




aiw

Numbers 1&2
2009

Violence Against Women

- Glimpses of Development Aggression vs Asian Indigenous Women
- Indigenous Women Assert Rights vs Extractive Industries



Note from the Secretariat



Intensifying culture of impunity in the Chittagong Hill Tracts of Bangladesh despite the 1997 Peace Accord between the Parbatya Chattagram Jana Samhati Samiti (PCJSS) and the Government of Bangladesh; internal conflict and religious intolerance in the North East and Central India; escalating displacements and its impacts in Burma, the Philippines and Cambodia; the global threats from climate change and its mitigation strategies—these are some of the issues that we witnessed in 2009. These situations also serve as indication of how far commitments to the recognition and protection of the basic human rights and freedoms of indigenous peoples and women in the region are yet to be realized.

This double issue of the AIWN Magazine for 2009 continues to focus on indigenous women's human rights. It continues to explore indigenous women's experiences on how their rights and fundamental freedoms are impaired and nullified—from the domestic day-to-day setting to the international arena. While we can say that indigenous women are generally better off in terms of certain degrees of freedom enjoyed and entitlements due to their recognized roles and responsibilities, major issues of domestic violence and gender discrimination still remain. These emanate from prevailing practices that we attribute to culture and tradition. Some of these include current marriage practices that are presented in one of the articles in this issue. This article reflects on how patriarchy has conveniently entrenched its way in our everyday life and mindset.

Alongside these are a lot of other issues influenced by the prevailing international development framework. This so-called development framework facilitates privatization, deregulation and liberalization that aggress on indigenous communities. As you read through the articles and statements, get a glimpse of the many faces of this neoliberal economic paradigm and its disproportionate impacts on indigenous women. These include displacement, disenfranchisement and gender-specific violence.

While most Asian nations have ratified the CEDAW (Convention on the Elimination of Discrimination Against Women) and other international human rights instruments, there is a huge disparity in its implementation. While some spaces have been created to improve the status of women, most of these are not available nor accessible to indigenous women. This situation is mainly due to lack of information and resources and, most importantly, the lack of political will to implement these instruments in the national level. On top of this, indigenous women suffer from the historical discrimination due to ethnic identities and the disempowerment this has created among indigenous women.

While most of the Asian states adopted the United Nations Declaration on the Rights of Indigenous Peoples in 2007, its full and effective implementation has yet to be realized. The bulk of the work, therefore, remains to be done. And indigenous women shall ensure that this Declaration becomes a living document that shall work towards empowering them and their communities!

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GLIMPSES OF

Neoliberal Economic Aggression AND Development Aggression

AGAINST
INDIGENOUS WOMEN
IN ASIA¹



By **ELEANOR DICTAAN-BANG-OA**

AIWN Secretariat

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This article attempts to present an overview of the situation of the fundamental rights and freedoms of indigenous women in Asia in the light of the pervasive neoliberal economic globalization in the region. This article focuses on displacement of indigenous women, from which a lot of other rights are violated. It attempts to draw a picture of the violence and discrimination that indigenous women experience from different levels and the sources of discrimination and oppression, including patriarchy in tradition.

Asia is very rich in culture, natural resources and biological diversity. In fact, this is the bane that attracted colonizers through history. Today, though there are independent Asian states, a more subtle but deeply entrenched form of colonialism exists that facilitates the extraction of these resources. Resources that have been sustained and developed through generations.

Forms of Economic Globalization and Development Aggression in Asia

Economic globalization has come into our lands in the form of large scale mining, palm oil and agricultural monocrop plantations, hydro-electric power dams, logging, and exclusive tourism development, among others. The race to comply with the Millennium Development Goals (MDGs) has encouraged aggressive development schemes that are, instead, killing us and our people. The major and immediate impact of all this development

paradigm is the denial of our rights to our territories and resources which are basic preconditions for our rights to life with dignity and self determined development.

Mines

In the Philippines, 12 million hectares or 40 per cent of the country's total land area have been earmarked for mining investments. More than half of these are found in indigenous territories. In the Cordillera region alone, which is basically an indigenous peoples' territory, 60 per cent of the land is covered with mining applications.

Dams

In the North East Region of India, there are 168 proposed big dams in line with the country's "Look East Policy." This is aside from the 24 others which are reportedly under construction. Furthermore, in the states of Andra Pradesh, Chhatisgarh, Orissa and Jharkhand, 1.4 million people, 79 per cent of whom are tribals, have been reportedly displaced from an estimated total land area of

10.2 million hectares. These lands have been appropriated for mines, industrial plants and dams in the last 10 years.

