



aiw

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2007

**Breaking free
from the
shackles
that bind us**

- The UN Declaration on the Rights of Indigenous Peoples
- Secretariat's Report
- Organizational Profile: NNIW


A Note from the Secretariat



We bid goodbye to 2007 with resounding drumbeats as indigenous peoples win a significant battle as an interlude to a more intensified struggle ahead! The year 2007 is a significant landmark in indigenous peoples' history. Indigenous peoples worldwide celebrated the adoption of the United Nations Declaration on the Rights of Indigenous Peoples on 13 September 2007 by the UN General Assembly in its 61st Session amidst pervasive conflicts, political, economic and social instability and insecurity.

For us in the AIWN, 2007 is another milestone for indigenous women's movement in Asia. These breakthroughs include the National Network of Indigenous Women (NNIW) in Nepal during the First National Conference of Indigenous Women last 7-9 August 2007; the establishment of the Indigenous Women's Directorate within the Aliansi Masyarakat Adat Nusantara (AMAN) in Indonesia during AMAN's 3rd Congress held in Pontianak on 17-20 March 2007; the formation of the Peninsula Center for Indigenous People's Women Concern (ZPCIPWC) on the last quarter of the year in Southern Philippines; and the creation of the AIWN Writers' Pool in 30 November 2007. We are also proud to have launched the "Portrait of Indigenous Women in Asia"—an information kit which we hope would be useful in our continuing work and struggles for the recognition and enjoyment of our rights as indigenous peoples and as women. In September, we also finally launched www.asianindigenouswomen.org—our much-awaited website!

Beyond these achievements and aside from others that we have not been able to reflect here, we take note of the persistent aggression on our communities and territories brought about by incompatible peace, development and governance frameworks. In the Philippines, we witnessed the aggressive attempts of the mining industry, aided by state legislation, to extract minerals from the rich agricultural lands sustained and developed by the indigenous Bugkalots, Ifugaos, Ibalois and Kakanaeys in the province of Nueva Vizcaya, northern Philippines. Among these indigenous groups, women have taken the frontlines to defend and protect their and their children's source of human security from the destruction and violation posed by the entry of large scale mining into their territories. In Nepal, indigenous women have marched to the parliament to demand the recognition of their identities and their participation in governance. In most parts of our region, the concept of Human Security has evolved to mean our insecurity as militarism continues in our territories. Hundreds of our sisters and their families in the Chittagong Hill Tracts in Bangladesh have been displaced by the intensified government-sponsored resettlement program. This, coupled with massive loss of agricultural products due to massive rat infestation in Rangamati and Bandarban, has already caused hunger to some 1,800 jhum-dependent families. In Burma, gross violations continue as its military government wield its power and authority despite popular condemnation worldwide as we have seen in the "Saffron Revolution" that escalated in September. The dangers to life, health and security are confronted by many indigenous women as they seek refuge in Thailand, where there is equally no guarantee for security.

These, among others, are still the realities on the ground that we have to contend with. And these, among other matters, are some of the challenges that we have to address together in pursuit of equality and equity as indigenous peoples and women as we look forward to further strengthening our ranks in the year ahead. 

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Asia Indigenous Peoples Caucus on the Occasion of the Adoption of the UN Declaration on the Rights of Indigenous Peoples



By Victoria Tauli-Corpuz



ABOUT the AUTHOR

Victoria Tauli-Corpuz, a Kankana-ey, is the Convenor of AIWN, Executive Director of Tebtebba and the Chairperson of the United Nations Permanent Forum on Indigenous Issues.

In honor and celebration of the indigenous people's victory in the adoption on 13 September 2007 of the United Nations Declaration on the Rights of Indigenous Peoples by the United Nations General Assembly, we offer several pages of this issue to highlight the significance of the UNDRIP as an instrument to the challenges ahead as expressed in the Asia Indigenous Peoples' Caucus Statement below presented by AIWN Convenor Victoria Tauli-Corpuz who also served as the Regional co-coordinator for Asia for the Steering Committee of the Indigenous Peoples' Caucus. Following the statement is a brief article on the UNDRIP's significance to indigenous women from the Secretariat.

The Asian Indigenous Peoples' Caucus celebrates the adoption of the UN Declaration on the Rights of Indigenous Peoples. This is a historic milestone in the struggle of Indigenous Peoples for their human rights and fundamental freedoms. This Declaration affirms our collective rights to self-determination, to our lands, territories and resources, our cultures and intellectual property rights, our right to free, prior and informed consent and our right to determine what development should be in our communities, among others. We celebrate this as a major victory for Indigenous Peoples of the world, in general, and Asia, in particular.

It will be an instrument and tool which we will use to raise the awareness of the society at large on our rights and to make governments address the situation of indigenous peoples who have long been suffering from injustice, discrimination and marginalization. It will be an instrument that will be used to further enhance the empowerment of Indigenous Peoples.

This Declaration is a testimony of the capacity of indigenous peoples, independent experts and States to balance firmness and flexibility to arrive at a text which most States and most Indigenous Peoples organizations are comfortable with.

It took twenty three years to finally have this adopted by the highest body of the United Nations, the General Assembly. While it took this long, it also allowed more States to develop a better understanding of what we, Indigenous Peoples, are struggling for and what we expect the UN Member-States to do to meet our demands and aspirations.

For the Indigenous Peoples of Asia who have a population of around 200 million, the significance of the adoption of this Declaration is legion. Some of these are the following:

- It affirms that Indigenous Peoples have collective and individual rights which are consistent with International Human Rights Law.
- It establishes the minimum international standards for the protection, respect and fulfilment of Indigenous Peoples' human rights and fundamental freedoms.
- It is the yardstick to assess the laws, policies and programmes on indigenous peoples and to establish new ones at all levels and arenas.
- Bodies, funds and programs of the United Nations at the global, regional and local levels will have to adhere to this and ensure that this will be their main guide and tool in their work which impacts on indigenous peoples.
- It is the framework and foundation on which the work of the UN Permanent Forum on Indigenous Issues will be based.
- This will be the basis for the partnership between Indigenous Peoples and States in the implementation of the Second Decade of the World's Indigenous People's Declaration and Program of Action and beyond.

This Declaration is the result of more than two decades of drafting and negotiations between independent experts, representatives of States and Indigenous Peoples' nations and organizations. Representatives from the Igorot peoples of the Cordillera region in the Philippines and the Chakma from the

It will be an instrument and tool which we will use to raise the awareness of the society at large on our rights and to make governments address the situation of indigenous peoples who have long been suffering from injustice, discrimination and marginalization. It will be an instrument that will be used for enhance further the empowerment of Indigenous Peoples.



Governments vote for the UN Declaration, 13 September 2007.

Chittagong Hill Tracts in Bangladesh participated in the very first session of the UN Working Group on Indigenous Populations in 1982. While the drafting of the Declaration started only in 1984, the preparations for this started much earlier. This long process saw an increasing number of indigenous representatives from around 14 countries in Asia actively participating. When the modified version of the Draft was released, around 400 indigenous organizations and networks of organizations from the region confirmed that they support the move to bring this before the General Assembly for adoption.

While we respect the interpretative statements presented by States, we believe that the significance and legal implications of this Declaration should not be minimized in any way because this will amount to discrimination against indigenous peoples. For us, the correct way to interpret

the Declaration is to read it in its entirety or in a wholistic way and to relate it with existing international law. Article 46 paragraph 1, for instance cannot be interpreted in a way which discriminates indigenous peoples. The first preambular paragraph, a new addition, which says "Guided by the purposes and principles of the Charter of the United Nations..." immediately establishes that indigenous peoples' rights in the Declaration are within the context of international law.

Preambular Paragraph 16 confirms that the right of self-determination of "all peoples" is the right referred to in the Charter of the UN, the International Covenants on Civil and Political Rights and Economic, Social and Cultural Rights and Vienna Declaration and Programme of Action. The right of self-determination of Indigenous Peoples contained in Article 3 of the Declaration is the same right contained in in-

ternational law. The reference to the Vienna Declaration and Programme of Action also affirms that the principle of territorial integrity found in Article 46 of the UN Declaration on the Rights of Indigenous Peoples only applies to the right of self-determination and not other rights.

Furthermore, the Vienna Declaration and the 1970 Declaration on Principles of International Law concerning Friendly Relations and Cooperation Among States in Accordance with the Charter of the United Nations say that for States to invoke territorial integrity, they must be "conducting themselves in compliance with the principle of equal rights and self-determination of peoples."

We express our heartfelt gratitude to the following:

- H.E. Ambassador Haya Rashed Al Khalifa (Bahrain), the President of the 61st Session of the UNGA, who has exerted all efforts and kept her promise to

have the Declaration adopted before the end of the 61st session.

- The expert members of the UN Working Group on Indigenous Peoples, especially Madame Erica-Irene Daes. She played the key role as the Chair of the UNWGIP, in concluding the drafting process and submitting this for adoption by the Sub-Commission on Human Rights.
- Luis Enrique Chavez (Peru) who was the Chair of the UN Commission on Human Rights Open-ended Intersessional Working Group to Elaborate on a Draft Declaration. He succeeded in bringing to a closure the negotiations on the Declaration and submitted his text which captured the key elements fought for by indigenous peoples.
- H.E. Ambassador Luis de Alba, Permanent Representative of Mexico to the UN in Geneva, who was the Chair of the newly established Human Rights Council which adopted the UN Declaration on the Rights of Indigenous Peoples in 29 June 2006 during the First Session. We also thank the Asian States who voted for the adoption of the Declaration at the HRC.
- The Co-sponsors led by Mexico, Peru and Guatemala who engaged with the African Group of States to come up with the amended version of the HRC Declaration. We thank the States of the GRU-LAC Region and the EU.
- The African States Group of States who showed flexibility by agreeing to a few amendments to the Declaration.
- H.E. Ambassador Hilario Davide, Permanent Representa-

tive of the Republic of the Philippines to the UN, who was appointed as the facilitator by the President of the General Assembly and who tried his best to listen to the concerns of the various States.

- The UN Voluntary Fund For Indigenous Populations, the Office of the High Commissioner for Human Rights and the NGOs, e.g., IWGIA, NCIV, DOCIP, Rights and Democracy, Quakers, Amnesty International, ISHR, IFG, among others, who provided financial and technical support to indigenous representatives and who helped in the campaigns for the adoption of the Declaration.
- All indigenous sisters and brothers who took time away from their homes and communities to engage with the process of drafting the Declaration and to those who did not come but consistently supported our efforts.
- The members of the UN Permanent Forum on Indigenous Issues and the Secretariat and Dr. Rodolfo Stavenhagen, the UN Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people who provided full support for the adoption of the Declaration.
- All the States who voted in favor of the adoption of this Declaration. We will imprint in our memories and in history the favorable decision you made when the adoption was put before you.

While we express our thanks to all the actors involved from the beginning to this point, we are also calling on everybody to take on further responsibility to

ensure the effective implementation of this Declaration.

The battle for the respect, protection and fulfillment of Indigenous Peoples Rights has just begun. We foresee that there will be great difficulties in implementing this Declaration because of lack of political will on the part of the governments, lack of resources and because of the vested interests of rich and powerful individuals and corporations. However, we will be counting on the continuing good faith shown by States today who voted for the adoption of the Declaration.

We urge the Asian States to work in close partnership with indigenous peoples in their countries to implement this Declaration. We will be actively engaging the governments in our region to make sure that they implement the Declaration and we seek the support of the UN System and the NGOs in pursuing this. We call on the regional UN bodies, programmes and funds and the various Asian Departments of these bodies to analyze the implications of this Declaration on their policies, programmes and projects so they can realign these to conform with the Declaration.

Finally, we commit to help implement and disseminate widely to our communities this Declaration and we seek the support of the UN and the NGOs to support the translation of this into major indigenous languages in the Asia Region.

Dakkel ay iyanan ken dakayo am-in! Matago-tago takonan nainsigudan ay umili isnan batawa! (Thank you very much. Long live Indigenous Peoples of the world!) *aiwn*



THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

What is it for indigenous women?

By Ellen Dictaan-Bang-oa



The Beijing Declaration of Indigenous Women, crafted during the the Fourth World Conference on Women in 1995, is an articulation of indigenous women's issues and concerns. More than 10 years later, however, these still have to be fully addressed. In 2004, the Baguio Declaration of the Asian Indigenous Women's Network similarly defined and particularized the issues and concerns of indigenous women in the region. These, too, are yet to be fully addressed by governments on one hand, and by indigenous peoples themselves. Amidst the continuing denial, discrimination and violations of our rights as indigenous peoples and as indigenous women, we welcome the adoption by the United Nations General Assembly in its 61st Session of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). This marks a significant battle won by indigenous peoples worldwide which inspires us to move forward as indigenous women in our pursuit of equity and equality.

