level. These constraints are reinforced by the reality that most women are over-burdened with household and child rearing tasks, farm work and wage employment, if any. Thus, many indigenous women face personal and familyrelated constraints that prevent them from actively participating in the women's movement, much less initiate one, including NGOs and programs directed at building the capacity of indigenous women. As cited in the paper from Malaysia, they do not have the confidence to engage in activities that require them to speak in public or lead community members that have male members. In some communities, customary practices and beliefs make it difficult for women to be active outside their homes and even designates women's activities while in some areas, husbands or family elders tend to discourage their involvement, preferring them to concentrate on household matters. In addition, organizing activities for the community and for women requires financial and other resources and women are usually disadvantaged in this area.

> Nancy Elizabeth Henriquez-James of Nicaragua shared the work being done by her organization, the Continental Link of Indigenous Women or the Asociacion de Mujeres Indigenas de la Costa Atlantic (AMICA) which is a network of indigenous women in Latin America (AMICA). The main purpose of the AMICA is to promote the solidarity of indigenous women in Latin America and for them to voice out their concerns and issues to the international community.

"Panel Discussion 3 covered the input on Sustainable Development and Indigenous Women, and the Updates on Multilateral Processes and Implications for Indigenous Women. In this panel Joji Carino of Tebtebba briefly discussed the World Summit on Sustainable Development including the Kimberley Summit, World Water Forum, World Bank Policy on Indigenous Peoples and the Extractive Industries Review. With 2004 as the closing of the UN Decade of Indigenous Peoples, there is still no universal standard to guide UN agencies on how to treat indigenous peoples. This remains as an obstacle in asserting our rights. But in our international policy advocacy work, we can use the different UN bodies in different levels, be it local, national or international, for different reasons such as to raise environmental

issues, bring out problems, and to gain support in our lobby work. It was also reiterated in the discussions that as indigenous peoples, we cannot talk of sustainable development without talking about self-determination. Some of the areas where IPs have actively participated in international forums are on the following issues: 1) whether water rights are recognized and whether IPs participate in policies on water; 2) Free and Prior Informed Consent (FPIC) of IPs on dams and other development projects; and 3) on the Extractive Industries Review (EIR) of the World Bank, such as on the World Bank's participation in investments of mining companies and in mining laws of different countries.

The developments at the World Parks Congress in Durban, South Africa on September 2003 and at the7th Conference of Parties (COP 7) of the Convention on Biological Diversity (CBD) which was held in Malaysia in February 9-20, 2004 was shared by Jannie Lasimbang of the Asian Indigenous Peoples' Pact (AIPP).

The World Parks Congress is held every 10 years and there were around 100 indigenous peoples who participated in the Durban event. The focus this time was on protected areas and for the IP participants, the achievements for this session were the recommendations given on IPs and protected areas (Recomm. 5.24) and 17 other recommendations on ensuring respect for indigenous peoples' rights in existing and new protected areas, the cessation of involuntary resettlements, the prior informed consent of affected communities, sacred sites, effective management and governance of protected areas and on community conserved areas.

The COP 7 of the CBD was attended by about 120 participants from indigenous peoples' organizations with 36 women coming from Latin America, Asia, Pacific, North America, Russia, and Africa. The participation of indigenous peoples to COP 7 was facilitated through the COP 7 Coordination Committee of the International Indigenous Forum for Biodiversity (IIFB). At the COP 7, the significant achievements of the indigenous peoples include the following:

Ø mention of indigenous peoples' rights in protected areas and access and benefit sharing (ABS) decisions; this is the first time it is included in these areas, the previous inclusions being in relation to traditional knowledge and Article 8j;

Ø ensured indigenous participation and taking into account indigenous knowledge as featured in decisions and programme of work on agriculture, mountain, coastal and marine, forest and inland waters biodiversity, tourism, multi-year program of work, indicators and monitoring.

Ø the mechanism of IP participation at the COP created a precedence for a more open chairing and indigenous peoples' participation in contact groups and as "Friends of the Chair;"

Ø adoption of the Akwe:kon Guidelines or the "Voluntary guidelines for the conduct of cultural, environmental and social impact assessments regarding developments proposed to take place on, or which are likely to impact on, sacred sites and on lands and waters traditionally occupied or used by indigenous and local communities" which was based on a draft submitted by the IIFB during the Working Group on Article 8j in 2003;

Ø many governments, especially from the European Union, commended the lobby work and quality of information, statements and suggested texts from the indigenous peoples who participated represented as the IIFB. This work has been achieved through daily caucuses and workshops on the statements and suggested texts.

It was pointed out and agreed upon by the participants during the discussions in this panel that in using these UN instruments, we should be aware that many of our governments are not even aware of these policies. But as IPs we can assert these with our governments, and with other governments and donor states as well who give funds to support development projects in our countries. We should also look into ways on how to translate these instruments into national policies, and on how to use these at the community level. The participation of women must be ensured in international and national conferences, although from our experience in the past, it was difficult to insist on having one-half women participants.

The 4th Panel Discussion dealt with Indigenous Peoples' Rights, Globalization and Women's Rights where Joan Carling of the Cordillera Peoples' Alliance discussed the updates on the UN bodies on indigenous peoples, the Working Group on Indigenous Populations, the Working Group on the Draft Declaration, and the Permanent Forum on Indigenous Issues.

>The Working Group on Indigenous Populations (WGIP) is the first forum for IPs in the United Nations and was established pursuant to Economic and Social Council resolution 1982/34 as a subsidiary organ of the Sub-Commission on the Promotion and Protection of Human Rights and meets annually in Geneva, usually during the last week of July.

The Working Group consists of independent experts and members of the Sub-Commission - one from each of the geopolitical regions of the world. The members are non-indigenous although the former Chairperson, Erica Daes, has been a great supporter of IPs.