Palm Oil and Monocrop Plantations

The global attempts to curb climate change—which is basically attributed to the carbon emissions of the western industrialized countries—is targeting our forests and sacred sites. Biofuel, as alternative to fossil fuels, has given a huge push to the further expansion and development



Photo: Jem Sammi, Indonesia

Why does government issue license for investors to take away our livelihoods?...without land, we cannot eat... land is milk to us."

-Mama Aleta Baun

of oil palm and monocrop plantations. Asia hosts the biggest oil palm production in the world. Indonesia and Malaysia produced 44 and 43 per cent, respectively, of the world's oil palm production as of 2006. In Indonesia alone, some 236,265.25 hectares have been devoted to oil palm plantations by 141 companies in 14 provinces which are mostly inhabited by indigenous peoples. As of May 2007, 514 land dispute cases have reportedly been filed in courts, as documented by local NGOs.

Transmigration, Encroachment and Land Appropriation

State transmigration policies facilitate indigenous peoples' loss of their lands and resources. These policies often create an atmosphere of conflict and insecurity. To instill fear, women and girls are often targeted by parties associated with and backed by the state.

In India, the implementation of the Land Transfer regulation has precipitated thousands of land conflict cases involving tribal peoples against non-tribals' encroachment. ACHR (Asian Centre for Human Rights) reports that of the 72,001 cases filed, 33,319 cases involving 162,989 acres of land have reportedly been decided in favor of the non-tribals. In November 2007 in Nandigram, West Bengal, a number of villagers supporting the anti-land acquisition movement were shot dead and women raped by cadres of the ruling party.

In Bangladesh, settlers aided by the government and its armed forces continue to grab adivasi (indigenous) lands and farms despite the 1997 Chittagong Hill Tracts Peace Accord that stipulated a stop to this program. "Last September, 12 adivasi women were reportedly injured, their houses ransacked and looted by a group of miscreants supported by a certain Mr. Lebu. [Mr Lebu] is contesting the ownership of 10 acres of land around a pond in Tarashe in Sirajganj which has been home to some 200 adivasi families for generations" (Kapaeeng Foundation. 2008).

Militarism and Government Impunity

Confronted with opposition and community resistance, investors and developers usually employ security forces. Most often, host governments provide aid to these investors and developers through its armed forces in the guise of security



and peacekeeping. Some companies have resorted to the use of private armies or civilian armed forces, often recruited from the community, to further sow division among the people.

Impacts on Indigenous Women

The overall impact of development aggression can be gleaned from the voices of indigenous women. As Mama Aleta Baun, who led the community opposition to a marble mining company in Mollo, West Timor says: "[W]hy does government issue license for investors to take away our livelihoods?... without land, we cannot eat... land is milk to us." Poverty, limited or no access to education, health, water and other social services due to privatization, have been explicitly articulated in our earlier declarations on these issue.

Displacement

Displacement means that we lose our traditional spaces and livelihoods; our residential lands and villages where we grew up and where we raise our children without fear; our farms and gardens which are our primary sources of livelihoods; our rivers, lakes and forests that support our farms and gardens, providing food, fuel and medicinal resources.

Displacement means we are not only denied our right to access and benefit from our territories and resources but are equally disenfranchised of our productive and reproductive roles as women.

As the primary nurturers and healers in the family, this causes further burden for us, even just to stave off thirst and hunger for the day. Our water sources become polluted—if not totally destroyed, our farms alienated and converted and our medicinal resources gone with deforestation.

Undermining Indigenous Systems and False Appeals to Women

Local employment; improvement and provision of education, health and other services; and infrastructure development are usually the carrots dangled by transnational companies to lure the consent of indigenous peoples. These, however, are usually one-shot deals that are not founded on the



Photo: Mira Susana Setra, AMAN, Indonesia

Women in (oil palm plantation) are designated to spray pesticides because it is less physically taxing... Unfortunately, they are rarely given proper protective gear. When they return home, they have to prepare food... often with pesticide residue still on their skin and clothes.

principles of sustainability and efficiency. The desperate need for road infrastructure in a very remote village in Bakun, Benguet in northern Philippines, for example, has convinced some families to offer their lands for the construction of an access road to a water diversion project. This has appealed especially to women who looked forward to lesser burden on the transport of their farm products and access to and from the market. Earthmoving activities have been ongoing when the company decided to pull out. No effort was reportedly done by the company to restore or rehabilitate the damaged farms.