The UNDRIP speaks of our rights as collectives and individuals; to our identities as distinct peoples; self-determination; land and territories; representation; and to free, prior and informed consent (FPIC). These, for us indigenous peoples, are essential not only for our well-being and survival but the survival of our peoples with dignity. It upholds the collective nature of our rights as it reaffirms the rights and freedoms of indigenous peoples which are already established in international human rights instruments. These international human rights instruments include the International Convention on the Elimination of All Forms of Discrimination, the International Convention on Economic, Social and Cultural Rights, the International Convention on Civil and Political Rights, the Convention on the Rights of the

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Child, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and the ILO Indigenous and Tribal Peoples Convention No. 169, to name a few.

The UN Declaration provides for us, indigenous women, an additional tool towards the realization of these rights and freedoms as peoples and as women as we, in our diverse and continuing efforts, find solutions and seek redress to our experiences and situations of discrimination and oppression. It is an affirmation that our struggles and demands for the recognition and protection of our particular rights are legitimate.

Given the above international human rights instrument, women are provided access to and the opportunities to fulfill their rights. However, in most cases, we are seemingly not entitled to enjoy these. The meager income from agricultural activities of women, for example, are prioritized for domestic needs. Women would often forego spending their time or financial resources on recreation just to make sure that there is food on the table. This is also true in the prevailing male preference for education where daughters are asked to help out in domestic and farm work instead of going to school. Worse, to cite an example, among one of the indigenous communities in Bangladesh, the distance of schools and the risks of discrimination and harassment of school girls due to their gender and ethnic identities have discouraged access to higher forms of education for girls. Enjoyment of rights and freedoms, therefore, has become very selective for indigenous women. Articles 21 and 22 of the UN Declaration provide that special measures be taken to address the special needs and particularities of women, children, the elders and the disabled, including protection from all forms of violence and discrimination.

The UNDRIP in Article 44 states that "All the rights and freedoms provided herein are equally guaranteed to male and female indigenous individuals" and Article 1 provides for the the right to full enjoyment of these rights and fundamental freedoms. Enjoyment of rights and freedoms by indigenous women, however, requires the fulfillment at the individual and collective levels. This implies the indivisibility of human rights which is clearly manifest in the collective nature of indigenous peoples' land rights and our relationship to our lands and territories—the respect, recognition and promotion of which are key to ensuring the wellbeing and protection of indigenous women against discrimination and violence. The continuing displacement of Hmong, Shan, Karen and Karenni women due to state militarism in Burma, for example, has not just put them into abject poverty but has also rendered them very vulnerable to trafficking and prostitution. Displacement among indigenous women means the divestment of food/economy, health, social-cultural and political security as lands are abandoned due to plunder and destruction. Moreover, it disenfranchises us of our identities and roles as nurturers of our lands and people, bearers of knowledge, healers and peace makers, among others.

“*The UNDRIP speaks of our rights as collectives and individuals, to our identities as distinct peoples; self-determination; land and territories; representation; and to free, prior and informed consent (FPIC).*”




“The UNDRIP provides a fabric which we, indigenous women, can help enrich with our designs, customized to our identities and perspectives.”

Further, the UNDRIP provides the minimum standards by which indigenous women can monitor and assess state compliance to its international obligations and commitments while using this as a spring board to negotiate further for the full recognition, protection and enjoyment of both our individual and collective rights. Indigenous women's roles in the domestic, social, economic and political areas have been recognized as crucial to the survival of peoples, culture, identities and in the preservation and sustainable development of territories. These roles, however, are usually given little or no regard as decision making structures are dominated by men—whether within or outside of the indigenous socio-political structures. Women and girls, due to gender discrimination and/or complicated by their multiple burdens, lack of capacities and internalized gender bias, are therefore usually marginalized. Such marginalization and indigenous women's call for recognition to their productive and reproductive roles are not seemingly highlighted in the basic provision of the Declaration even as it provides for special measures relevant to the particular needs of women, children, elders and the disabled.

In terms of indigenous women's rights as human rights, CEDAW has to be read and interpreted in the light of the UNDRIP if we are to fully realize its objectives for non-discrimination, equality and equity for indigenous women. This suggests a closer look and more sensitive approaches to the particularities of indigenous women, as Articles 21 and 22 provide, which transcends the rural-urban divide and taking into account our history of discrimination and marginalization in the process of nation state building and development. The different dimensions of violence we experience based on our gender, ethnic identities and class or religion, for example, have to be factored into the existing definitions of VAW in the light of strengthening the human rights of women.

In the light of the United Nations General Assembly Resolution 59/174 declaring 2005–2015 as the Second International Decade for the World's Indigenous People, the UNDRIP provides a fabric which we, indigenous women, can help enrich with our designs, customized to our identities and perspectives. The principle of free, prior and informed consent highlighted by the UNDRIP as an expression of self-determination for indigenous peoples enhances the full development and advancement of women as we negotiate the issue of patriarchy, among other gender-based issues, in our own communities. Indigenous women's inclusion, representation and effective participation in the decision making processes and structures whether within or outside of our communities ensures that women's voices are not only heard but recognized.

As Les Malezer, Chairman of the Global Indigenous Caucus, puts it: "The Declaration is a framework for States to link and integrate with the Indigenous Peoples, to initiate new and positive relations but this time without exclusion, without discrimination and without exploitation.... The Declaration give us the platform for addressing the continuing abuses of human rights against Indigenous Peoples and for shaping a future where it can be realized that all peoples are truly equal." 



UNDRIP provisions on Women and Children

Article 7

2. Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

Article 14

2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.

3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

Article 17

2. States shall in consultation and cooperation with indigenous peoples take specific measures to protect indigenous children from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's ed-

ucation, or to be harmful to the child's health or physical, mental, spiritual, moral or social development, taking into account their special vulnerability and the importance of education for their empowerment.

Article 21

2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

Article 22

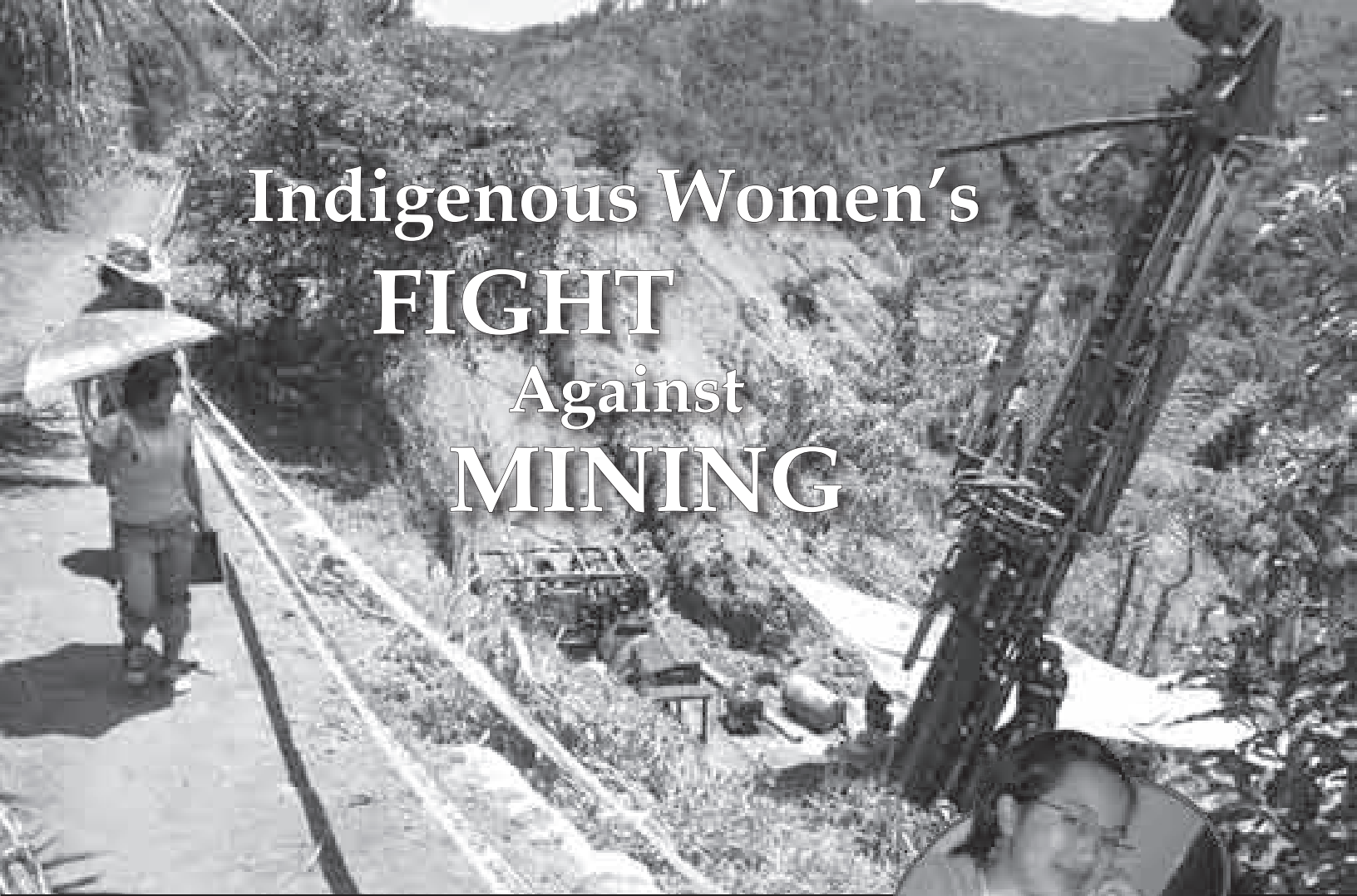
1. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.

2. States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

Article 44

All the rights and freedoms recognized herein are equally guaranteed to male and female indigenous individuals.





Indigenous Women's FIGHT Against MINING

Story by **Maribeth V. Bugtong**

Photos by **Ramon Gallo**

Serve the Valley, Serve the People Alliance



For years, indigenous women have been in the forefront against development projects which threaten to destroy the source and essence of their existence—their lands and other resources bequeathed to them by their ancestors.

Wearing a white-washed skirt and knitted pink shirt, Mrs. Josie Guillao bravely took the stand to relate the struggles of her community against large-scale mining. She was invited to speak during the Forum on Human Rights in Good Governance at the *Ammungan* Hall, Provincial Capitol, Bayombong, Nueva Vizcaya in northern Philippines last December 13, 2007. The forum was organized in celebration of the Human Rights Day.

Josie, an indigenous *Kankanaey*, who hails from La Trinidad, Benguet is married to a member of the Guillao family of Runruno, Quezon Municipality, Nueva Vizcaya. The Guillaos are among the indigenous *Ibaloi* pioneers of the “unopened” Runruno who settled, improved and developed the area into a rich agricultural land after being displaced by corporate mining operation in Itogon, Benguet decades ago.

The security of survival found and sustained at Runruno is now threatened with the mining activities undertaken by British-owned MTL Philippines Incorporation, the exploration arm of FCF Mining Company which is a subsidiary of London-based Base Metals PLC. The

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exploration activities rendered big holes on the land which worsen the occurrence of land slides and soil erosion. To pave way for roads and hole boring activities, coffee plants, *gabi/yam* and other agricultural crops were uprooted. The people also feared that the chemicals used in the exploration would find its way to the water system and contaminate it. But, the Guillaos and the other settlers could not just stand idle and see the destruction of their hard-earned investments and legacy—a promising vast agricultural land that feeds them, their children and the next generation. When the MTL exploration started in 2007, Josie saw how fervent her in-laws and other anti-mining individuals were in protesting the activity. The people opposing mining mustered their forces to barricade entry points of mining equipment. The land that they developed with their bare hands for decades could not be allowed to just be destroyed by mining.

Runruno is not only home to *Ibalois* and *Kankanaeys* displaced by mining in Benguet, to the *Ifugaos* and *Kalanguyas* from nearby Ifugao province, and to the original inhabitants who are the *Bugkalots* or *Ilongots*. It is a critical watershed between the Mamparang and Palali Mountains in the province of Nueva Vizcaya in Northern Luzon. It feeds directly to the Magat River which is the major source of irrigation water for Region 2 and for the electric power for the entire Luzon grid.