The Working Group has a two-fold mandate: to review developments pertaining to the promotion and protection of human rights and fundamental freedoms of indigenous peoples, and to give attention to the evolution of international standards concerning indigenous rights. The uniqueness of this group is that it is open to all indigenous peoples whether registered or not and can make interventions in the discussions. The openness of the Working Groups' sessions, which also includes the participation of representatives of Governments, non-governmental organizations and United Nations agencies, has strengthened its position as a focal point of international action on indigenous issues. The Working Group is today one of the largest United Nations forums in the field of human rights. About 600 to 800 IPs participate in the meetings and it is a good venue to be aware of the situation of IPs in all parts of the world by listening to the interventions made by the IP participants. The significance of participation to the WGIP is the presentation of developments and urgent concerns from our countries which contribute to sharing of information and awareness raising of governments and other groups.

>As discussed by the speaker, the Working Group on the Draft Declaration (WGDD), set up by the UN Commission on Human Rights in 1995, was established with a mandate to complete the adoption of a Draft Declaration on the Rights of Indigenous Peoples within the timeframe of the International Decade of the World's Indigenous Peoples, due to end in 2004. Only one more session of the Working Group therefore remains before it must present its final report to the Commission on Human Rights. The WGDD sessions involved a big participation of IPs in coming up with the Draft Declaration. There are some controversial issues in the draft declaration which have not been resolved. In the ninth session of the Working Group held in September 2003, all expectations on finally adopting a certain number of articles were frustrated, as the ninth session was unable to provisionally adopt any of the articles discussed mainly due to a lack of political will and commitment on the part of a small number of governments who managed to hinder any possibility of progress.

The declaration is supposed to be passed in 2004 by the General Assembly, but there is a

suspicion that what will be passed will be a weak declaration. In the discussions that ensued, it was pointed out that the Draft Declaration is the instrument that shall be legally binding on IPs when adopted, and that the lessons learned in the COP 7 process where IPs strongly came up with accepted recommendations must be shared in the processes of the Draft Declaration where we need to actively participate. The speaker also made the reiteration that even with the draft declaration, we should bear in mind that our rights as IPs are inherent in us and does not emanate from any instrument; the instrument shall serve as a legally binding document when we choose to use it.

>The UN Permanent Forum on Indigenous Issues (UNPFII) is the newest body for IPs which was established in 2002 by the Economic and Social Council (ECOSOC). It is now an advisory body to the ECOSOC with a mandate to discuss indigenous issues related to economic and social development, culture, the environment, education, health and human rights. According to its mandate, the Permanent Forum will provide expert advice and recommendations on indigenous issues to the Council, as well as to programmes, funds and agencies of the United Nations, through the Council; raise awareness and promote the integration and coordination of activities related to indigenous issues within the UN system; and prepare and disseminate information on indigenous issues. The body is composed of 16 independent experts with eight representatives chosen from governments and eight representatives chosen from IP organizations who shall serve a term of three years. For this year, 2004, the special theme of the UNPFII session is on indigenous women. It should be part of our plan to let more women participate in this year's session. In the discussions and open forum, it was pointed out that it is very important for us in Asia to lobby our governments who have opted to keep quiet on IP issues in these bodies mainly because many Asian governments do not recognize the presence of IPs in their territories, and IP issues had been limited to the Americas in the past.

· The second speaker in the 4th panel was Amarsanaa Darisuren of the Asia-Pacific Women on Law and Development who discussed the UN Commission on the Status of Women (CSW) including some updates on Beijing +10 and on the UN Special Rapporteur on Violence Against Women (UNSRVAW).

>The 48th session of the CSW this year has the major themes on the role of boys and men, and the participation of women in conflict resolution and peace-building. From past experiences, CSW has lots of limitations like last year, they were not able to come up with conclusions due to conflicts between governments which was a frustrating experience for women groups and many have even abandoned this venue for lobby work. There are some spaces created by CSW for solidarity and network building in the workshops and panel discussions which we can take advantage of. In 2005, the CSW session will review the implementation of the Beijing Platform for Action after 10 years or the Beijing +10. The Asia Pacific group workshop on Beijing +10 will be held in July in Bangkok. The participation of IP women at the CSW is encouraged and APWLD has supported an IP group in 2003 to present their issues on militarization. Our efforts can also be coordinated with the Asia Pacific Women Watch which is mandated to look into our issues as IP women.

>The speaker shared some developments regarding the consultations with the UNSRVAW who has the mandate to seek and receive information on violence against women, its causes and consequences, and to recommend measures to eliminate such violence. The APWLD has conducted Asia Pacific NGO consultations with the UNSRVAW since 1995. Based on their assessment of the consultations, APWLD found the consultations useful to women's groups working to combat VAW, mainly due to the direct access to the UNSRVAW that was provided. Women's groups, on the other hand, were able to provide the Special Rapporteur with critical information on political realities, socio-political bases ands specific cases that are

not otherwise as readily available to the UNSRVAW office. The consultations also provided an opportunity for collective engagement and analysis that encouraged the critiquing and reexamining of present strategies, and a venue for women's groups to a greater awareness and understanding of the role of the UNSRVAW, in particular, on how the mechanism can be used to lobby governments at the national and international levels. The consultations also proved to be an important channel for the networking of women's groups in the Asia Pacific region, specially in their exchange of information, experiences and strategies in doing their work. APWLD was able to develop and publish the guidelines for women's groups wanting to replicate the process of engaging with the UNSRVAW.

§ Vicky Tauli-Corpuz of Tebtebba and Convenor of the AIWN, as the third speaker in this panel, shared the developments on the World Trade Organization (WTO) and the World Intellectual Property Rights Organization (WIPO).