In the Philippines, indigenous systems of consensus and decision making have been undermined through the flawed implementation of the Indigenous Peoples Rights Act. This law is supposed to protect indigenous peoples. The concept of the traditional council of elders has been corrupted and reengineered for the benefit of the companies. In most indigenous communities with strong threads of patriarchy in tradition, the creation of pseudo-council of elders results to further marginalization of women from participation and decision making. These pseudo-councils are most often dominated by the more informed and educated members of the community, usually men.

The benefits of employ-



ment, if there are, are usually biased on males who are preferred in these types of work. In the oil palm plantations in Indonesia, for example, women absorbed by companies are given work as pesticide sprayers. Etek works for PT Agro Masang Perkasa in Agam District, West Sumatra as a herbicide sprayer since 1994. Three years ago, while at work, some weedkiller accidentally got into her eyes. Since then, she could not see anything with her right eye, which she described, was "like the eye of a salted fish."²

The Rainforest Action Networks reports that "Women in (oil palm plantation) are designated to spray pesticides because it is less physically taxing... Unfortunately, they are rarely given proper protective gear. When they return home, they have to prepare food... often with pesticide residue still on their skin and clothes."³

Sell-out

In Cambodia, the cash income from sales of family land to rubber plantation companies has created conflicts among indigenous families and communities. Men, lured by money, have been selling family lands even without the consent of their wives. They believe that if they do not sell the land, the companies may take their land in the future, anyway.

Migration and Trafficking

Poverty that ensues from displacement has forced many of our indigenous sisters to migrate to other areas in search of livelihoods. Garo and Mandi women in the plains of Bangladesh reportedly compose a majority in Dhaka's beauty salons. Asked why they were there, one responded that their main livelihood was farming. The father, knowing nothing on land registration, lost their farmlands. As a result, she had to find work outside the village.

Many other indigenous women have risked their lives and security by working abroad as overseas contract workers. This situation makes them vulnerable to labor and sexual abuse, as well as to trafficking and prostitution.

It is also alarming to note the increasing disappearances of young women and girls from the communities. In one report, young women from North East India who were brought to Singapore then Malaysia, were lured by job offers. Later, however, they ended up as prostitutes. In Bangladesh, three girls

and a boy from adivasi villages have reportedly been abducted between January and February 2007. Some of our sisters from the Cordilleras were brought home in coffins, two or three of them with missing body parts.

Impact and Influence of Others

A Bunong woman from Mondulkiri, Cambodia expresses how the presence of rubber plantations companies have impacted them:

"We are afraid of the company workers, afraid of drug addicts, of rape and that they will eventually beat our people. Since the last two years, we have these people around; we go everywhere accompanied by men because we are scared. They don't respect women, so we feel afraid and we fear that the men of the village may become like the workers, especially the young..."⁴

In Malaysia, we heard of the abuse and rape of women and school girls by logging company workers in Penan.

SLAPP—strategic lawsuit against peoples' participation

Aside from militarism, legal cases have been filed by transnational companies to discourage peoples' opposition. Due to difficult or lack of access to information on their rights, the absence of legal and financial resources and the stigma of being subject to a legal case, women and community opposition may often lead to failure.

Indigenous women's initiatives against development aggression are beset by difficult or lack of access to information on their rights, the absence of legal, financial and technical resources and the stigma of being subject to a legal case.

INDIGENOUS WOMEN'S CALLS

1. We do not want to be marginalized nor considered vulnerable. But the prevailing political and economic conditions continue to oppress us. This is violence. We recommend that the UN Special Rapporteur on Violence Against Women, Its Causes and Consequences and the UN Special Rapporteur on the Fundamental Rights and Freedoms of Indigenous Peoples facilitate a general recommendation to the CEDAW to particularly broaden the scope and definition of violence against women. This should include the systematic violence against indigenous women by the forces of economic globalization;
2. We call on Asian states to fulfill their obligations to recognize and protect human rights without discrimination. Particularly, we urge our governments to implement their commitments to the United Nations Declaration on the Rights of Indigenous Peoples and use this as a framework for the protection and fulfillment of the human rights and freedoms of indigenous women and their peoples, especially in their implementation of the CEDAW;