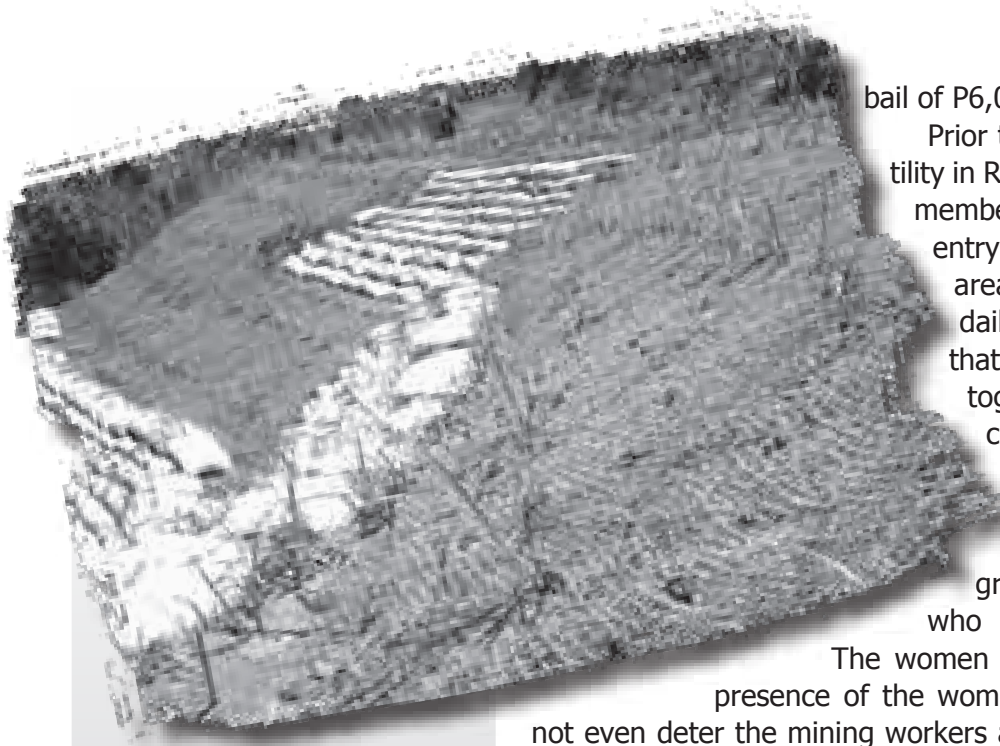
Before the present mining company, MTL Philippine Incorporated, began its operations, explorations were already undertaken by Greenwater Mining Corporation in the early 2000 and FCF Mining Corporation, respectively.

Witnessing how they struggled against mining, she and the others opposed to mining, initiated the creation of Runruno Landowners Association (RULANAS). RULANAS is comprised mostly of upland farmers opposing the entry of the large-scale mining. The establishment of this people's organization strengthened the struggle against the exploration and other mining activities.

The strong opposition of the Runruno community against large-scale mining in their village was met by the mining firm's desire to quell their stand. In the afternoon of October 18, 2007, Josie, who is the Secretary of RULANAS, was arrested and detained without preliminary investigation by the Philippine National Police of Quezon, Nueva Vizcaya. Her arrest and detention was grounded on a "grave slander" case filed against her by the British mining company Base Metals PLC which operates in the Philippines as FCF Mining Company and MTL Exploration Company. The case was docketed as Criminal Case No. 1307 at the Municipal Circuit Trial Court in Quezon, Nueva Vizcaya. Mrs. Guillao has been very vocal against the mining exploration of the company which led to her arrest. She was released from incarceration after paying a

“The people also feared that the chemicals used in the exploration would find its way to the water system and contaminate it.”





Impacts of mining explorations on the mountains.

“A national daily, *The Manila Times*, reported that the mining company’s workers together with the policemen and court officers tried to break the human chain of the RULANAS members.”

bail of P6,000.00 (US\$150.00).

Prior to the case of Mrs. Guillao, hostility in Runruno occurred after 10 female members of RULANAS who blocked the entry of mining equipment in their area were dispersed. A national daily, *The Manila Times*, reported that the mining company’s workers together with the policemen and court officers tried to break the human chain of the RULANAS members. The women were dragged and thrown to the ground by the company workers who were the protesters’ relatives.

The women suffered cuts and bruises. The presence of the women’s husbands and children did not even deter the mining workers and their cohorts in forcibly dispersing them from the barricade site. Mr. Peter Duyapat, an indigenous leader and a staunch advocate against mining in Didipio, a nearby barangay, disclosed that the women laid down on the road to prevent the mining equipment from entering the exploration site. He further revealed that a rope was put around the barricading women which was then pulled to drag them away.

Clemente Bautista, Jr., national coordinator of Kalikasan-Peoples’ Network for the Environment, said the case against Mrs. Guillao is a classic example of SLAPP suit (Strategic Legal Action Against Public Participation), a form of litigation filed usually by powerful entities against less-financially capable critics with the intention of intimidating and silencing them in the course of a lengthy and costly legal battle.

In her speech during the forum, she mentioned that the people of Runruno, Quezon will continue fighting for the land that they have filled for many years. To date her case is still being heard by the court with the hope that the decision will be in her favor.

Josie Guillao’s case is just one of the SLAPP suits mining companies’ are employing to undermine indigenous peoples initiatives and opposition against mining. Earlier, as reported by Save the Valley, Serve the People Movement spokesperson Bernabe Almirol, in July 23, 2007, Australian firm Oxiana Philippines Incorporated, now the Royalco Resources, filed charges against 24 indigenous peoples’ leaders in Kasibu, Nueva Vizcaya for obstructing the operation of the mining company. However, Regional Trial Court Branch 37 Judge Jose Godofredo Naui dismissed the petition for permanent injunction filed by the company. The petition sought to bar the leaders from barricading the roads going to the exploration area in Pao and Kaki-dugen villages in Kasibu, Nueva Vizcaya.

Prescilla Guillao

The struggle of Mrs. Josie Guillao as a wife and as a mother of three young children against mining in Runruno is duplicated in the

nearby Malabing Valley, another beautiful and rich indigenous peoples' land in Kasibu municipality. The Valley, with its flourishing citrus industry, attracts corporate foreign mining firms with its mineral-rich underground. In Barangay Papaya, Mrs. Prescilla Guillao was the first to stand against mining and became the spokesperson for the community. After working as domestic helper in Hongkong, she came back home to Papaya to engage in citrus agriculture which was then becoming a lucrative economic activity in Malabing. She eventually became a member of the multi-million peso Malabing Valley Multi-Purpose Cooperative Incorporation. With the threat of large-scale mining, she dedicated her voice for the protection of her children's legacy. She stands firm against the ensuing exploration in barangay Papaya even in the face of ridicule and harassment from pro-mining community members and the barangay/village council. She emphasized that agriculture and (large scale) mining cannot compliment each other as opposed to the corporation's campaign that "Mining and agriculture can co-exist." Earlier in 2007, she bravely confronted a representative of the Australasian Philippine Mining Corporation (APMI), now purchased by Oceana Gold Philippines, castigating them for entering the community without giving due notice. She questioned the permit of the said company which turned out to be a renewal of application and not an approved exploration permit which the company claimed. At another time when a bulldozer was trying to enter the mountain of Ubon towards barangay Papaya, Precy joined the forces of the anti-mining community members to stop the bulldozer. She is also very active in representing her barangay in forums, seminars and negotiations concerning large-scale mining.

Carmelita Cumila

Like Precy, Carlita Cumila, 70 years old, was with the people of Papaya barricading the entry of the bulldozer. She and her family were among the first settlers in barangay Papaya. Seven of her children were born and raised there. She compares barangay Papaya as a verdant rich place sustaining her family for several decades to that of her former home place which offers little sustenance. Now, she fears the destruction of the land that sustained them. Even in her old age, she is devoting her strength to defend the land which nurtured her family. Even her granddaughter, Chatterlly Khaye, the Sangguniang Kabataan (Youth Council) Vice-chairman, joined the barricade.

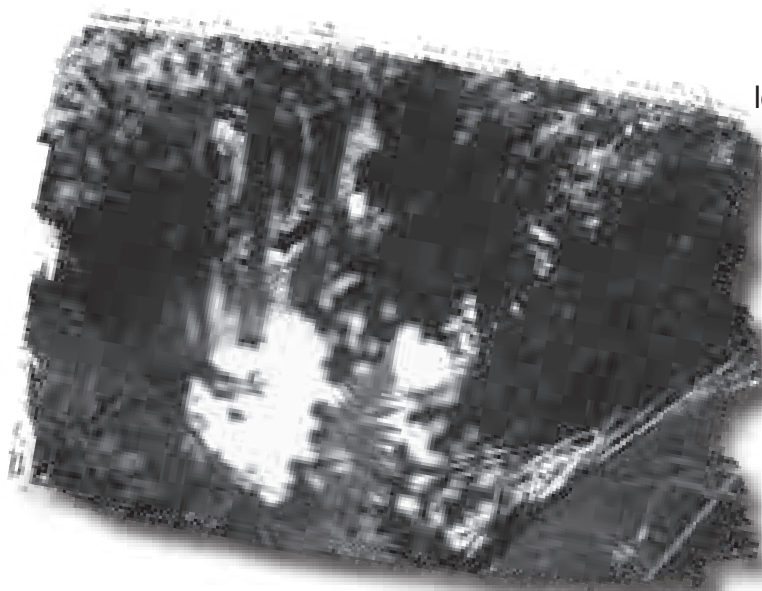
Thaneng Dugay

In Barangay Pacquet, another barricade has been set up since July 2007. To prevent the entry of Oxiana's mining equipment into Barangay Pao and Kakidugen. Bugkalot, Ifugao and Iba-

*“The case against Mrs. Guillao is a classic example of SLAPP suit, a form of litigation...
...with the intention of intimidating and silencing [critics] in the course of a lengthy and costly legal battle.”*



Siltation of river due to mining exploration.



Top and bottom, holes in the ground used as repository of chemically-polluted water in area explored by diamond drilling of MTL.




Exposing communities to dangers of landslides.



loi women in barangays Pao, Pacquet, Dine and Kakidugen joined forces with their menfolk and children through the KIREED (Kasibu Inter-tribal Response for Ecological Development, an inter-tribal organization leading the campaign against mining) to defend their lands and the resources. Mrs. Thaneng Dugay, a *Bugkalot* from barangay Pacquet, was one of the women leaders who were the front liners in the barricade. Knowing fully well how violence could erupt when the aggressive males confront each other and recognizing the necessity for avoiding hostilities which may eventually become a fracturing factor in the community, the women opted to take the front line against the advancing bulldozer. The women negotiated with the operator and the mine representatives who eventually acceded to temporarily withdraw from the area.

Based on their stories, the atmosphere was so tense that some became so emotional and cried during the negotiations while others sang and prayed. Thaneng was pushed, shoved, verbally and physically assaulted in front of her family by the company representatives in the process. Looking back at this experience, they say "*Mabain ti lallaki nu babbai ti aganawa ti gulo.*" (The men are ashamed if the women pacify a conflict.)

To sustain the opposition, the communities agreed to take turns—men, women and youth—in manning the barricade situated in Thaneng's private property. This means an additional task for women—on top of their domestic and agricultural roles—and entails the whole family's cooperation. Thaneng's children have had to take on some of their mother's domestic and farm work on times that she is needed somewhere for the anti-mining campaign activity. With all the fears of losing their only source of security—their land—to the mining industry, she says that nothing has been normal in the community since June.

As of this writing, the indigenous women of Nueva Vizcaya are in one accord in calling for large foreign mining companies to respect their rights over their lands and resources and leave them to continue working on the lands that nurtured them for decades. 

Live & Let Live

Malabing Valley



By Josephine Namujhe-Fernandez

I will not present statistical and financial figures about mining nor agriculture. It seems that amidst the chaos brought about by the issue of mining, our brains are all confused by such figures that aim to disprove the claims of either side. It has become a very depressing waste of time and effort discussing these figures which were somehow manipulated to sugar-coat the harsh reality it would impose. I then wish to shed some light and approach the issue in a more humane point of view. I appeal, not to the calculating and analytical minds, but to the better nature of man which could perceive what is right, not on the basis of quantified figures, but by virtue of what is morally just.

Malabing Valley, Nueva Vizcaya, in northern Philippines, can be considered as an Eden here on earth. It never ceases to amaze anyone who sets foot on its threshold for it bears a striking contrast to the chaotic and polluted life in the city. Here it is lush greenery all around, clean water flows from the rivers and a sense of peaceful commune with nature can be felt as you breathe the fresh air. The valley is a treasure-trove of natural resources best suited for agricultural development. It has also become a melting pot of indigenous culture from people who have been displaced from their ancestral lands and made the valley a paradise of their own. But reaching its glorious state right now was not a breeze for us. Constant struggle, diligent effort, self reliance, initiative and a shared vision were the ultimate means by which we have achieved what we have dreamt of.

The road to our success was riddled by obstacles like the logging operations which caused massive destruction in the forests and the disappearance of faunas and floras. The presence of insurgents during the 1980's brought confusion and much agitation among us. They bombarded us with their ideology and they blamed the government and elites for the impoverished plight of the people. But most of us were not persuaded, we knew that blaming others for our plight will lead us nowhere. We believe that it is our responsibility to help ourselves and make the most out of what we have. As my father constantly reminded us, "Let us help one another empower ourselves so that we could be on equal grounds with those who tend to oppress us." And this is exactly what we did. We chose a more peaceful way of coping with the oppressing time. We dedicated our meager resources and most of our time to a more profound endeavor. And somehow we have managed to unearth our own goldmine which is the citrus industry. Although it started as one man's dream, it eventually became a collective venture and it brought the province of Nueva Vizcaya into the limelight of economic prominence.