>WTO was set up as a successor to the General Agreement on Tariffs and Trade (GATT) and its mandate is to implement the agreements which include multilateral agreements on Trade in Goods, Textiles and Clothing, Trade-Related Investment Measures (TRIMS), Technical Barriers to Trade, Trade in Services, Agriculture, and Trade-Related Aspects of Intellectual Property Rights (TRIPS). Most Asian countries are signatories to WTO and the difference between WTO and other international institutions is that the agreements are legally binding to all countries who signed, and it has the power to intervene in shaping national laws to adhere to its agreements. In addition, WTO has a dispute panel mechanism that can sanction a member if found guilty of illegal trade measures, and once a country has signed the agreement, it has to abide by all the agreements and it is not easy to get out as a signatoree.

Some of the problems with the agreements under the WTO are on agriculture, where the tariffs of many agricultural items of interest to developing countries are extremely high, like in some cases, the tariff imposed is over 200-300 percent. The TRIPS agreement allows for the protection of plant varieties through patent protection or a sui generis system or a combination of both, allows the patenting of non-biological and microbiological processes, and allows the patenting of life forms. The major issues discussed by the speaker that have cropped up so far with the implementation of the WTO agreements are the consolidation of transnational corporations (TNCs) in the industries of seeds, agro-chemical, food and biotechnology which resulted to stronger and concentrated control over these industries in the hands of a fewer TNCs; and patent rights facilitate the theft of traditional knowledge and biological resources, e.g. medicinal plants, seeds, dyes. The Agreement on Agriculture has led to import liberalization that has threatened the viability and livelihood of small farmers whose products face competition from cheaper imported foods, many of which are artificially cheapened through massive subsidies. The WTO agreements also contradict the key principles and provisions of the Convention on Biological Diversity.

WORKSHOPS:

u The participants were divided into five (5) workshop groups on the following topics:

Workshop 1. Defense of Ancestral Lands and Resources

Workshop 2. Customary Laws and Practices which violate/promote indigenous women's

rights

Workshop 3. Effects of Militarization on indigenous women

Workshop 4. Reproductive Rights and Violence Against Women

Workshop 5. Discrimination and to increase the role of indigenous women in Decision-Making processes

The discussions and the report of the five workshop groups are summarized as follows:

Workshop 1. Defense of Ancestral Lands and Resources

Facilitator: Bernice See Reporter: Jill Carino

Members: 15 members coming from Indonesia, Malaysia, China, Taiwan, India, Mongolia and

the Philippines

The members shared the specific situation of ancestral lands and resources in their areas. From the Ibans of Malaysia, it is usually the men who play a major role in defense of ancestral lands like in negotiating with the government and private corporations on development projects that are brought to their territories. The Iban indigenous women believe that women must also participate and know how to defend their rights to create a bigger voice for the community. In Lijiang province in China, it has become a hot spot being developed for tourism. The government has allowed the construction of big hotels and restaurants, including houses that can accommodate tourists. Most of the indigenous peoples who live in the villages sold their lands for tourism purposes. It seemed that their main consideration was to get money for them to buy goods. The policy of the state on lands is they belong to the tiller of the land and he can sell the land. Social problems arose like increased playing of mahiong by the women in the villages due to the loss of their lands and they no longer have sources of livelihood. In Taiwan, the same situation was shared by one participant where her village became a tourist spot due to their hot springs. Many villagers sold their ancestral lands to construct hotels and resorts. The lands were occupied by them since time immemorial but in recent years, the government has appropriated these lands as "reservations" provided by government for the people. The indigenous people had no chance to negotiate with government regarding their lands, and they accepted whatever projects that were implemented in their territories. The people now earn their living as workers in the hotels and other tourism establishments due to the loss of their lands, while others have migrated to the city to look for work. The people who chose to stay in the villages live mainly for tourism where they maintain their clothes, dances and their culture as showcases for tourists. There are only a few indigenous people left in Taiwan and the main program of the government for them is their assimilation to the mainstream society. There are many indigenous organizations but they cannot work closely together, hence the issues have not been addressed effectively. In the Philippines, an Aeta woman briefly shared their situation which is very similar to the situation in other areas in Asia. They have been staying on their ancestors' land and have protected these lands and the resources for a long time but the government has claimed their lands to be used for development projects like dams and national parks.

The core problem identified by the group on the defense of ancestral lands and resources is the non-recognition of indigenous peoples' rights by the state, investors and private corporations which has led to the increased loss of ancestral lands to give way to development projects of the state. The impact of this problem on indigenous peoples include the degradation of the environment, increased poverty due to loss of livelihood and dependence on the market economy, and disempowerment of IPs in state structures and policies. Specifically, the impact on indigenous women include loss of self-reliance in food production, loss of knowledge on resource management and biodiversity, increased sexual harassment and abuse as workers and in the home, and bearing the greater burden of deepening poverty. The recommended actions to address these issues are education and awareness raising, research and organizing, campaign and advocacy work, networking through dialogues, petitions and linkage building, legal remedies, and armed struggle. There are some identified strengths and weaknesses in the indigenous women's movement. Some of the strengths are the presence of strong organizations of indigenous women and sustained movements like in the Philippines and Indonesia, and the increasing participation of women in IP struggles. On the other hand, the weaknesses include the lack of awareness of women on their rights, and the presence of many organizations who cannot work closely with one another making their efforts diffused and not effective.

An additional sharing on land and resources came from Chinimaya of Nepal who belongs to a fisherfolk community. The springs and rivers which have been their sources of livelihood for a long time have been contracted by the government to private companies, and the people were displaced. Their use of the land dates back to 1885 when the people have pleased the royal family and were given lands to use near the rivers and springs but these were taken back in 1992. The royal family in Nepal has this practice of giving land and taking it back if they please. The people are now demanding the government to give them back their water resources. The Garos of Bangladesh as shared by Pobitra have struggled against the implementation of an eco-tourism park project in their community. The Garo people have been shot in the process by government military forces and they get blamed for trees cut in the forest by government people. They are now desperate and they feel that somehow, the eco-tourism park witll be constructed despite the opposition of the people.