3. Economic globalization is facilitating the “homogenization of global cultures within a commodified, commercialized and individualistic worldview” that does not seat well with our indigenous philosophies of the sanctity of life and valued principles of balance, harmony and reciprocity between man and nature, sustainable development and dignity. We reaffirm our roles as guardians and custodians of knowledge on our biological and cultural resources and we can offer these in the pursuit of alternative and sustainable development provided these are not misappropriated and misused;
4. We urge the support of all concerned UN, government, financial and other institution towards the development and promotion of our knowledge systems consistent with sustainable development;
5. This prevailing macroeconomic policy is destroying our territories by extracting our resources which are the fundamental basis of our existence as a peoples and as women. In the process, we indigenous women, lose our traditional livelihoods, spaces and the resources that enable us to function and perform our roles as members of our families and communities. This is an affront to our being and dignity. We call for a stop to unsustainable mining, commercial monocrop plantations, oil exploration, megahydropower dam construction, land conversion, logging and exclusive nature reserves and tourism development that deny us our rights to our territories and resources;
6. Likewise, we call for a stop to militarism employed to facilitate the entry of these projects in our lands. The use of armed security, whether private or government forces, does not help in the conflict that these development approaches have created nor in the anti-insurgency or peacekeeping guises that they assume. Many of our sisters, mothers and children have already been molested, harassed, raped and killed as a strategy to weaken our peoples’ resistance. We denounce this culture of impunity that galvanizes our oppression as women and indigenous peoples and demand government accountability under international human rights law;
7. We denounce the tools and instruments of economic globalization, i.e., the Agreement on Agriculture (AoA), General Agreement on Trade and Services (GATS), Agreement on Trade Related Investment Measures (TRIMS), the Asia Pacific Economic Cooperation (APEC) and the World Trade Organization (WTO), among others, which continue to rape our territories and peoples. We call for strict adherence by all development forces to the principles of corporate social responsibility and social, economic, environmental and gender justice;
8. We are not against development. All we want is that development should be appropriate for our needs and well being. We urge our governments to uphold the principles of self-determined development and human rights-based approach

to development. Any development initiative can only be sustained when there is a sense of ownership by the peoples through effective participation. Participation to us relates to our right to determine what kind of development we need and the courses of action to achieve it. It involves our free, prior and informed consent, as well as our right to benefit from the processes and results of development;

9. We call on the United Nations agencies, states, financial and other institutions to institutionalize data disaggregation by gender and ethnicity and to enhance partnerships with indigenous peoples' organizations in planning, implementing and monitoring of development initiatives and the development of development indicators to measure the impact and/or benefits of indigenous peoples from any development endeavor;
10. Finally, we indigenous women, will continue our collective

struggles as indigenous peoples towards the recognition of our identities and rights.

"Even if I am an old woman, I will fight... With land, even if it is small, if you are industrious you will be able to eat. There is camote (sweet potato), gabi (yam) and rice. If you plant vegetables, you will have food. That is plenty to live on. Even if you have a lot of money, but you don't have rice, would you be able to ~~buy~~ your money?" (Dianao Cut-ing on the Climax

Endnotes

¹ Presented at the Asia Pacific Regional NGO Consultation with the UNSRAVAW, its Causes and Consequences and the UN SR on the Situation of the Fundamental Rights and Freedoms of Indigenous Peoples, 15-16 October 2008, New Delhi, India.

² "Working in an Oil Palm Plantation - A Snapshot of One Woman's Life," Down to Earth No. 78, August 2008, <<http://dte.gn.apc.org/78fwo.htm>>.

³ WRM's Bulletin No. 134, September 2008.

⁴ Margherita Maffii, "Cambodia: Indigenous women raise their voices to protect their forest and traditional livelihoods from rubber plantation companies" in WRM's Bulletin N° 134, September 2008, <www.wrm.org.uy/bulletin/134/Cambodia.html>.



Rural and Indigenous Women's Statement on Climate Change

A Submission to the Parties to the United Nations Framework Convention on Climate Change

We, rural and indigenous women from Asia, the Pacific and other parts of the world, face enormous threats and damage to our lives and rights as a consequence of climate change including the unbridled manner by which measures are being proposed and undertaken to adapt to and mitigate this phenomenon and its impacts. As women farmers, fisherfolk, herders, farm workers, indigenous food producers and natural resource managers, we rely heavily on primary resources, which are being negatively affected and destroyed by climate change.

We assert our important roles in and contributions to the effective, appropriate, integrated and sustainable use of land, biodiversity and natural resources that have enabled the survival of generations of people for many millennia through our traditional knowledge.

We are concerned that rural and indigenous women are being affected more severely and are more at risk during all phases of natural disasters and extreme weather events including the post-disaster reconstruction processes mainly due to prevailing discrimination based on gender, caste and ethnic identities.