But our triumph was short-lived because now, large scale mining is threatening our future. Without regard for our livelihood, our contribution to the economy and our continuous protection of the critical water shed areas, the government sold the valley to the mining companies. This they did, as the government fondly claims, for the welfare of



ABOUT the AUTHOR

She is a daughter of the Namujihe clan of Ifugao province who settled in the rich Malabing Valley in Kasibu, Nueva Vizcaya, Northern Luzon. Finishing BS in Agriculture major in Plant Pathology, she has been engaged in farming since she was 10 years old. At present, she is very active in uplifting the economic status of the farmers in her community at the same time promoting the protection and conservation of the natural resources found in her community.

the majority, in the name of globalization at the expense of the indigenous people. They manipulated the law to serve their purpose. They took us for fools whom they could push around. They told us that we do not have the right to claim those lands. If we who were responsible for the development of those lands do not have the right, then what right do they have over it?

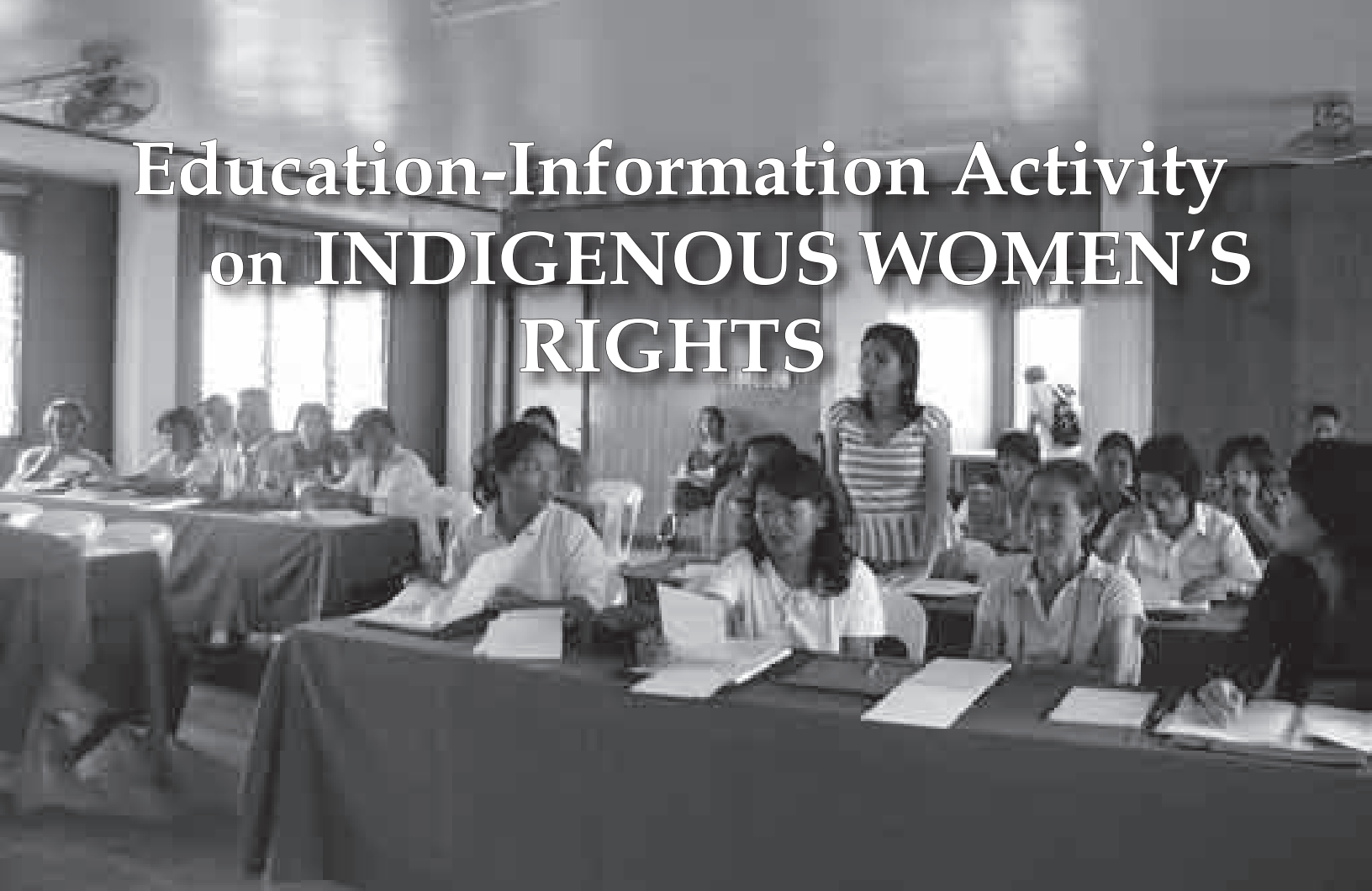
Whatever is happening to us right now is a great injustice. It evokes

grief, rage and a sense of betrayal. This is not just a contention of how much we could earn from mining as opposed to the revenues from agriculture. This is a question of violating our right to our land and to life. It is a question of sustainability, of preserving our resources for the future generation. Our land, our life and our future are at stake here.

The government does not seem to realize that the land and its resources are not theirs for the taking. It is our responsibility to sustain the present and at the same time leave something for the future. This is more about dealing with the challenge of maintaining the delicate balance between nature and development. We the people of Malabing Valley are looking at things from this perspective. We have a good development plan for our community. The citrus industry is

just one among the many that could cater to each and everyone's needs. We have plans to integrate high value crops in our forest like mushrooms and rattan as an alternative source of livelihood for the people. There are some indigenous tribes like the Ilongots whose cultural practices confine them to the exploitation of the forest through the *kaingin* (swiddening) and providing them these alternatives can help save the forest and their livelihood. But all these will not happen in the blink of an eye. We need much time, given our very limited resources. This is a monumental task but as a community we can make it into a reality.

We do not ask so much; we only ask what is by birthright ours. We are peaceful people. We want to live a life of peace and harmony among ourselves and our environment. We only ask to be left alone and live our lives one day at a time, to build our future together as a community, to watch our children grow and cherish the fruits of our labor. But if the government will not heed our plea, we have no choice but to take matters into our hands. We will not condone the unreasonable expropriation of our resources for the benefit of the foreign companies and a few people in the government. We will not step down and watch them ravage our lands and leave us in desolation. We will stand our ground and rally together to protect our lands because this is our life. This struggle may leave us dead or with bruises in our hearts but our spirits will remain unscathed, knowing that we did our best to ensure the future of our children. *aiwn*



Education-Information Activity on INDIGENOUS WOMEN'S RIGHTS

By Maribeth V. Bugtong

"Kayat mi nga maamuan ti rights mi nga babbai." ("We want to know our rights as women.") These were the words of Nelia, an Ifugao mother, who attended a two-day education-information activity on indigenous women's rights, culture and development held last December 10-11 at Malabing Valley, Kasibu, Nueva Vizcaya, northern Philippines. In cooperation with the Dapon Indigenous Peoples' Centre, Tebtebba's Gender Desk spearheaded the discussions on indigenous peoples' rights, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), indigenous women's rights and violence against women (VAW). The activity was participated mostly by indigenous women, with a few men and barangay/village officials representing barangays Malabing Proper, Wangal and Papaya.

For most of the participants, the training was an opportunity of knowing and understanding their rights, not only as a women, but as wives and mothers concerned with building better opportunities for their children. One participant saw the training as an avenue of strengthening their capacity as partners and helpers of their husbands. However, all participants acknowledged that the activity will reinforce their strength against the pressing concern that their communities are facing—the onslaught of foreign mining companies.



Nueva Vizcaya has been known for its citrus industry which was developed and later boomed through a cooperative in Malabing Valley. The industry has expanded to other upland areas in the province, contributing to the local economy. It has benefitted at least 800 households providing them job opportunities. This, however, is now threatened by a number of mining explorations spread throughout the province. Oceana Gold Philippines, Inc. (OceanaGold), which bought APMI (Australasian Philippine Mining Incorporation), holds the mining rights over 21,000 hectares of land in the municipality of Kasibu through the Financial and Technical Assistance Agreement (FTAA). The other company within the municipality is the Australian-based Royalco Resources Limited (Royalco) which bought Oxiana Philippines Incorporated. In the nearby Quezon municipality, mining activities are also being undertaken by Base Metals PLC, a UK-based precious and base metals exploration company. It is operating in the Philippines as FCF Mining Company and MTL Exploration Company. These mining companies create a dangerous mining triangle in the province of Nueva Vizcaya.

Dividing Papaya

The training also served as a fertile ground for discussing the present situation of Malabing Valley, acknowledged as the Citrus Bowl of the northern Philippines, which is threatened by large-scale mining. Prescilla Guillao, treasurer of Barangay Papaya, Kasibu, gave a briefing on how some personnel of the APMI—now bought by the Oceana Gold Philippines Incorporated—without notice, entered Barangay Papaya last February 16, 2007 to meet with the barangay council seeking their endorsement for the mining company. Asked about their permit to enter the area, company representative Engr. Arnel Aroho invited the barangay council members to a trip to the company's office in barangay Didipio on February 28 for them to see the company's exploration permit. In Didipio, the barangay council was brought to the Dinkidi mining area, showing them the logpond and other infrastructure development undertaken. Asked again about their permit, they were reportedly shown a document for renewal of application and not an approved permit.

On May 27, 2007, a certain Engr. Jun Floresca together with personnel of the Mining and Geosciences Bureau (MGB) of the Department of Environment and Natural Resources, informed the barangay of the FTAA granted to Oceana Gold Philippines, implying an authority to enter the area. This was reiterated by a certain Engr. Prado of the MGB in July 25 who reportedly said that the company's exploration activities, i.e., brushing, can proceed, despite protest from some community members, since they have a permit. Guillao said that residents of barangay Papaya have been divided over the issue of min-

ing. The barangay council, on the other hand, has reportedly opined in its July 5 meeting that it does not like to deal with the concerns of the other barangays/villages within Malabing Valley who strongly expressed opposition to mining. It also rejected some residents' proposal not to allow mining in the barangay.

Other initiatives of Oceana to get the consent of barangay Papaya to explore and extract minerals were revealed. Ms Guillao disclosed that sometime last August 2007, OceanaGold Philippines, concluded a Memorandum of Agreement (MOA) with the barangay council of Papaya in Solano Hotel. The MOA stated that Oceana will provide P30,000.00 (\$750.00) quarterly for development projects in the barangay, P50,000.00 (\$1,200.00) financial assistance for the rehabilitation of the school building, and P18,000.00 (\$440.00) for the six-months salary of a teacher. The MOA elicited strong reactions from community members who claimed that they were not consulted, while challenging the government's obligation to provide public education services.

On October 25, the company's bulldozer and backhoe were sent to the area. Opposing Papaya residents formed a barricade to stop the entrance of these equipments. Residents from neighboring barangays of Papaya, through which the company's machineries and equipments will pass through, expressed their opposition in a community meeting the following day. On October 27, after appealing with the equipment operators, the equipments were brought out of the area.

In another barangay council meeting in November 10, heeding the different opinions from community members, the Sangguniang Kabataan (Youth Council) representative appealed for the council not to allow mining equipments in the barangay. He also offered his honorarium and promised to raise additional funds to compensate the teacher's services until March 2008. The teacher's salary was the immediate concern raised by the council which was stipulated in the MOA.

Indigenous Peoples' Rights

The discussions on Indigenous Peoples' Rights as provided for by International Human Rights Instruments, the recently adopted United Nations Declaration on the Rights of Indigenous Peoples and the Indigenous Peoples Rights Act (IPRA) of the Philippines, surfaced the problem of non-recognition of migrants as indigenous peoples of the area. Most of the residents in Malabing Valley are Ifugaos who migrated from nearby Ifugao province, and thus, are not entitled to ancestral land or domain claims, free, prior and informed consent and other rights stipulated under IPRA. Because of these, the training participants lamented that they may not be able to use IPRA in defense of the lands and resources against the proposed mining operations. Participants claimed that though they trace their ethnicity from Ifugao, most were born and raised in the area. The government's National Commission on Indigenous Peoples have reportedly not been very helpful on their plight.

“The mining explorations alone not only physically displace them and their families but destroy the whole ecosystem which supports agriculture and the citrus industry, their basic sources of income.”



Women and Mining

In relation to the discussions on Indigenous Peoples' Rights, women's rights and violence against women, participants expressed their concern that their rights including their roles as mothers or as wives will be much affected if mining will push through. If the people will be stripped of their rights to their lands and resources, through the FTAA granted to Oceana, women will suffer most. As nurturers, they would not be able to sustain their families once they do not have control or access to their resources like land and water.

The mining explorations will not only physically displace them and their families but destroy the whole ecosystem which supports agriculture and the citrus industry, their basic source of income. The denudation of forest and the destruction of watershed areas will result to loss of biodiversity and depletion of water needed by the households and agricultural farms.