Workshop 2. Customary laws and practices which violate/promote indigenous women's rights

The countries represented in the workshop are Bangladesh, Philippines, China, Thailand, Malaysia, Japan and Nepal. The core areas of the discussion on customary laws are on resource management, inheritance, arranged marriages and violence against women. On resource management, most of the members shared the common experiences in their countries where the women play an important role in the management of resources using tested customary laws and practices but this role is not recognized in their communities. The participants coming from different cultures shared varied practices on inheritance of land. The inheritance practices range from the exclusion of women in land ownership, "mixlineal" inheritance, indirect inheritance to matrilineal inheritance. However, these practices are gradually being lost and at present, increasingly, each person takes care of himself and women are becoming landless. Discussions on bride price and arranged marriages were also tackled due to the prevalence of these practices especially in South Asian countries. As shared by the members, in Nagaland, the practice of giving dowry is still present and the women have to spend and make all the clothes for the wedding. In Nepal, the Tamang people have the traditional practice of a woman marrying all the brothers in one family from the eldest to the youngest where the women feel guilty and ashamed especially to outsiders. Some forced marriages turn women into bonded labor, and in arranged marriages, there are varying degrees of consent on the part of the daughters. In cases of violence against women, the old practice that has changed now was the traditional way of dealing with VAW which was more of a community concern. However, in recent times, VAW has become more a private matter confined to the household and there is now less intervention from other people outside the family.

From the shared experiences on customary laws and practices, the group recommended the documentation of customary laws and practices that promoted and violated women's rights and to find a balance between the two with the goal to gradually eliminate or revise the oppressive laws and practices and to strengthen and revive those that promote women's rights. From the discussions at the plenary, it was reiterated that there is a need to recognize the customary laws under specific contexts, and that customary laws and practices are linked to our identity as a people. In addition, traditional institutions must be revitalized so there will be mechanisms to effectively change or strengthen customary laws.

Workshop 3. Effects of militarization

The countries represented in this workshop are Bangladesh, Nepal, Philippines, India and Burma. Militarization, as defined by the group, are perpetrated by state forces such as the military, police, paramilitary groups and by the private armies and 'vigilante' groups of private companies that re endorsed by state forces. On the other hand, peace-building efforts are in the framework of indigenous peoples'/women's assertion of their right to self-determination which includes the consideration and recognition of the social context they are in and the actions or forms of struggles that they undertake to build or contribute to peace processes within their communities. These are not only limited to dialogues, negotiations, lobbying and metalegal actions but may include higher forms like armed struggle and even the call for independence and assertion of sovereignty.

In the reports shared by the members, in all the indigenous communities represented, they have experienced state-sponsored violence that has caused the disintegration of the community. Rape is always used as a weapon of war by the military, police and paramilitary forces to humiliate and attack entire communities. Specific reports shared include the Bodo women of Assam. India where 22 members of the military gang raped 10 Bodo women in December 1997 while two Bodo women who spoke out on the issue were killed by the military. Indigenous women in Central Luzon and the Cordillera in the Philippines were raped by the military but they were scared to file cases against the soldiers for fear of repercussions on the survivors. Children have also become victims like in Burma where young boys are abducted and forced to become child soldiers. In the Philippines, women and children are used by soldiers to enter communities like when they have relationships with the women and sire children but later abandon them when they are assigned to other areas. Economic and social activities are disrupted like when women are prevented from going to their gardens and to the forests like in Burma, or even to bring their products to the market like the Jumma women of Bangladesh. The Jumma women are also forced to hide their identities for fear of sexual violence from the military. Forced migration to the cities and even to other countries have increased and this has led to the disintegration of IP culture. Indigenous women are not spared and they become political prisoners like in Burma. In Nepal, even if women are involved in armed struggles like in the Maoist movement, they are most often excluded from formal peace negotiations with the government. The government and the military often provoke fighting among and between IP groups to "divide and rule" them. The military has also facilitated the migration of non-indigenous peoples to indigenous territories like in Bangladesh which is a form of assimilation of indigenous peoples and has contributed to the disintegration of the relationship between indigenous and non-indigenous communities. A new

phenomenon that has aggravated state militarization is the war on terror and state policies like national anti-terrorism laws or bills. In the Philippines, the Anti-Terror Bill labels the indigenous peoples/women's organizations asserting their right to self determination as terrorists while joint military exercises of the United States and the Philippine military forces are done within IP territories like in Central Luzon which has displaced Aeta communities. In Nagaland, India the National Security Act has led to cases of disappearance and killings for mere suspicion of being involved in insurgency. The military rule in Burma has resulted to massive human rights violations especially on women and children.

The workshop members also discussed the effect of religious fundamentalism on indigenous women where it was shared that in Bangladesh, Jumma women are abducted and forced to marry non-Jumma men to facilitate their integration to the mainstream Islamic Bangladeshi society. In the Philippines, traditional culture materials such as beads, rice gods, gongs and others used in indigenous rituals are destroyed by Christian fundamentalist goups as these materials are regarded as instruments of evil. The role of women in peace accords and conflict resolution through traditional means have not been recognized. In Nepal, they have formed the Nepalese Women for Peace and the Indigenous Coordination Committee for Peace Talks to pave the way for indigenous women's participation in peace talks between the government and the Maoist movement. The proposed actions and responses to this issue include education and training on human rights and capacity building of indigenous women on various issues, documentation of case studies and tribunals, active intervention through dialogues and lobby with government, and lastly, organizing to establish responsive indigenous women's organizations for peace negotiations or dialogues and as self-help groups. The group also strongly recommends the formation of an indigenous women's committee for conflict resolution and peace building. Indigenous women are active participants in IP struggles; they are not victims but survivors and are serious participants to peace building and peace efforts that uphold their right to self-determination.