We believe that climate change is a result of the historical and unsustainable exploitation and concentration of access to global natural resources by the northern countries and transnational corporations (TNCs) in the name of development.

We recognise that the intense levels of production for trade and speculation purposes, which have been sustained and amplified by the globalisation system—free market chauvinism facilitated by the World Trade Organisation (WTO) and international and regional financial institutions such as the International Monetary Fund (IMF), the World Bank (WB) and the Asian Development Bank (ADB)—have led to the relentless exploitation and exhaustion of natural resources, destruction of forest and water sources in developing countries resulting in more carbon emissions. All these have occurred at the cost of the already marginalised rural and indigenous communities.

We are alarmed by the fact that the United Nations Framework Convention on Climate Change





(UNFCCC) recognises states' "common but differentiated responsibility" as one of its principles, yet industrialised countries are reluctant to fulfill their obligation to cut emissions at source while their commitments are not sufficient to curb climate change and its impacts.

We are wary of false solutions which have been used to address climate change, natural resource management and other environmental issues. We believe that the market-based mechanisms of the Kyoto Protocol, such as emission trading, clean development mechanism, and joint implementation, are not enough to make a dent in addressing the real cause of climate crisis while threatening to undermine rural and indigenous women's roles and contributions to sustainable livelihoods, ecological health and human security including food sovereignty.

We take the position based on our experiences that biofuels, large scale hydro-electric power and nuclear power are not clean, safe, or sustainable alternative sources of energy. On the contrary, they increase threats and damages to the environment and to the lives and livelihood of rural and indigenous women. Construction of large scale hydro-electric power dams and the establishment of monocrop plantations for biofuels have been causing destruction of forest, biodiversity degradation, forced evictions, displacement and landlessness of hundreds of thousands of rural and indigenous

women and their communities. The highly toxic chemicals used in these so-called alternative sources of energy particularly affect women's reproductive health.

We are concerned about the financing instruments under the WB's Climate Investment Funds (CIF). Loans add more burden to indebted and already fragile economies of developing countries. This contradicts the principle of "common but differentiated responsibility." Developing countries are, instead, made to pay for the effects and impact of climate change caused by industrialized countries. Further, the donor-beneficiary relationship the CIF promotes/erodes industrialised countries' obligations to emissions reduction.

We confirm that mitigation and adaptation measures detached from the context and development aspirations of rural and indigenous women renege on commitments to biodiversity and sustainable development, poverty reduction and human rights. We believe that any long term solution to the escalating climate crisis should acknowledge historical responsibility and ecological debt, be grounded on the respect and protection of life and diversity, and promote and fulfill justice and social equity between and within nations, peoples and sexes.

We call on all countries which are Parties to the UNFCCC to be guided by and adhere to the following principles in their "long-term comprehensive action" at all levels:

1. Respect, promote and integrate into all mechanisms, policies and action plans on climate change the specific situation, right and needs of rural and indigenous women as well as their critical role in and contribution to society, which is recognised in various human rights frameworks including Article 14 of CEDAW, Beijing Platform for Action and General Assembly Resolution 62/136.
2. Recognise and protect the economic, social and cultural rights of rural and indigenous women, specially their right to land, adequate housing and food to eradicate poverty among rural and indigenous women.
3. Ensure the recognition and protection of the particular rights of indigenous women reiterated by the United Nations Declaration on the Rights of Indigenous Peoples to non-discrimination, collective ownership, traditional knowledge, free, prior and informed consent and self-determination.

We call on governments who are Parties to the UNFCCC to:

1. Recognise and address the gender-differentiated impact of climate change on women and especially the most marginalised sector, rural and indigenous women.
 - 1.1. Collect disaggregated data according to sex and ethnicity and carry out gender analysis on the socio-economic impact of climate change on rural and indigenous women on which



all policies and action plans to address climate change should be based.

1.2. Ensure policies and measures on disaster risk management and reduction strategies, humanitarian assistance and reconstruction processes are gender responsive.

1.3 Provide for the informed development of appropriate disaster response and reconstruction strategies with full and effective participation of rural and indigenous women in all stages and processes of governance and decision making from design, planning, implementation, monitoring and evaluation.

2. Ensure and support the full and effective participation of women, especially rural and indigenous women, in discussions, consultations and decision-making processes on policies, action plans and laws with regards to climate change, sustainable development and environment and natural resource management, which have the effect on rural and indigenous women's rights, lives and livelihood.

2.1. Create an enabling environment for rural and indigenous women's participation in consultations, discussions and decision-making by providing sufficient information and adequate technical and logistical support.