The women were also apprehensive of the effect of water contamination on the health of their families.

They argued that even without the mining corporation's offer of improving farm-to-market roads, development is possible, while lamenting the government's failure in its obligation to provide these infrastructures.

Ms Josephine Namujhe-Fernandez suggested identifying alternative development initiatives that is based on the local resources without compromising the rich biodiversity and the growing citrus industry. She cited, for example, an interest in the promotion of *ginga*, an edible mollusk still found in barangay Papaya, to add to the income of the community members. She further exposed an attempt to sabotage the citrus industry in a news article which reported that *huang long bing*, a citrus greening disease, has affected the Malabing citrus plantations.


Participants also shared that members of the Malabing Valley Multi-Purpose Cooperative Incorporation (MVPCI) have been exploring the possibilities of the cooperative taking on the road development project. In fact, after a strong typhoon in the last week of November which worsened the road conditions, the MVPCI spearheaded road rehabilitation if only to show that mining is not the answer to their development needs. Inspired by the increased knowledge of their rights and stories shared of how the women in neighboring barangay Pacquet have been barricading the entrance of another mining entity since July, the participants aired their strong determination to continue their struggle against mining. 

Photo from Nepali
Munch Magazine, 6th
edition of 17th year.

Face to face with **BADHI WOMAN** who dare to open her clothes in public

By Srijana Shrestha



Kathmandu, Nepal (Dec. 10, 2007) - I was trying my best to get the real good facts for my story on "Woes of Badhi Women," but now, I have to change the heading, the reasons of which will be clear to you as you read further.

She calls herself Uma Devi Badhi, 43 years old and an elementary graduate. We sat at the side of the garden in Staff College where I met her with the help of a friend called Binod Pahadi, a journalist who was closely observing and helping the Badhi community. Uma Devi has a good physique with a charming face. She started to answer my entire questions as if she had known by heart all the answers of the interview. It might be that she is already familiar with interviews these days. I asked her about their origin, their work, how they became sex workers, what are their issues, what issues are solved and what are remaining. Her explanation are as follows:

Background

The Badhi Community is spread on the plain side of Nepal near the border of India. They can be found at Shangkot and Phalawang of Shalayan District. Currently, they are spread all over 72 districts mainly at Banke Bardiya, Surkhet, Jajarkot, Rolpa, Rukum, Pyuthan, Dhang, Kailali Kanchanpur, Dhailekh, Acham, Dhoti, Baitadi, Dadheldura,

ABOUT the AUTHOR

Miss Srijana Shrestha
is a member of the
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She works with Loke
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Misha Shangharsha
Samiti (Newar's Women
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in Kathmandu, Nepal.

“*Rich people took advantage of young Badhi women and forced them to involve in sex by giving them thick money.*”

to name a few. Their population is estimated at 30,000 to 40,000. These communities seem to have been brought from India by kings for singing and dancing. They have skills of making an instrument called Madal which they play for singing and dancing. Beside this, they also possess skills in weaving of nets, fishing, making of “Sulpa/Chilim” (which is used to smoke tobacco).

These communities are like gypsies and beggars, having no permanent residence, so they still stay at natural caves, near rivers and forests and also at public lands. They speak the Nepali language, and on special occasions, speak the “Kham” language. The script of the Kham language is not yet found. The cultural and traditional religion followed by the Badhi Community is Hinduism. Their attire is the same as the Hindu religious people.

The Badhi women face triple discrimination:

1. they are women;
2. they are untouchable women; and
3. they are untouchable among the untouchables.

How did they become sex workers?

In the past, when Nepal was divided into 22 and 24 kingdoms, the Badhi community were employed to entertain the King, village representatives, officers, landlords and all the rich people during weddings, birthdays and other festivals by singing and dancing. As wages, Badhi women got second-hand clothes, rice, wheat, maize and a small amount of cash which were not enough to feed their family. They were also given rewards by kings. As the Badhi population increased, it became difficult to feed their family. It was becoming difficult to make a living by traditional skills and work. Rich people took advantage of young Badhi women and forced them to involve in sex by giving them money. No one had the guts to speak against the rich and people in power because they could be sentenced to death at that time.

For more than 100 years, they were forced to be sex workers. Four hundred women are estimated to be sex workers. To date, none of them has been reported to be HIV-positive. They are being informed about HIV and STD (sexually-transmitted diseases) by different organizations like Samudaik Shahayog Samiti.

As the country progressed, people started to have new modes of entertainment, hence, their skills were overshadowed, losing their source of income. Since they were deprived from the political, economic, social, cultural and education sectors, unwillingly, the Badhi women had to be sex workers behind the curtain of a singing and dancing culture.

Many Badhi women have children without fathers. These children cannot go to school because schools ask for the father's name in the registration form. Since the society is paternal, the child cannot have citizenship without the father's name. Once there is no citizenship, one cannot own land and house. No passport is given without citizenship so they cannot go to foreign countries for employment or education. They are discriminated even by the untouchables because they



Uma Devi Badhi,
left, with the
author.

are poorer than the other untouchable peoples of Nepal. The lack of citizen's rights has been a long-standing cause of human rights violations against members of Badhi Community.

Their major issues, among others, are citizenship, land and shelter, employment, health, education, rehabilitation of Badhi women who were sex workers, access to policy making bodies at all levels in government, and representation at the Constitutional Assembly.

How did they fight for their right?

The Badhi Community were protesting in their districts but government never heard them. Then, with the help of many NGOs and international NGOs like Action at Nepal, Save the Children, Plan, to name a few, they came to Kathmandu. Unfortunately, none of the indigenous organizations have shown interest in their issues. Men, women, together with their children, came to Kathmandu City. For one month, they kept on demonstrating in the streets but neither the government nor any political parties responded to them. They were already getting exhausted demonstrating and trying to get the attention of the government.

Now it was becoming time for them to "do or die." They had no weapon to open the doors for them to have their rights recognized. They were dominated and suppressed for so long that they finally exploded. They started to remove each other's clothes in front of the Shingha Darbar gate (Assembly House gate) and a lady without blouse and sadhi climbed the gate and started to say, "This is the way you have been seeing us, like an animal! You have been raping us! If you have humanity and if you consider us humans, then give us our human rights, our rights to be citizens, our rights to live!"

This woman was none other than Uma Devi Badhi whom I was

*"This is the way
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rights to live!"*


“I salute this woman and her community for their daring and courage! Since the Badhi women’s woes have changed into a sigh of relief, I felt like changing the heading. I hope this story will add energy to all the women with a similar plight.”

interviewing. This scene was covered by all the media and telecasted in all the TV channels and published in all the newspapers. Everybody saw how shameless they had become while fighting for their rights but no media covered them when they were crying and holding each other. The government, at last, gave attention to their issues. The government promised to fulfil almost all their demands.

What did they achieve?

The government called them for a dialogue. In this dialogue, almost all their demands concerning citizenship, land for shelter and crops, rehabilitation of sex workers, health, education, employment, among others, were accepted. However, their demand for representation at the Constitution Assembly needed to be discussed further. They were given budget for expenditure during their stay at Kathmandu and even bus fare to go back home. Now, Uma Devi wants the government to implement all the promises they made including three Badhi representatives at the Constitution Assembly on the basis of population.

I salute this woman and her community for their daring and courage! Since the Badhi women’s woes have changed into a sigh of relief, I felt like changing the heading. I hope this story will add energy to all the women with a similar plight.

The Badhi currently have their organization named “Samudaik Sahayog Samity.” Uma Devi is the president of this organization. After the agreement with government, they had two meetings. The government committee is collecting data on them. This organization is lobbying the government to fulfill its responsibilities. If no results happen soon, then they are going to demonstrate again... 



National Network of Indigenous Women (NNIW)

A National Level of Alliance for Indigenous
Women's Rights
Registration No. 50/64/65

*"Indigenous Women's Rights
are Human Rights."*

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National Network of Indigenous Women

The National Network of Indigenous Women (NNIW) is a national-level alliance of indigenous women's organizations in Nepal. It binds all indigenous women leaders and professionals from various sectors for a common cause of eliminating all forms of discrimination against indigenous people and women. The major goal of NNIW is to strengthen the movement of indigenous peoples, in general, and of indigenous women, in particular, and also of women's rights movement of Nepal for both indigenous peoples and women's rights and equity/equality. NNIW aims to seek indigenous women's due space within the women's movement and to ensure gender equality within the indigenous peoples' communities and the Nepalese society. NNIW strongly believes in making a difference in the lives of indigenous women in particular and women in general from national to local levels with collective efforts. NNIW makes efforts to raise the issues and concerns of indigenous women in Nepal and abroad, and strengthen the movement of indigenous women in particular and indigenous peoples' in general for securing our collective rights.



Nature and Forms of Discrimination Against Indigenous Women in Nepal

The Nepal government has identified and recognized 59 indigenous nationalities of Nepal. Indigenous peoples comprise more than half of the national population of 22.5 million but the government's census data show that indigenous peoples comprise only 37.5 per cent of the total population. According to the 2001 census, the total population of Nepal is 23,151,423 out of which more than half, that is 11,587,502 (50.4%), are women; and indigenous women comprise 4,345,314 (37.5%) of the total women's population. Social exclusion based on gender, caste, ethnicity, language, religion, culture, region, etc. have continued unabated for centuries due to Brahmanism, patriarchy, monarchy and the unitary state. We, indigenous women, face multiple forms of social exclusions. Indigenous women are excluded not only on the basis of sex and gender but also on the basis of our ethnicity, language, religion and culture. Indigenous people of Terai experience regional discrimination. It is a known fact that the state has not recognized the identity Adivasi Janajati ("indigenous nationalities") women as they lump us in the general, homogeneous category of "Nepali Women."

Concerns and Claims of Nepal's Indigenous Women

- Restructure the state on the basis of ethnic, linguistic and regional autonomy by exercising the right to self-determination within a federal democratic republic;
- Guarantee fully proportional representation in constituent assembly on the basis of population, size of caste and ethnic groups, sex and region with guaranteed representation of at least one from each caste and ethnic group;
- Use the term "Indigenous Peoples" in all documents, declarations and conventions;
- Respect our rights to our ancestral land territories which is the sole basis of our livelihoods;
- Accept and implement education in mother tongues with trilingual policy;
- Sincerely implement the Convention on All Forms of Racial Discrimination, the Durban Declaration and Plan of Action, and the Program of Action of the 2nd Decade of the World's Indigenous People, and other relevant international instruments on human rights;
- Respect our rights to intellectual and cultural heritage and rights to control the biological diversity;
- Recognize customary laws and justice systems;
- Provide proportional representation of indigenous peoples and indigenous women at all levels;
- Sincerely implement secularism declared by the reinstated Legislature/Parliament;
- Recognize diversity among women and give equal access, opportunity, control and benefits to indigenous women, including women's rights movement;
- Draw attention of the international community toward victimization of indigenous women and girls due to trafficking;
- Provided caste/disaggregated data to the government, non-governmental organization and international aid agencies;
- Sincerely implement "ask first" principle of consultation and participation (including GO, INGOs and NGOs);
- Recognize diversity of Nepalese women in terms of caste, ethnicity, language, religion and culture; and
- Incorporate (especially by the international community) indigenous women's issues in implementing BPFA, CEDAW, MDGs, etc.

National Network of Indigenous Women (NNIW)

Organizational Structure

NNIW comprise indigenous women activists and indigenous women's organization, professionals and educators. NNIW consists of regional level network in five regions of Nepal and district level alliances and members in Nepal.