Workshop 4. Reproductive Rights and Violence against Women

The members of the workshop group came from the countries of Mongolia, Thailand, Kyrgyzstan, Nepal and the Philippines. From the sharing of the members, it was common in all the countries that reproductive rights do not exist in most indigenous communities. Indigenous women do not have a say in the number of children they want for their family. Indigenous culture most often has preference for male children, that in instances where the wife bears daughters only, she is pressured to give more births until a son is born, or the husband takes advantage of the situation and divorces his wife or takes another wife. Indigenous women gain more respect from the community by giving birth to two or more male children. Divorce is recognized in all the countries except the Philippines where it is not recognized but in indigenous communities, divorce is allowed on valid grounds such as being childless but it will not be recognized by the state.

Changes in the economic system in indigenous territories such as the intensification of cash crop production and the loss of self-reliant economies have greatly affected the reproductive health of indigenous women. The state is also not capable of addressing issues on reproductive health in most of the countries because more often than not, national health budgets are very small and does not even reach the indigenous communities in the interior areas or less accessible areas of the country.

As related by the members of the group, violence against indigenous women is increasing due to poverty and militarization. Domestic and physical violence is increasing among indigenous women as more men lose their livelihood and families are exposed to economic uncertainty. The increasing outmigration of indigenous women to the urban areas to look for livelihood opportunities also detaches them from the support system of the community and the family in cases of violence against women like wife battering.

Poverty, illiteracy and lack of awareness, and conflict in indigenous communities are forcing more and more indigenous women to migrate to urban centers, other provinces and overseas as workers in factories, construction industry and even in the sex trade. Sex trafficking is increasing day by day like in Nepal where many indigenous women get easily lured by "brokers" and they are brought to Bombay, Malaysia and even to the Arab countries in the Middle East. Many international donor agencies give funds to prevent and prosecute trafficking but this is rarely implemented in indigenous communities in the highlands and interior areas which are not accessible compared to the lowlands. The group recommended that we must develop a strong network to address the issue on trafficking of indigenous women. Documentation of sex trafficking incidents and experiences must also be done to serve as basis for us to advocate this issue. There is a need to lobby international bodies and also our governments to raise the issue of sex trafficking and violence against women.

In the plenary discussion, an additional point was raised on the traditional knowledge held by indigenous women on healing and traditional medicine with the recommendation that the government should recognize and promote these forms of alternative healing practices. This was seen as a significant issue because in some Asian countries like Nepal, indigenous women who practice traditional healing and use traditional medicine are branded and projected in the media as "witches" or engaged in witchcraft. It was also shared that "witch accusation" of women healers is not only true in Asia but also in other parts of the world like in South Africa where a group of women healers were accused of being witches and were driven out of the community by their own people and thrown into the forest.

With regards to the rights of women, it is not only a problem of lack of awareness and education but in some Asian countries, it is the lack of rights of indigenous women. Women's rights have also been discussed by the other workshop groups and it was pointed out here that there is a need for us to assess whether or not the government machineries and mechanisms on women's rights in the different countries are effectively being implemented. Most governments make very good reports to the Commission on the Status of Women and on the CEDAW but we need to look at the actual implementation in our countries.

Workshop 5. Discrimination and to increase the role of indigenous women in decision-making processes

The countries represented in the workshop are Indonesia, Malaysia, Nepal, Thailand and the Philippines. The extent and forms of discrimination were gathered from the experiences shared by the members of the group. In all the countries represented, national and local leadership are dominated by men since men are seen as more wise and is more capable to be a leader. This practice is even reinforced by the present government systems. In Orang Asli society for instance, the government negotiates only with men in the community and never with women. In decision-making, women are not given any role and men even look down on their capacity and this is reinforced when indigenous women hardly get any chance

of education like in Malaysia and Indonesia. Indigenous women in Thailand have no chance at higher education if they do not adopt Thai citizenship and learn the Thai language. The school curriculum and even indigenous culture in almost all countries further perpetrates male domination. A woman in Peninsular Malaysia and in Nepal who stays in the village and works at home is more respected by the indigenous community than a woman with higher education who works outside the home. Even among indigenous peoples' organizations, men are almost always the ones attending international conferences. Most governments in Asia do not recognize the existence of many indigenous groups like in Nepal where only one indigenous group is recognized by the government out of the more than 100 indigenous groups in Nepal today.

Arauti of Bangladesh shared the situation of the Jumma people who have been victims of various forms of discrimination by the government and by the mainstream Bengali people. As summarized by the facilitator, the key point to be highlighted in the situation shared by Arauti is the fact that nation-state building has created many problems for the indigenous peoples. Before the nation states, indigenous peoples were one people but when nation states were created, the IPs were divided into many countries. Like the case of Nagaland which used to be an independent state but when India won its independence, it colonized Nagaland which has never been a part of India before. It has always been the case that these independent IP states were colonized by the country that won its independence from its foreign colonizers. The history of the Jumma people of Bangladesh shows that they used to occupy a territory that was part of India, then it became part of Pakistan, and later when Bangladesh won its independence, they became part of Bangladesh. Now they are totally submerged in the national identity that the nation state is imposing on them. This is one of the distinct problems of indigenous peoples and we have suffered tremendously because of nation state building.