2.2. Recognise and address obstacles which prevent rural and indigenous women from participating in decision-making such as discrimination against them in socio-economic and cultural spheres.

2.3. Establish a permanent global civil society consultative forum on climate change within the UN which should ensure the full and effective participation of rural and indigenous women from Asia, the Pacific, Africa and Latin America: the global regions which stand to be heavily impacted by global warming and climate change.

2.4. Ensure that indigenous women are represented in the demand for an Indigenous Peoples' Advisory Body to the Conference of the Parties by the International Indigenous Peoples Forum on Climate Change.

3. Provide sufficient funds and technical assistance to rural and indigenous women to build and strengthen their capacity to cope with climate change.

3.1 Ensure rural and indigenous women's access to information, technology and other resources to adapt to climate change.

3.2. Promote and support genuine sustainable development, sustainable natural resource management and biodiversity-based ecological agriculture which empower rural and indigenous women, transform the existing power structure into more equitable relationships and realise people's sovereignty and self-determination over natural resources.

3.3. Ensure that funds be made available directly to rural and indigenous women's organisations and those representing rural and indigenous women.

Asia Pacific Forum on Women, Law and Development (APWLD)
Asian Rural Women's Coalition (ARWC)
Asian Peasant Women's Network (APWN)
Asian Indigenous Women's Network (AIWN)
Asia Indigenous Peoples Pact (AIPP)
People's Action on Climate Change (PACC)

Marriage Practices IN SOME ASIAN INDIGENOUS COMMUNITIES



By **MARIBETH V. BUGTONG**
AIWN Secretariat

Everyone was wide-eyed as they witnessed the wonderful and strange transformations. More so, after asking the old man where the *filangan* (space where water was taken) was, he struck his spear into the ground and from the dry earth appeared a spring surrounded with *gabi* (taro) plants.

Lumawig then asked for the maiden's hand. The greedy old man could not refuse a son-in-law who could work miracles. And so, the following day, the two were married. People from neighbouring towns came to attend the wedding.

It was a grand feast, as there were so many pigs, chickens and carabaos killed during the wedding celebration.

As was the custom, the newlyweds lived for sometime in the house of Fatanga. Although the two families lived in the small house, they cooked their food in different pots.¹

The preceding Mt. Province² tale tells us how a Skyworld god is believed to have taken a wife in the Earthworld before going back to his celestial abode. Marriage, as defined by cultural anthropologists, is a social, economic and cultural union and seen as a way of maintaining and perpetuating human social life.³ Whatever functions marriage may have and whether it is a union between a god and a mortal or two mortals, there are rites observed. Disobedience to practice or deviation from such practices is believed to bring punishments from the mortal elders overseeing the realization of such customs; from the community; and bad luck from a god or gods whom they believed is or are the progenitor/s of a man and a woman's union.

Indigenous communities in Asia, as in other communities in the world, have long held myriad practices in marriage. However, these practices are gradually being eroded by the changing trends in the global arena, specifically, the implementation of international and national laws that sought to change or erase traditions that diminish rights.

This article would look into a few marriage practices in Asian indigenous communities.

Pre-puberty marriage or child marriage and contract marriage

Even before a girl is born, her married life is already initiated by her parents. For the others, after they were born and are barely enjoying their childhood, they are tagged to be a wife or husband. Although becoming uncommon today, there are indigenous communities which still follow pre-puberty marriages. In the Murut community in Sabah, Malaysia, children ages 10 to 14 are paired off by their parents, usually their mothers. If the girl child reaches puberty, she is sent to the boy's house to live with him as his wife. A party breaking from the agreement will be penalized.⁴

In the past, contract marriage was a prevalent practice in Kalinga in the Cordillera, Philippines. After the children are born, they are engaged. It is ideal that the boy be a year older or so than the girl. It is the boy's parents who will make the initial overt advances of arranging the marriage contract. Go-betweens related to both parties will handle the necessary processes such as gift-giving. By the time the boy is between 12 and 14, he is taken to the girl's house to render bride



Marriage, as defined by cultural anthropologists, is a social, economic and cultural union and seen as a way of maintaining and perpetuating human social life.