Executive Committee of NNIW

- | | |
|----------------------|---------------------------|
| 1. President | : Lucky Sherpa |
| 2. Vice-president | : Yasso Kanti Bhattachan |
| 3. General Secretary | : Khrishna Kumari Waiba |
| 4. Secretary | : Srijana Subba |
| 5. Treasurer | : Meena Gurung |
| 6. Member | : Bobin Choudhari |
| 7. Member | : Bimala Sunuwar |
| 8. Member | : Rina Kumari Rai-Danuwar |
| 9. Member | : Rashmi Thapa Magar |
| 10. Member | : Soma Rai |
| 11. Member | : Tasi Sangmo Gurungseni |

Advisors of NNIW

1. Bom Kumari Budhamagar, Indigenous Women Activist
2. Laxmi Rai, Former Member Secretary, National Women Commission
3. Jitpal Kirant, Vice-Chairperson, National Foundation for Development of Indigenous Nationalities (NFDIN)
4. Dr. Khrishna B. Bhattachan, Sociologist, Tribhuvan University
5. Dr. Chaitannya Subba, Honorable Member, National Planning Commission

On the occasion of the 15th World Indigenous Peoples' Day

KATHMANDU DECLARATION OF INDIGENOUS WOMEN, 2007

*(Indigenous women seeking space for ethnic, linguistic and regional autonomy,
and gender equality through the Constituent Assembly)*

15th World Indigenous Peoples Day and the First National Conference of Indigenous Women of Nepal

Organized by
National Network of Indigenous Women-NNIW

Respecting the mandates of People's Movement Part 2 to carry out inclusive restructuring of the state by the Nepalese people, who are sovereign and who have state power, through constituent assembly;

Recalling international commitments including the UN Declaration on the Rights of Indigenous Peoples; decisions taken by the UN relating to indigenous peoples; Convention on the Elimination of All Forms of Racial Discrimination; Convention on the Elimination of All Forms of Discrimination Against Women; Covenant on Civil and Political Rights; Covenant on Economic, Social and Cultural Rights; Beijing Declaration and Plan of Action; and Durban Declaration and Plan of Action;

Recalling fundamental rights guaranteed by Part 3, Article 3, Sub-Article 21: Rights to Social Justice of the Interim Constitution of Nepal, 2007 that states, "Women, Dalit, indigenous nationalities, Madhesi community, oppressed class, poor farmer and worker who are lagging behind in terms of economic, social or educational perspectives have rights to participate in structure of the state on the basis of proportional inclusive principle;"

Concerning the fact that indigenous women are experiencing triple discrimination due to be-

ing women, indigenous nationalities and indigenous women;

Affirming that indigenous peoples and women should be liberated from all forms of discrimination to be able to enjoy their rights;

Internalizing a reality that positive peace and diversity should be promoted by eliminating all forms of violence and counter violence;

Encouraging the eight political parties and the state to fulfill its obligations effectively;

Having faith that this declaration would contribute to protect and promote identity and rights of indigenous women;

Recalling World Indigenous Peoples' Second Decade;

We, the signatory participating representatives of member organizations of the National Network of Indigenous Women (NNIW) having gathered in Kathmandu to celebrate World Indigenous People's Day, August 9, 2007, have made the following 10-point Kathmandu Declaration, 2007:

1. Ensure fully proportional representation in Constituent Assembly on the basis of caste and ethnic population, size and sex with recognition of ethnic community and women;
2. The state should declare before the Constituent Assembly that ethnic, linguistic and regional

autonomy with right to self-determination shall be the basis of a federal democratic republic;

3. The state should recognize the identity of indigenous women and specify indigenous women in all plan, policy, strategy, operational strategy, program, budget, monitoring and evaluation and make necessary arrangement for proportional distribution of budget, resource and means;
4. Ensure proportional representation and special rights of indigenous peoples—women and men—at all levels of the three organs of the state—executive, legislative and judiciary;
5. Disseminate all information related to the Constituent Assembly in mother tongues by state-owned and private media; and indigenous women should have access to and control over it;
6. Immediately ratify ILO Convention 169 and the Nepal Government should play an active role to pass the UN Declaration on the Rights of Indigenous Peoples;
7. The state, women's movement, and international aid agencies should recognize the diversity of women or gender in terms of caste, ethnicity, language, culture and region to ensure proportional participation and representation;
8. The state should recognize, protect, promote and develop indigenous women's knowledge, skill, art and culture;
9. We have rights to biodiversity, ancestral lands, forest and region that are the means of our livelihood;
10. State should revise the list of indigenous peoples to add those indigenous peoples who were left out in the list and ensure their representation in the forthcoming Constituent Assembly.

We, indigenous women, working together with indigenous men and other movements with similar objectives, shall leave no stone unturned to fight against the monarchy, Brahmanism, patriarchy, unitary state structure and all forms of racial, linguistic, cultural, religious, gender, regional and class discrimination, exploitation and oppression.

August 9, 2007
Kathmandu, Nepal



NNIW and advocates bring the Kathmandu Declaration to the Parliament of Nepal calling on the government to ensure the recognition, promotion and protection of the identity and rights of indigenous women in the reform process.



Lucky Sherpa, NNIW President, in front of the Parliament of Nepal.



Sixth Session of UN Permanent Forum on Indigenous Issues

May 14 – 25, 2007, New York

Agenda Item 5, Human Rights

Joint Statement by Ms Anjali Daimari on behalf of Asian Indigenous Women's Network (AIWN), Indigenous Women's Forum of North East India, Boro Women's Justice Forum, Community Action and Research for Development, Tebtebba Foundation, Garo Indigenous Women Association, Lamkang Women's Union, Taiwan Indigenous Peoples NGOs Alliance, South Asia Indigenous Women's Forum, NGO forum of Cambodia, Atayal Community.

Madam Chairperson, Distinguished Delegates, Ladies and Gentlemen,

It is a great pleasure for me to address the Sixth Session of the Permanent Forum on Indigenous Issues representing the different indigenous women's organizations of Asia.

In most of the Asian countries, indigenous women continue to face human rights violations—both from the state and non-state actors. Militarization in many indigenous lands and territories have led to the marginalization of women, pushing them to the fringes of society. With the loss of their territories or destruction of their environment, indigenous women lose control, not only over their means of production which have been the source of their livelihood and survival for generations, but also their role as guardians of indigenous cultural knowledge.

In North East India, the five indigenous peoples' revolutionary organizations struggling for their right to self-determination are under ceasefire with the Government of India. Instead of finding amicable solutions and respecting the ground rules, the government is resorting to un-

provoked killings of the members of the revolutionary groups. While we were in this UN building, on the 12th of May, one member of the National Democratic Front of Boroland was killed in cold blood by the Assam Police, raising the death toll to 10 after the ceasefire. We, the women and being the mothers, are very much concerned and saddened to see our youths killed by both the state and non-state actors. We want peace and justice to prevail in our lands; a stop to the bloodshed; and assurance that our rights are protected.

A fact finding team said that 21 women were raped by non-state actors at Parbung and Lungthulen in Churachandpur district on the 16th January at 9pm in 2006 and about 402 people were beaten up in Lunthulen village, along with the Pastor of the village, one Rev. B. L. Thomas. The government conducted two smokescreen operations named "Operation Dragnet" and "Samtal Salient." Under the conspicuous political intervention, the Indian security forces remained silent spectators. Despite this grave human rights violations, to date, the fact finding team report was not released due to pressures from a few individuals. The incident of the rape of the 21 women remained unpublished.

Recommendations:

- We condemn the use of violence against women (VAW) as an anti-insurgency measure as this has influenced the local armed groups in doing the same, further intensifying the volatile security situation of women. The use of “rape” as weapon of war by the military to humiliate and attack communities has grave consequences to women, their households and their communities;
- We urge the Commission to undertake a more comprehensive study on indigenous women’s perspectives on the CEDAW and VAW towards the formulation of general recommendation to the CEDAW. In this respect, we urge the Commission on the Status of Women, through its Special Rapporteur mechanisms, to look into the grave and systematic violations of the fundamental rights and freedoms of indigenous women, particularly in Asia which is home to a majority of the world’s indigenous peoples;
- We call to an end to patriarchy in all forms and at all levels. The elimination of structures and institutions that reproduce VAW—such as militarization and development aggression—also calls for support to the on-going efforts of women themselves to negotiate their identities in avenues like peace building, education, health, employment, the right to territories and the resources within as well as other entitlements;
- The Government of India should demonstrate sincerity and commitment to the ongoing Peace process among the various indigenous revolutionary groups by repealing the draconian Armed Forces Special Power Act (1958) and the restoration of democratic space to the groups and other struggling communities across the region;
- We urge the UN General Assembly to adopt the UN Declaration on the Rights of Indigenous Peoples without any further delay;
- We invite the Special Rapporteur on Violence Against Women (VAW) for a dialogue with the indigenous women, and AIWN can facilitate the process to study the situations of indigenous women;
- The Rajkhowa Commission should complete its investigation and make its report public at the earliest, since this has been due since May 17, 2006;
- Finally, in relation to the case of the hunters of Taroko Nation—who are considered to be the guardians of their traditional territory and wild animals and who face constant harassment by no less than the Ministry of Interior National Park Police Force in direct violation of its own national law particularly the “Indigenous Peoples Basic Law enacted and promulgated in 2005—we demand an end to the human rights violations committed by the Taroko National Park Police, followed by a publicly-released apology and promise to the Taroko people that such violence will not happen again. We reserve our rights to file for national compensation and other legal means of justice.

Naga Women in DECISION MAKING

By Marigold Maring Keisha



God created us equally in his own image with a purpose and without discrimination. Sociologists say human beings are social animals. In society, women constitute half of the population and play a vital role in the building of the family, the community and the nation. But women's contributions are not acknowledged. Women are considered as mere housewives and child bearers. They participate in all development program of the society indirectly but their education is not encouraged. Women spend their income and labor for the interest of the family yet her contribution and position in the society is much lower in every part. All decisions are taken without the involvement of women.

Traditionally, the Nagas of North East India are patrilineal. Men dominate the society with the father as the head of the family and men as sole owner of the society. Women are responsible for household affairs and always confined in the family. Men make all crucial decisions like buying and selling of immovable property, cultivation, house construction, trade and business and any development program.

Women are not encouraged to seek education; house work is compulsory for them. When parents could not support all the children in their education, they give priority to the boy child. Some parents opine that women are for others. Thus women's education is neglected. They are confined to family chores taking care of domestic affairs, gardening, cultivating and child bearing. They can not inherit patrilineal immovable property. Inheritance was through the son. In the absence of a son, family property goes to the nearest male relative. In this scenario, inferiority complex among women is developed, thus, their hesitance to participate in other aspects of society other than the domestic sphere.

However, with the influence of Christianity, the life of Naga women has changed a lot. Women were encouraged to go to schools where education is now seen as a mechanism in building self confidence. Now, Naga women have started participating in almost every

ABOUT the AUTHOR

Marigold Maring Keisha is the Vice-president of Naga Women's Union in Manipur, North East India. She belongs to the Maring Naga indigenous group.

sphere of life even as the enjoyment of equal status with men has still to be realized. At the Church level, we have one Naga woman, Reverend Bongshot from the Lamkang tribe of Chandel District and one Tangkhul woman, Pastor Pamreiphi at Namrie Village, Ukhrul District.

Despite these, women's participation in decision making especially in political affairs is neglected. At the same time, women themselves are not aware of the importance of participation in decision making as they are always occupied with domestic work and confined in the family.

With the establishment of the Naga Women's Union, Manipur (NWUM) in 1994, Naga women of Manipur started participating in decision making at tribe level. The Union is playing a big role in lifting women's status in general and Naga women in particular through training-workshops on Gender in Relation to Customary Practices and Peace Building. This is being implemented at the grassroots level covering all the 16 Naga tribes of Manipur.

An encouraging impact of NWUM's contribution is that today, even the menfolk realized the need for women's participation in decision making. This may be seen in the accommodation of women representatives in the traditionally male dominated structures and tribal organizations, i.e.:

1. Two (2) women members in the Assembly of Tangkhul Naga Long (Apex Body);
2. A woman in a Review of Customary Law and in the Village Authority of the Moyon tribe;
3. Poumai women in Poumai Union Literature Committee;
4. A Maring woman was lected as Treasurer of the Maring Uparup Assembly;
5. Women voting right at tribe apex organization for Lamkang and Anal tribe is still under process.

Keeping the view of women's struggle and potential to uphold the community, women must not consider themselves low. Rather, they should recognize their contribution to society. The Naga women of Manipur are still looking forward for the positive change and hope that Naga menfolk will continue to support and cooperate with the tireless effort and ceaseless contribution of NWUM in building the status of women in society. *aiwn*

“Women are not encouraged to seek education; house work is compulsory for them. When parents could not support all the children in their education, they give priority to the boy child.”

MAP OF
NORTH
EAST INDIA



Assessment of Impacts of Conflict on Women/Girls in Manipur

By Sumshot Khular



Impacts of Conflict on Women

During the early 1990s onwards, Manipur in North East India, underwent almost a decade-long communal conflict among the various indigenous communities, like the Naga-Kuki, Kuki-Paite, Naga-Meitei, Meitei-Pagan (Muslim), which triggered intensified state-wide violence and conflict. This had impacted greatly and taken its toll on hundreds of innocent lives. State and non-state actors operated in various forms, violating the human rights of the people in the state. This led to displacement of villagers and failure of many state machineries to address basic social services and respond to the needs of the people in remote and most needy areas. Even today there are various state-run and private institutions that have not recovered and could not function well.

Such pervasive conflict situation has had serious impact on women and children, which is this paper's focus. Women in Manipur are the major workforce in the state's economic sector. They were major players in the fight against the British colonizers during the Nupi Lal (Women's War), and have strongly taken on their roles as peace makers in their families and communities. They are society's strong pillars, protecting and promoting peace and human rights even up to the present.

The struggle waged by the people of Manipur has taken the shape of a very powerful mass movement since many years by different communities. Although the present struggle appears to be directed solely against the Armed Forces Special Powers Act, in reality, the people's resistance is a response to long standing state repression, political instability, high levels of corruption, marginalization, exclusion and deprivation suffered by the indigenous peoples. By declaring Manipur a "disturbed area" to justify its imposition of military rule, the Indian government has already set an undeclared war against the people of Manipur.