The success story of the Toro people in asserting their access to a national park was shared by Rukmini. The problem of the Toro people in 1993 was their lack of access to a national park established in 1970. In 1993, the Toro people started their struggle to regain access by doing documentation, mapping of the area, exploring indigenous knowledge, discussions and lobbying. They learned from the elders about the working zones in the national park and based on the information from the elders, they made a map of the area based on customary law and traditional use. They used the documentation and the map as basis to lobby the government. They finally got the Adat Toro law that gave them access to the national park in 2000. The Toro women played a role by starting discussion groups starting in 1995 among the Toro people involved in the struggle and they grew stronger. The National Park Management acknowledged the Adat Toro Law and women as part of it. After the Adat was granted, the women attended a workshop in 2001 facilitated by an NGO and organized themselves and they declared this as the independence day of the women. They gained the recognition of the community and the government. With this recognition, the Toro women are now in the structure of decision making of Adat Toro government body, and they are also a member of the working committee of Toro land for the next three years. The group has expanded their work to five villages by sharing their experience and encouraging other women so they can do the same.

These kinds of success stories and good practices where women's role have been recognized by men and the community must be shared and heard by other women to encourage them that they can also do something about their situation. This is also the case in Sabah where PACOS, an NGO has implemented a project that the women were able to run successfully and they gained the respect of the men in the community. This is a case where economic empowerment of indigenous women led to their political empowerment.

The group's recommendations are to have a more comprehensive documentation of women discrimination and disseminate this to national and international community and success stories of the struggle of women must also be shared to a broader audience, lobby for more funds for women participation in decision making, organize women groups at the local and national levels, and education and training programs for indigenous women on leadership and to build other skills. We need to have a resolution to document all cases of discrimination, be it religious, racial, gender among others, and present these to our governments and to appropriate international bodies.

The other participants shared their stories at the plenary. The plight of the Zo people of India mainly revolves in their effort to fight for their own state. The Zo people have been distributed to Burma, Bangladesh and India. Like the other countries, they have experienced religious and language discrimination where they are required by the state to speak the official language of India and if they do not convert to Hinduism, they are discriminated against. Beni Lotha of Northeast India shared the situation of her people especially the effect on women and children of the implementation of a dam project in their community. The Garo people of Bangladesh are set to be evicted out of their lands to give way to an eco-tourism park to be implemented in their community. The government has accused the people of destroying their own land but according to the Garo, it is the government people who cut down trees in the forest and blame it on the Garo. Those who are protesting the project have been shot by the government people. Even if the Garo people do not like the project, it seems the government is set on constructing the eco-tourism park. In sharing their situation, they believe that the conference participants will join in their struggle in any way they can. The community of Chinimaya in Nepal is a fishing community and all the springs and rivers are their sources of livelihood. Recently, the water sources have been contracted out by the government to private companies thus, depriving the people of their livelihood. The lands occupied by the people have been given to their ancestors by the royal family in 1885 (because they have pleased the royal family, so the story goes), but in 1992, this was taken back and now they have no land to speak of. It is common in Nepal that the royal family has the practice of giving land and taking it back again as they please. The people are now appealing for the full protection of the rights of indigenous peoples and women in particular, and to exert pressure on the Nepali government to recognize these rights.

Panel Discussion 5 covered the existing networks at the regional and international levels that have done or are doing some work or programs for indigenous women. In this panel, Stella Tamang discussed the South Asia Indigenous Women's Forum (SAIWF) as its convenor and the International Alliance of Indigenous Peoples of the Tropical Forests. The SAIWF is a loose network and any indigenous women's organization in South Asia can be a member.

The Convenor, Vicky, presented the proposed structure, program and activities of the Asian Indigenous Women's Network, while Joji presented the draft of the conference declaration.

The participants were divided again into workshop groups by region to discuss the proposed AIWN structure and program and the draft conference declaration. The workshop groups were composed of the following countries: Philippines as one group because of the large delegation, South Asia - composed of India, Bangladesh, Nepal, East Asia - Japan, China, Mongolia, Taiwan and Kyrgyzstan, and Southeast Asia - Burma, Indonesia, Malaysia, Thailand.

The proposed structure and program was discussed and the countries submitted the names of the focal persons for their country. The conference declaration was finalized and named the Baguio Declaration and it contains the summary of the situation, issues, responses,

recommendations and resolutions of Asian indigenous women who attended the second Asian indigenous women's conference.

BAGUIO DECLARATION OF THE

SECOND ASIAN INDIGENOUS WOMEN'S CONFERENCE

We, the participants of the 2nd Asian Indigenous Women's Conference, affirm our vital role in advancing the struggles of indigenous and tribal peoples of Asia for social and ecological justice, self-determination and peace. We celebrate our diversity and our solidarity as vibrant movements working to renew our historic identities at this critical time.

At the turn of the 21st century, the unfettered forces of neo-liberal globalisation, statist militarism and development aggression are violating our inherent rights and fundamental freedoms and threatening our very survival as distinct peoples. As indigenous peoples and as women, we suffer multiple burdens, underpinned by racial, cultural, religious and gender discrimination.

Today, as we celebrate International Women's Day, on the closing year of the UN Decade for Indigenous Peoples, we take stock of our situation as women, and as indigenous peoples, and commit ourselves to the fullest exercise of our rights towards self-determination, non-discrimination and equality for all peoples of the world.

At this conference, we bear testimony to the following problems and issues:

Globalisation and the Exploitation and Theft of Indigenous Peoples' Lands, Waters, Forests and Resources

- Globalisation is accelerating the alienation, privatisation, commercialisation and theft of community forests, lands, waters and traditional medicinal plants causing impoverishment and generating ill health for our peoples.
- The violation of indigenous peoples' prior rights to ancestral territories, lands, waters and resources, including the requirement to obtain our free, prior and informed consent to all programmes and projects affecting our lives and welfare is causing community strife and conflicts. Free and prior informed consent should include the full and effective participation of indigenous women in the decision-making process. Violations of customary use rights, particularly women's access to and control over natural resources, have been especially undermined.
- · Indigenous peoples are gradually being estranged from our lands, mountains, waters and forests which are sources of wisdom and means of survival. Our knowledge of biodiversity and natural resource management is systematically exploited, appropriated or eroded. Piracy of indigenous arts, crafts and medicines is rampant and is facilitated by patents and other western intellectual property rights.
- The cash economy has eroded indigenous women's independence as self-reliant food producers, healers, artisans and spiritualists, transforming us into vulnerable lowly paid workers, urban poor and tourist attractions in the market economy.
- · Indigenous peoples, particularly women, are not given our just share of the benefits arising from the sustainable use of surface and sub-surface resources, including waters and forests on indigenous territories.