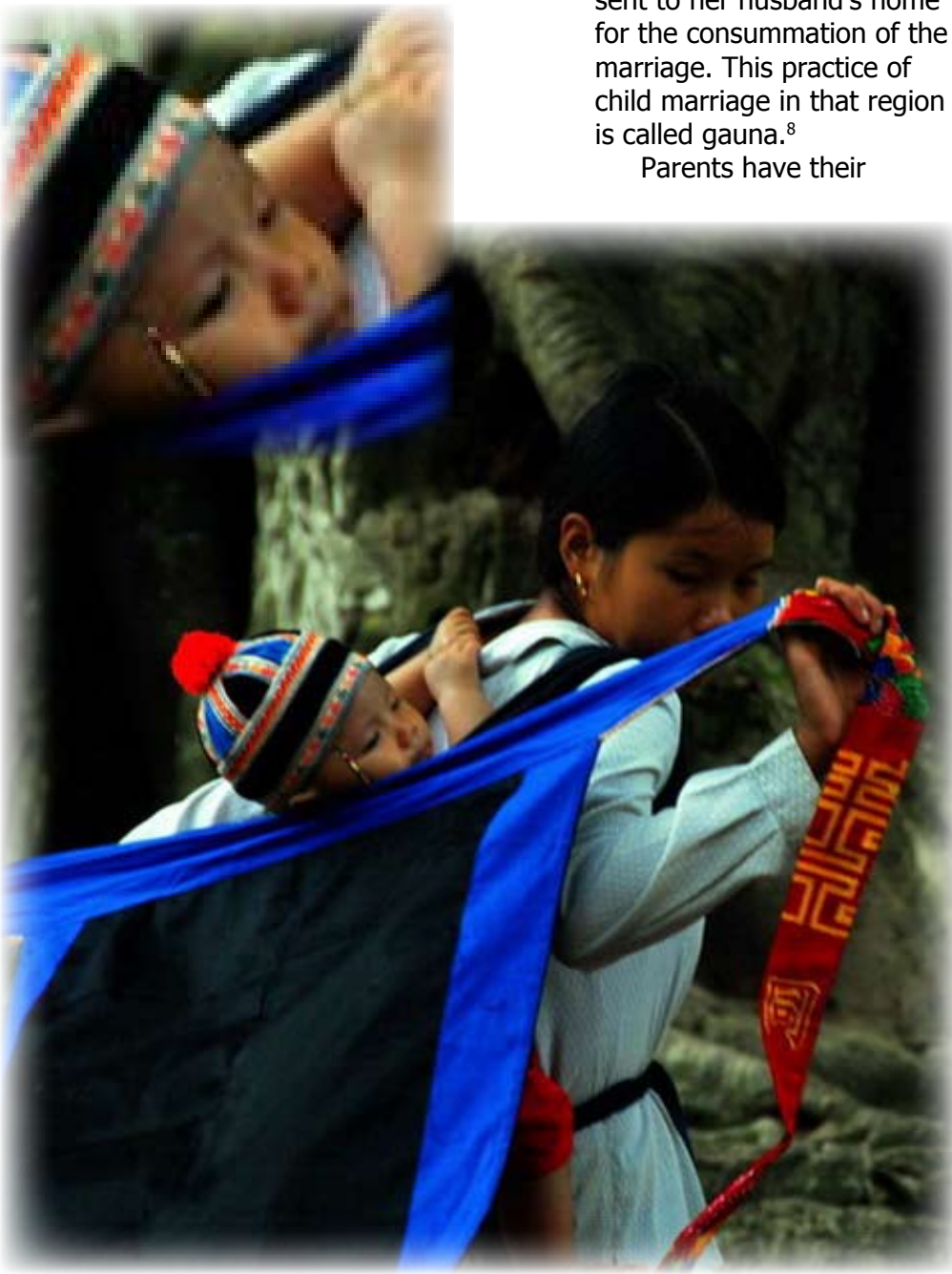
service. Marriage will be final between the two when the boy—at the age of 17 or 18—is escorted to the house of the girl for the marriage feast.⁵

In the Terai region in Nepal, child marriage is also practiced.⁶ A Madeshi⁷ girl, even if she is still inside her mother's womb, already has a partner determined by the parents. Her marriage is already arranged before seeing her groom. At age seven or eight, she ties the nuptial knot. If she comes of age as may be determined by her parents, she will be sent to her husband's home for the consummation of the marriage. This practice of child marriage in that region is called gauna.⁸

Parents have their

reasons why they marry off their daughters who are very young and physically incapable of reproduction. A Madeshi parent, justifying their action, said, "All this is our traditional culture. Not only us, all in our community arrange their daughter's marriage in this way."⁹ Because they are strongly tied to their culture, it is difficult for them to break away from such practice. Due to deepening poverty, others who see their daughters as liability would take this option to lessen their burden of bringing her up.