The government would want to buy time and try to shift people's attention to other directions, like calling the leaders to come over to the capital for talks, setting up committees to deliberate over it, sanc-

ABOUT the AUTHOR

Ms. Sumshot Khular, is a Lamkang Naga indigenous human rights activist and the President of Community Action and Research for Development (CARD) based in Manipur.

tion economic packages, etc., in attempts to blunt the edge of the struggle. The struggle is a difficult one, but people are determined to go ahead and fight at all costs.

The state that wants to become a big power in Asia and does not recognize the existence of independent political units of small nations, will always regard such demands as dangerous disobedience. The Indian State had to be forced to accept such demands.

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. Rape continues to be used as a weapon of war by the military to humiliate and attack indigenous/tribal 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 their transfer to other destinations. There are various cases of violations in many remote hills and villages which were never reported due to the lack of awareness among the people, lack of access to these information by the media and fear of being ostracized by the society. It is sad to mention that justice remains elusive even only with the few cases of violence against women which received major attention and are widely publicized. These include that of Th. Manorama Chanu and the struggle by Ms. Irom Sharmila who were visited by Shirin Ibadi in New Delhi. Ibadi is a Peace Prize nominee.

Today, we, the women of Manipur do not see ourselves simply as victims of conflict. We are survivors of our struggles against militarization. We are peace builders. We participate in peace-making efforts in support of our peoples. We also support and extend our solidarity to all struggles against human rights violations, and peoples' movements against globalization.

Status of Education

The Constitution of India Articles 14,15 and 21 provide the right to equality and equal protection of the laws, the right against discrimination and the right to life with dignity. Part 4 of Article 14 says that nothing in this article or in clause (2) of Article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.¹

With the emergence of the nation-state provision of education and where the state took care of education systems as part of its social services, standardization and centralization of education occurred. This has led to the development of an industrial ideology.

The Indian government, since the 1990s, launched a series of programmes to improve the enrollment at the primary level. There has been a 14.18 per cent increase in the number of primary schools, 50.65 per cent increase in the upper primary schools, 38.43 per cent increase in the number of secondary between 1993–2003 (NCERT,

¹ Constitution of India. (ST) Scheduled Tribes—as recognized by the Indian Government for the indigenous peoples in India.

“The government would want to buy time and try to shift people’s attention to other directions, like calling the leaders to come over to the capital for talks, setting up committees to deliberate over it, sanction economic packages, etc., in attempts to blunt the edge of the struggle.”

“One of the main reasons of high drop out rates is the prevailing insecurity even after the conflicts.”

6th and 7th Educational Survey). These measures have resulted in improved enrollment rates from 97.4 million (40.40 million girls and 57 million boys) in 1990-91 to 122.40 million (57.3 million girls and 65.1 million boys) in 2002-2003.³

Yet, there are gaps despite this progress. The gross enrollment ratio of girls dropped sharply from 93.07 per cent at primary level to 56.22 per cent at the middle school (classes VI to VIII) in 2002-2003. In rural areas, it dropped even further to 47.35 per cent. The situation of girls and boys among the Scheduled Castes (SC) and Scheduled Tribes (ST) is far worse than the general category. The gross enrollment rate for SC is 95.62 per cent, of which 89.35 per cent of girls are at the primary level and 56.64 per cent of girls are at the middle level, compared to the 98.67 per cent gross enrollment rate of the STs. We can see that there is a narrower gap in the gender differences but the dropout rates is increasingly high especially for the SC and ST communities. In 2003-2004, the dropout rate at the elementary level for all girls was 52.9 per cent while the corresponding rate for SC and ST girls were 36.2 per cent and 48.7 per cent, respectively. At the secondary level, the general drop-out rate is at 64.92 per cent with a corresponding rate of 75.5 per cent among SC girls and 81.2 per cent among ST girls.

Literacy rate in Manipur according to 2001 census is 68.87%²

Male	77.87%
Female	59.90%
Senapati District	50.47%
Chandel District	57.38%
Tamenglong	58.46%
Churachandpur	64.38%
Ukhrul	62.54%

The Manipur State indigenous (tribals)³ literacy rate 71%

Male	62.39%
Female	44.48% ⁴

As per the 1990-91 Census, there were 804 primary schools in the state under the hill district councils. The break-up shows that 130 schools were in Tamenglong, 162 in Churachandpur, 156 in Ukhrul, 226 in Senapati (70 in Senapati and 156 in Kangpokpi) and 130 in Chandel district. But the total number of this category of schools in the hill areas of Manipur decreased from 804 to 779 in 1996-97.

² According to Census 2001, Government of India. The districts of Chandel, Churachandpur, Senapati and Tamenglong and Ukhrul are the districts belonging to the indigenous peoples, though there are also indigenous populations in Imphal and Thoubal districts in the plains of Manipur.

³ Indigenous peoples are known by the name ST/Tribals.

⁴ This clearly explains how the indigenous women and girl child are still not at par within their own indigenous communities.

The position in this regard in Manipur is grim. In 1993, over one-fifth of the primary schools had no building and over two-fifths of the schools were housed in *kutcha* buildings. Sixty per cent of middle schools were either without buildings or in *kutcha* buildings. With the increase in the number of primary schools, the enrollment of students in Manipur also increased. An increase in the literacy rate in Manipur is a consequence of the rapid expansion of primary education in the state over the years.



In Manipur, the school dropout rate was very high at the initial stage, and continues to be above the all-India average. One of the main reason of high drop out rates is the prevailing insecurity even after the conflicts. Yet, there are sets of factors that can explain the continuation of such high dropout rates in the region: one, the social background and structural constraints. Poverty-induced child labor, as well as the abysmal condition of schools and poor quality of teachers, result in the high dropout rates. We must consider the prevailing phenomenon of absentee teachers and “putting-out” jobs to proxy teachers in government schools. According to the Sixth All India Education Survey, 58 per cent of all school teachers were untrained.

Regrettably, teaching as a profession does not attract qualified and committed people, especially where few in-service incentives are provided. The more qualified teachers find work either in the state capitals, or in better-developed regions outside the state. Another reason is the rampant corruption in the employment of teachers. For example, if a well qualified person does not have enough bribe to pay, he/she is not appointed. Employment and appointment is usually based on the amount of bribe paid, not on qualifications.

At the national level, a new education policy/approach was adopted under the centrally sponsored scheme (CSS) of Sarva Shiksha Abhiyan (SSA), 2002. Under this programme, all children are required to complete five years of primary schooling by 2007 and eight years of secondary level schooling by 2010. The approach of the Tenth Plan to general education is based mainly on the national objectives envisaged in the new education policy and strategies under SSA. Under the National Programme of Nutrition Support to primary education, commonly known as the mid-day-meal scheme, the department claimed to provide 3 kg. of rice per student per month to the students of classes I-V in 2,997 government and aided schools with Primary classes. This implementation is yet to be undertaken in full swing in remote rural indigenous-occupied districts and villages. Therefore, it is too early to say whether it has made any impact on the indigenous children.

“Regrettably, teaching as a profession does not attract qualified and committed people, especially where few in-service incentives are provided. The more qualified teachers find work either in the state capitals, or in better-developed regions outside the state.”

“The non-availability of adequate financial resources has stalled growth in the educational sector, both in qualitative and quantitative terms.”

An example: Chandel district

The total number of Primary schools, according to the government statistics of 1997-1998 is 2,002 and the total number of teachers is 504 with a total number of 9,756 primary students. To understand the real situation in the existing education system and its impacts on the communities, we need to ask these questions:

What kind of education is it?
Is it accessible?
Who controls?
Who owns?
Who defines and who designs?

The non-availability of adequate financial resources has stalled growth in the educational sector, both in qualitative and quantitative terms. The intra-regional inequality in the physical infrastructure, quality and number of teachers, and poverty of parents has resulted in wide variations in the level of literacy and in drop out rates and quality of education between the hill areas—where the indigenous populations are mostly concentrated—and the valley.

A large section of the indigenous/tribal population, as well as the minorities in the valley like the Pangans, continue to suffer from economic, social and educational deprivation.

Universal Primary Education, Mid-day Meals and Other Support

A massive enrollment drive should be launched in those districts where enrollment at the primary stage of education has declined. Presently, apart from free mid-day meals, the government also provides free textbooks, attendance scholarships and special scholarships for SC/ST female students. These should now be extended to all primary school students. Special programmes for disabled children must be creatively designed and implemented. The provision of mid-day meals and school bags should be universally provided at the primary and upper primary levels. Special remedial courses and other programmes for fifth and eighth class levels should be provided to improve students' performance and increase their retention in school.

Strengthening of School Infrastructure

- School buildings must be constructed both through funds available for education for the hill areas, as well as under other schemes such as the Jawahar Rozgar Yojna, tribal welfare schemes, etc. Teachers' quarters must be constructed in the interior hill areas of Manipur.
- Repair of the existing government schools and college buildings and replacement of basic facilities like tables, chairs, etc., deserve to be given immediate attention.
- Hostel facilities for colleges and schools at the middle and secondary levels must be provided, especially in areas with dispersed low-density habitations. Also, single teacher schools need to be

established where boarding schools are not feasible. *Anganwadis* and non-formal education centers should be set up with a view to recruit learners in the formal system.

Provision of Adequate Qualified Teaching Staff With the Required Language Skills

The state government must ensure the provision of adequate teaching staff with requisite qualification. As a first step, STs and SCs must be immediately appointed in the teaching staff of colleges and universities based on the reservation policy of the state government.

Most teaching posts of the government's secondary schools in the hill areas are occupied by Manipuri-speaking valley people, leading to a communication problem. Teachers also experience problems in settling down in the hill villages. As a result, they begin to hire proxies. This needs immediate check and need to be stopped for the good of the poor people. There is also a need to recruit capable teachers from among the indigenous peoples from that locality or areas in the vicinity. This is important so that they are able to communicate well with the children in their own mother tongue and teach them in the language they understand, rather than imposing upon them a language they can neither understand, read or write.

Present situations

- Teaching in Manipuri-Meiteilon⁵ (state language): many indigenous/tribals cannot understand this and find it hard to grasp; many children do not speak mainstream language but education is given in mainstream languages in many states;
- Girls are often neglected in terms of education or health as it is observed from the customary practices;
- Discrimination against girl child or parental preference for boys to be sent to school;
- High girl child drop out rate;
- Many girl children are involved in household chores—like cooking, carrying water, sweeping, looking after younger siblings—affecting academic activities;
- High non-enrolment of girl child;
- Use of school buildings in many villages as military camps;
- High levels of corruption;
- Very high school fees and expensive school uniforms and books;
- Inability of poor, displaced students to enrol in secondary schools.

Impacts on women and girl child

- Drug peddling/ addiction, forced into prostitution by their own families at times due to poverty;
- Abuse, rape, sexual harassment and other forms of molestation by outsiders and even at home, especially for women and girl child;

⁵ All the indigenous peoples belonging to the Naga/Kuki or other groups speak their own mother tongue, though few indigenous languages like Thadou-Kuki, Tangkhul, Paite, Hmar, etc., still use their language as an optional language. The rest from among 34 indigenous groups are forced to learn and speak Manipuri.

“Most teaching posts of the government's secondary schools in the hill areas are occupied by Manipuri-speaking valley people, leading to a communication problem.”

“Our language, our culture, our way of life, our very existence is at great threat. Our language is almost assimilated with the others, or one is forced not to speak your language once you go out from home as you need or have to communicate with others in the dominant language.”

- Increased number of child labor, leading to high drop out-rates;
- For orphaned children, forced work as domestic help in homes of their relatives,
- Loss of source of income for many women who earn their daily food subsistence collecting minor forest produces due to security reasons;
- Non-accessibility and affordability to any health facilities, education, care;
- Non-availability of vocational courses to suit the needs of the children who need support for immediate jobs after high school;
- Strong patriarchal systems inhibiting full and active participation of women in decision making which fails to address issues concerning women in many cases.

Therefore, we can see clearly from this angle that we are not benefiting much, or are able to access relevant education, specially among indigenous populations who are a minority and are forced to learn the dominant language. We can understand how the impact of formal school on indigenous lifestyle has tremendously disrupted various indigenous local communities/traditional systems, leading to disintegration. Through the school systems, the younger generation do not learn the knowledge and skills and attitudes of their indigenous society any more. In fact, we (indigenous) are taught to look down upon our own traditional culture. As a result, social relationship based on kinship systems commonly practised by indigenous communities is broken.

We also realized that formal school system could not transform the indigenous person into

a complete modern person, but rather, the modern world has created a new generation of marginal people. For example, in the case of the Lamkang indigenous peoples, there are now a number who are postgraduates/graduates, but to date, only one person was able to pass the civil service examinations and had become an IFS (Indian Foreign Service) officer. Not a single Lamkang person was able to go into engineering, medical or other higher posts in the government sector, except for a few who are able to get into the Indian armed forces, police or as a primary school teacher. Few women have become nurses. From among those graduates, they can neither continue to farm or go into other forms of traditional occupation, as they are taught to become a white or blue collar job worker. Who wants to become a farmer (traditional) practitioner? We no longer value the traditional skills and knowledge. This can be true to most indigenous groups who are not really able to benefit much from this formal schools systems, and this can be due to multiple reasons such as corruption, poverty, non-accessibility to educational systems.