- · Corporate mining has resulted in the displacement of indigenous communities as well as in soil erosion and contamination, water and air pollution, serious health problems, impoverishment and social conflict.
- · Illegal logging, private concessions, monoculture plantations and agribusiness ventures are depriving indigenous peoples of lands and livelihoods and seriously eroding our rights.
- National Parks and Protected Areas have displaced indigenous communities, expropriating our lands and denying access to the natural resources critical for our livelihoods and survival. Indigenous women have been disproportionately affected.
- · Current forms of tourism make indigenous peoples and women objects of curiosity, display and commercialisation. Prostitution has increased, alongside the inducement to commercialise indigenous cultural heritages. Tourism is breeding cash dependence, especially on children.
- Large dams have serious impacts on the lives, livelihoods, cultures and spiritual existence of indigenous and tribal peoples, who have suffered disproportionately from their negative impacts, while often being excluded from sharing in any benefits. In the Philippines, almost all the larger dams built or proposed are on the lands of indigenous peoples. In India 40-50% of those displaced by development projects were tribal peoples, who account for just 8% of the nation's 1 billion people.
- · Forced displacement of indigenous peoples from our ancestral lands is a major cause of impoverishment and threatens our very survival as indigenous peoples. Indigenous women and children are the most seriously harmed.

Militarization and Violence

- · Indigenous women and children in Asia likewise suffer the brunt of militarization perpetrated by state forces, including vigilante groups and private armies of companies. Indigenous communities targeted for development aggression are also targets of militarization.
- Rape continues to be used as a weapon of war by the military to humiliate and attack indigenous communities. Girls and even older women and children are not spared. Courtship and marriage with indigenous women is used to gain acceptance in indigenous communities; however soldiers often abandon local women and children upon transfer to other destinations.
- · Military rule and the establishment of military detachments in our communities have curtailed our movement and economic activities, the entry of food supplies and basic social services and even disrupted the education of our children.
- The military has facilitated the occupation of indigenous territories by non-indigenous settlers, a form of assimilation which breeds conflicts between indigenous and non-indigenous communities.
- Compounding militarization is the war on terror and the passage of national policies or laws restricting the exercise of democratic rights and freedoms of the indigenous women and communities. Our organizations are regarded by the state to be engaged in terrorist activities. Women leaders suffer persecution and our elders are criminalized

for asserting customary practices in defense of our land and resources.

- The Burmese military regime has perpetrated extreme violence against ethnic communities including forced labour, forced relocations, torture and murder. Indigenous women suffer from rapes and sexual violence, including the trafficking of women and forced prostitution.
- The report on the Philippines by Prof. Rodolfo Stavenhagen, the UN Special Rapporteur on the Human Rights and Fundamental Freedoms of Indigenous Peoples, underlines the continuing militarization of indigenous territories in furtherance of development aggression, particularly the extractive industries. Intensified militarization has resulted in family and community disintegration, human rights violations and hardship.

Violation of the Right to Citizenship of the Tribal Peoples of Thailand

• The right to citizenship of the tribal peoples of Thailand has not been guaranteed by the government; with applicants facing long delays in the processing of documents. Without citizenship, indigenous and tribal peoples are denied their most fundamental rights and entitlements, including access to education and other public services, land and property rights, and social mobility. Under these conditions, indigenous women are rendered extremely vulnerable and marginalised. Urgent government action is needed to redress this situation.

Political Misrepresentation

• Governments have engaged in political misrepresentation of indigenous peoples through the creation of government-controlled structures, the promotion of false and beholden indigenous leaders and deceitful manipulation. Indigenous Peoples' right to free, prior and informed consent has likewise been manipulated and abused.

Lack of access to Basic Social Services

- Indigenous women in many countries face many barriers to the access to education, healthcare and sanitation, and other basic services and are excluded from decision-making on programmes to meet these needs and entitlements.
- · Women are marginalised by cultures of patriarchy and violence, which confine women to the domestic sphere.

Outmigration and Loss of Traditional Livelihoods

· Recent extreme climate events and changes in Mongolia have devastated nomadic livestock herding, thus deepening rural poverty and lack of access to basic social services, and accelerating migration to urban centres. The continued survival of traditional livelihoods and cultures is under threat with the rapid transition to market and urban lifestyles.

Physical and Sexual Violence Against Women

- · Poverty, which has been exacerbated by globalisation policies, is increasing the vulnerability of indigenous women to violence, both sexual and physical. In search of jobs, many indigenous women are trafficked to other parts of the country, or even across borders and are eventually pushed to prostitution.
- · At the same time, indigenous women living in urban centres become victims of wife battering by their husbands, who finding themselves jobless are unable to support their families, become irritable or addicted to drugs and alcohol. Uprooted from the communities, indigenous women who migrate lose the protection afforded by customary laws.

Weakening of Women's Role

- The loss of lands, waters and forests is deepening the poverty of indigenous women while increasing their domestic loads and subsistence responsibilities. We now have to work harder and longer to feed and nurture our families. Many women have become increasingly dependent on their husbands as the primary wage-earners, who have more employment opportunities and higher salaries in the market system. Thus indigenous women's status and power decline, weakening their influence and participation in decision-making.
- The incorporation of indigenous peoples in the cash economy has eroded selfreliant subsistence activities and women's role in production, economy and community life.
- · Changes in the traditional social, cultural and political institutions and practices have led to a loss of practices, rules and codes of behaviour which have long been instruments in ensuring gender-sensitive structures. The introduction of western education and religion, and the imposition of alien leadership structures have undermined the role of our indigenous women spiritual leaders and healers, who have provided moral and spiritual guidance through generations, and who were often part of decision-making structures in our communities.
- The declaration of Nepal as a Hindu State has meant the promulgation of laws, rules and regulations (including the Constitution) based on Hindu values including cultural norms which consider women as inferior and impure. The government policy of Hinduisation undermines the egalitarianism of traditional indigenous societies of Nepal and downgrades the status of indigenous women.

We also agree on the following actions and commitments:

Recognition of Indigenous Peoples' Rights to Self-Determination

To work in unity with indigenous women and peoples in Asia and the world for the recognition of our rights to self-determination.

Policy and Administrative Reform

- We will actively engage in policy advocacy and reform in all political arenas, and at all levels, to gain full respect and recognition of the rights of indigenous peoples, including indigenous women to self-determination and for social and ecological justice and peace.
- · We will work for an end to racial, cultural, religious and gender discrimination, and all its manifestations in public policy and practices.
- We will work for the amendment of constitutional provisions and conflicting laws to make these consistent with the internationally recognised rights of indigenous peoples. Customary laws should likewise be recognised in national and international legislation.

Citizenship Rights

· We uphold that all indigenous women and men are entitled to be free and equal to all others in terms of dignity and rights. Every indigenous person has the right to belong to a nationality, and to enjoy legal status and to be granted citizenship of the country where they live, if they so wish.

Renewal and Revitalization of Traditional Cultures, Customary Laws, Social Values and Practices

- · We accept the challenge and responsibility to address cultural renewal and revitalization to promote gender-sensitive values and structures within our communities. We note with concern that some modern changes in our traditional social, cultural and political institutions and practices have led to a loss of values and codes of behaviour which uphold gender-sensitive structures and roles, while accepting our responsibility to change other customary laws and practices which oppress indigenous women. We will speak up against abusive treatment of indigenous women in the name of custom and tradition.
- · We will work to unify and educate women, children and youth in our communities about our cultures and identity as the basis of our struggles and rights to land, territory and resources.
- · We will work with our traditional institutions to raise the respect, recognition and status of indigenous women who are knowledgeable about traditional resource management, biodiversity conservation, food security and the health system.
- · We will strive towards working with our traditional leaders and institutions to ensure that women are not disinherited from family properties nor used to propagate social status through bride-price or dowry.
- · We will revitalise traditional support systems against domestic violence and work towards removing prejudice and negative perceptions of indigenous peoples and women, which undermine our pride and self-confidence.

Campaigns against Development Aggression and Militarization

· We will conduct campaigns against development aggression and militarization and for the defense of our lands, resources and cultures from destruction and assimilation.

- We demand proper rehabilitation and compensation for lands and waters despoiled by destructive development projects.
- · We demand the pull-out of military troops, checkpoints and detachments in our territories.
- · We demand justice and accountability for criminal offenses perpetrated by the Armed Forces and paramilitary groups and to indemnify victims of political repressions and sexual violence.
- · We will expose and oppose repressive and undemocratic anti-terrorism bills.
- · We demand protection from transmigration and resettlement of outside settlers on indigenous peoples' territories.
- · We demand a share of all benefits taken from our lands, waters and territories.

Peace-building and Conflict Resolution

- · We do not see ourselves as simply victims, we are survivors of our struggles against militarization and for peace-building. We participate in peace-making efforts in support of our peoples.
- · We recognise and respect indigenous women's contributions to peace building and conflict resolution. We will engender indigenous conflict resolution and peace-building processes and ensure the full and effective participation of indigenous women in peace processes and accords entered into by our people and communities.
- · We call for increased international pressure on the Burmese military regime to stop its military offensives in territories of indigenous peoples and violent crimes against indigenous women.

Appropriate Social Services

- · We will promote education in indigenous mother-tongue languages and the transmission of indigenous cultures.
- · We call upon governments to implement their international commitments on education, with due regard for the special needs for education of indigenous children.
- · We will promote and develop indigenous healing practices, such as the use of herbal medicines, and work for the effective protection of indigenous knowledge from piracy and patenting.
- Awareness programmes must be carried out to change the mindset of communities and the government to address the special needs of indigenous peoples.

Recommendations to the Indigenous Peoples' Movement and Organisations

We will continue to strengthen our organisations' solidarity linkages, build our awareness and sustain our campaigns against development aggression, militarization and ethnocide at national, regional and international levels.

Research and Documentation

- · Conduct specific studies on the impact of conflicts on women and children, and the role of indigenous women in conflict resolution, peace building and sustainable development.
- Intensify research activities by indigenous peoples on our priority issues and concerns.

Empowerment of Indigenous Women for Leadership

- · Empower indigenous women to exercise our life skills in health, education and decision-making and to play our important roles in our families, communities and the indigenous peoples' movement.
- Carry out gender-sensitivity programmes within indigenous organisations and communities.
- · Strengthen indigenous women's participation in all aspects of leadership and governance. Special meetings, leadership training as well as other training courses and exposure programmes should be organised.
- In terms of participation, a quota for women should be allocated, and when projects or meetings are going on, nursery facilities should be provided.
- · Women will be encouraged to take up decision-making positions, after gaining the necessary confidence.
- The role and perception of women should not follow stereotypes and women who are qualified and experienced should be selected as leaders.

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Baguio City, Philippines

Signed by 100 indigenous women participants from the following thirteen (13) Asian countries.

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