Our language, our culture, our way of life, our very existence is at great threat. Our language is almost assimilated with the others, or one is forced not to speak your language once you go out from home as you need or have to communicate with others in the dominant language.

We need to work towards a multi-ethnic, multicultural, and an alternative education that takes into account the aspects of indigenous learning styles. Elements of this would include indigenous ways of learning by

doing; a community-based education allowing more participation; one that is locally administered and controlled; focused on local context of land and people; putting importance to relationship by means of indigenous knowledge; involving people-to-people relationship by means of language, festivities and recreation. It should also regard indigenous education as primarily a right, where indigenous identity is both a human right and a social obligation.

Few suggestions/recommendations that can address the issue are as follows:

- Teaching in mother tongue need to be encouraged;
- The present mainstream education needs to be redefined and transformed for indigenous/tribals peoples since the present mainstream education system has been a means to assimilate and destroy our language, knowledge, culture and values
- Schools need to be functional with proper study materials and other required infrastructure;
- Commitment from the state governments, teachers and parents;
- State parties to the ICESR should work towards fulfilling their obligations in achieving the universal primary education for all girls and boys in all the remote rural areas where the indigenous peoples live;
- Producing teaching materials and other infrastructure that suit the cultural aspects of the indigenous peoples and incorporate the traditional knowledge of the indigenous as part of the curriculum;
- The government should stop and reduce the fund for mili-

tary aid and weapons and increase fund for the education;

- Gender mainstreaming should be undertaken in all policies associated with development, peace building and rehabilitation processes;
- Special economic policies to increase women's access to income and should look into its for implications for women;
- State to take every possible means and facilitate the full functioning of schools in remote hilly indigenous areas;
- A time-tested method of lowering the dropout rate is to strengthen the mid-day meal scheme that can be strengthened through culturally accepted food items;
- Making education more accessible and affordable; indigenous people should own the process of education, should be involved in planning and designing of the education programmes.

To make it a more meaningful and participatory education, it is urgent that states play their roles promptly to fulfil the Millennium Development Goals (MDGs). But based on the UNESCO Global Monitoring Report 2006, the National Literacy Mission is now largely ineffective and literacy programmes under-resourced. For the most part, the Continuing Education programme has failed to take off, leading to women relapsing into illiteracy. It is very likely that India will not be able to meet the EFA and MDG goals pertaining to literacy.

Therefore, it is high time that NGOs, indigenous peoples and their communities in the grassroots and government authorities sit and plan together. *aiwn*

“...it is high time that NGOs, indigenous peoples and their communities in the grassroots and government authorities sit and plan together.”

REPORT FROM THE SECRETARIAT

The following table is a summary of the activities facilitated by and through the AIWN Secretariat for the year 2007. Please read through the articles on the highlights of some of the activities in this issue.

Summary Report by the AIWN Secretariat, 2007

Activity	Partner Organization/s	Result	Outcome	Insights and Recommendations
1 st Asian Regional Consultation with the UNSR on the Situation of Human Rights and Fundamental Freedoms of Indigenous Peoples. February, Cambodia	Tebtebba; AIPP		Overview Paper on the Human Rights Situation of Indigenous Women in Asia submitted to the Special Rapporteur on the Human Rights and Fundamental Freedoms of Indigenous Peoples	
International Experts Seminar on Indicators Relevant for Indigenous Peoples, the Convention on Biological Diversity and the Millenium Development Goals March 5-9, 2007; Banaue, Philippines	Tebtebba	2 pax from the AIWN members from Thailand and Vietnam	Outcome documents used as official and information documents during the 5 th Session of the Working Group on Article 8j and related provisions under the Convention on Biological Diversity (CBD)	Capacity building on CBD to highlight indigenous women's roles and contributions in the areas of biological and cultural diversity—its preservation, customary and sustainable use towards effective participation in the implementation/monitoring processes
UNPFII 6th Session 14- 25 May 2007, New York	Asia IP Caucus	Side Event on Asian Indigenous Women	AIWN Statement	
Facilitation of Proposals from IWAT	Indigenous Women's Association of Thailand	Facilitation of proposal to translate relevant UN and indigenous women documents for Thailand	Translation project finished in December 2007; being used for IWAT's awareness raising activities for indigenous women	Development of popular education materials for grassroots education

Activity	Partner Organization/s	Result	Outcome	Insights and Recommendations
Linking up with UNIFEM (UN Fund for Women)		Proposal sent to UNIFEM-CEDAW-SEAP focused on Monitoring and Reporting on the CEDAW Implementation	Proposal under deliberation by the UNIFEM-CEDAW SEAP as of 11 February 2008.	Countries identified based on UNIFEM-CEDAW-SEAP area of work: Indonesia, Cambodia, Thailand, Vietnam, Laos, Philippines, East Timor; Indonesia and Cambodia targetted for 2008 based on schedule of state report due to CEDAW
Workshop on Gender and Environment/ Indigenous Women and CBD Implementation 16 – 18 August 2007; AIM, John Hay, Baguio City, Philippines	Tebtebba	34 pax from Thailand, Cambodia, Vietnam, Bangladesh, India, Nepal, China, Indonesia, East Timor, and the Philippines.	General orientation to the CBD and linking it to the CEDAW	Strengthen roles and effective participation of Asian indigenous women in the CBD and CEDAW implementation and processes; please refer to report for specific recommendations
Meeting of the Coordinating Council of AIWN August 15 and 19, 2007; Baguio City, Philippines			Initial discussion among AIWN Coordinating Council members present re: AIWN 3 rd Conference, 2008 Tentative schedule: August 9, 2008 in Kathmandu, Nepal	Planning and coordination meetings during the UNPF Asia Regional Preparatory Meeting (Feb. 2008 , Nepal) and UNPFII 7 th Session (April 2008, New York)
AIWN Information Kit	AIWN, Rights and Democracy, AMAN	"Portrait of the Indigenous Women of Asia"	Published in English and Bahasa-Indonesia	Handy tool for information/ education and advocacy
Basic Journalism Training and Writeshop; Philippines, November 2007	Tebtebba	10 indigenous women pax nominated by the Coordinating Council members	Initial members of AIWN's Writers' Pool	More capacity building activities to hone writing skills; Participants to contribute to AIWN magazine and website

Looking ahead and based on the recommendations coming out from these different activities, the Secretariat is currently working on how to further strengthen the AIWN as a regional network and as an organization. Towards this end, we are looking forward to convening the network for its 3rd Conference sometime in 2008. The National Network of Indigenous Women of Nepal has extended its invitation to co-host this event. We enjoin everyone to send us their suggestions and contributions for the successful organization of the 3rd AIWN Conference.



International Experts Seminar on Indicators

March 5-9, 2007;
Bauwae, Philippines



Workshop on Gender and Environment /



Indigenous Women and CBD Implementation

August 16-18, 2007;
Baguio City, Philippines



Education Information Activity on



August 20-23 & September 19-22, 2007
Zamboanga City, Philippines

Indigenous Women's Rights, Culture and Development

December 10-11, 2007; Malabing Valley
Kasibu, Nueva Vizcaya, Philippines



BASIC Journalism Training and Writeshop

November 26-30, 2007
Baguio City, Philippines



Information Kit Launching

November 26, 2007
Baguio City, Philippines





Information Kit on Asian Indigenous Women Out

By Lyn V. Ramo/Nordis

Wednesday, 05 December 2007

BAGUIO CITY, Philippines (Nov. 26) — Indigenous women from the Philippines and other parts of Asia had reason to celebrate when they gathered recently for the launching of an information kit concerning them.

"This pioneering information kit is indeed a victory for indigenous women," University of the Philippines Professor Caster Palaganas told a dominantly indigenous women audi-

ence during the launching. "This material also inspires us

in the academe to follow your trail-blazing efforts," she added.

Palaganas was among women leaders who spoke when the information kit, *Portrait of Indigenous Women*, was launched on November 26 at the close of the first day of a journalism workshop for Asian indigenous women in Baguio City.

A product of a three-year research and consultation work with women in Asia, the kit was published by Tebtebba Foundation, a Philippine-based international organization dealing with indigenous issues and rights; Aliansi Masyarakat Adat Nusantara (AMAN), an organization concerned with indigenous peoples in Indonesia; and by Rights and Democracy (R and D) of Canada.

The kit contains eight sheets covering statistics on indigenous peoples world population, institutions for the protection of indigenous rights, and aspects of community life affecting the women such as biodiversity, militarization and development aggression. It was envisioned to help

Asian indigenous women get a fuller grasp of their common struggles and find ways to improve their situations through the mandates of international institutions designed to protect their rights.

Data gathered by the team revealed that four per cent of humanity or 370 million are indigenous peoples with 150-200 million of them in Asia. But statistics on their situation remain limited and that women-specific statistics even more so, reflecting the double marginalization they suffer as women and as indigenous people, despite their contribution to the survival of their tribes.

The United Nations, as contained in the kit, captured



the role of indigenous women on conserving biodiversity through their skills developed from their close relationship with their natural resources since the Stone Age. The UN report said that indigenous women may have provided 50 to 70 per cent of food for the family especially during famines and epidemics.

To this day these women gather firewood, wild plants for food, healing, rituals and material to build houses from the forests they know so well. The kit cites specific stories of women practicing indigenous knowledge on conserving their environment, and the threats that confront them such as loss of territories, eviction and migration because of "development aggression."

Portrait of the Indigenous Women of Asia also lists the International Labor Organization (ILO), the United Nations Development Program (UNDP) and the World Intellectual Property Organization (WIPO) as institutions of the United Nations responsible for issues such as health, working conditions and education of indigenous people.

Launched by the Asian Indigenous Women's Network (AIWN), which federates indigenous women's organizations in Asia, the kit tells about basic information about indigenous peoples in Asia and their issues such as human rights, "development aggression," and militarization. It also lists down international human rights and other instruments, which indigenous women can invoke in asserting their rights.

"This information kit can help empower us as we struggle to help defend our lands from multinational corporations, that continue to threaten our rights to our lands and resources," said Mila Lingbawan, who spoke for Innabuyog, a federation of indigenous women's organizations in northern Philippines.

In a written statement read during the launching, indigenous women from Bangladesh, Cambodia, India, Indonesia and Nepal who were in the launching also hailed the information kit, which they said would help them in their capacity-building programs.

To close the launching, the assembled women sang "Women of Asia," a song that reflects the hope and courage of indigenous women struggling for a better world for them and for their families.

"We the women are solid and fighting, hearts and minds and spirits uniting, fists in the air, feet on the earth, a women's movement on the birth..." said the song in part.

Asian indigenous women's stories, songs and dances, solidarity dinner and cocktails capped the launching.

Women advocates among men were also in the launching. # Lyn V. Ramo for NORDIS, with reports from Maurice Malanes and Marilou Guieb 



Asian Indigenous Women Trained as Journalists



By **Maribeth V. Bugtong/Nordis**
Wednesday, 05 December 2007

BAGUIO CITY, Philippines (Nov. 26) — Ten indigenous women from Cambodia, Bangladesh, India, Indonesia, Nepal and the Philippines participated in the Basic Journalism Training and Writeshop for Indigenous Women held at Green Valley Hotel and Resort, here on November 26-30, 2007.

The training sponsored by Tebtebba, a Baguio-based indigenous peoples' international center for policy research and education, sought to enable the women of Asia to write their own stories and disseminate these in their respective communities.

Included in the training are lectures and workshops on ethics, news writing and feature-writing.

The writers' workshop also saw the participants sharing their stories concerning issues and problems faced by indigenous women.

Meas Phoung, speaking in Khmer, revealed that in Cambodia women do not have the right in decision-making.

According to Keisha Marigold Maring, from Nagaland in North East India, women in her community are discriminated because society gives priority to men when it comes to inheritance.

Because of the discrimination experienced by women in indigenous communities, the participants said they would write to help people understand and act on the issues. "I will write a newspaper




or magazine and will relate the story of Ratanakiri," said Khoeung Hoeung, a member of the Tompoun tribe of Cambodia.

Srijana Shrestha from Nepal said, "the training was really empowering to the women from different countries in Asia," adding that before her writing used to be haphazard and not focused.

Shrestha further said this training taught her to make the ideas focused and more informative.

It also gave the participants a chance to experience the different cultures, with the variety of Asian countries participating.

The participants would be tapped as writers for an indigenous women magazine published by the Asian Indigenous Women's Network (AIWN), said Ellen Bang-oa of Tebtebba. Three Baguio-based journalists served as trainers. # *Contributed by Maribeth Bugtong/Tebtebba. Northern Dispatch Weekly. 3 December 2007* 



Visit the AIWN Website At:

www.asianindigenouswomen.org



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