While contract marriage is not strong presently in indigenous communities in Kalinga, economic and political factors influence the arrangement of marriage of children by parents. Parents, who are equally well-off and would not want their wealth to dwindle by reason of marriage by their children to less well-off children, usually took this path. In practice, it is the eldest child who gets a bigger chunk of the inheritance. Looking at the economic benefit of this, a parent may enter into a marriage agreement for the marriage of their son to an eldest daughter. Marriage of two children of wealthy families would then consolidate the wealth of the two families. Moreover, influence of a clan in politics is another strong force to contract marriage. Marriage of one child from a well-known clan to an influential family would add to their political leverage.¹⁰



Bride or Wife 'Kidnapping'

A practice of getting tied, which still exists in traditional communities, is bride kidnapping, also known as marriage by abduction or marriage by capture. A picture of this tradition can be seen with the wife kidnapping practice among the Pinatubo Aytas in Luzon island in the Philippines. A research reveals that one man out of eight obtained his wife through kidnapping.¹¹ How this is carried out is simple:

A man who likes a girl but is disliked by her or when she was already engaged or was arranged to be married would, by his various schemes and aid of companions, carry her away towards their own encampment. In the man's place, the girl is kept guarded by his female relatives. A series of gift giving through intermediaries ensues from the side of the man to appease the male relatives of the girl. The husband-to-be, to get her nod and to make her overcome her loneliness while in captivity, serves her food, hunts for her, sings for her and do others which may give him her goodwill.

Before the nuptial and while "imprisoned" in the man's camp, her relatives pay her a visit—bringing with them presents like honey and other forest products. They will also perform a dance before her. The supposed groom will also dance,

entreating her to accept his love. What signals everyone that the girl likes the man or has "lost her heart" is the moment she smiles at him or when she accepts something from the hand of the man. Once she gives her consent, a messenger will be sent to her parents to inform them of her decision.

Visits of the bridegroom's relatives to the bride's place take place with the bride returning with the visiting party. Payments from the groom's side will be given. It may take the form of slaves, pigs and minor articles. A day is arranged for the marriage once the payments for the girl have been completed by the man and his relatives.¹²

The number of marriage from this practice is very little among the Pinatubo Aytas and is rare nowadays. In this kidnapping, no untoward acts are directed to the woman but kindness and affection on the part of the man and his relatives. Practice of bride kidnapping is considered a way of opening up new channels for social interactions between circles of family groups. It can open communications and unite formerly distant family circles.¹³ This result of kidnapping is different from the Langilans. They are a subgroup of the Matigsalog¹⁴ people in the Philippines whose culture and tradition include kidnapping of wives or a single woman. When they were following this practice, wife kidnapping would possibly trigger pangayao or "revenge-killing."¹⁵

Practice of bride kidnapping is considered a way of opening up new channels for social interactions between circles of family groups.



To the Hmong¹⁶ people, bride abduction is an alternative path to marriage. A prospective husband, with the assistance of his male relatives or male friends, will abduct the girl he likes to marry. The kidnapping, without the girl's personal consent and her parent's approval, may take place when the girl is not home and alone. The abductor would bring her home and his parents are obligated to inform through messengers the girl's parents of her abduction and the intention of their son to marry her. The parents of the girl has two options: to demand the release of their daughter because they find the man and his family unsuitable, or to accept the abduction as a way of their daughter to marriage especially if they find the man and his family suitable for her.¹⁷ Acceptance of the abduction would lead to negotiations and agreements leading to marriage of the two. This practice, however, is

accordingly, this time being abused by some young men. They kidnap ladies in the pretense of marrying them afterwards. After the act, they would just leave the women disgraced and stigmatized in a society that puts premium in the "cleanliness" of a woman.¹⁸

Rejection of offer of marriage after the abduction carries a penalty. The kidnapped girl is looked down because she is considered "spoiled" and no man would take her for his wife. Because the man and his family "lose face" by the girl's rejection, they will spread rumors against the girl.

Dowries

In most indigenous communities, marriage is incomplete without dowries. Dowries come in many form such as money, precious jewels, lands, animals, gongs, jars, kitchen chattels and others and are given in different amount. And, in most cases, the dowry exceeds that of the capacity of the family giving it. Considered as asset of the couple in starting a married life, dowries may be given by the parents of the bridegroom to the bride or the other way depending on the practice of the society. In the Madeshi culture, a young bride brings with her dowry to the house of her husband. She would be scorned and belittled by the man's family if she gives little dowry.¹⁹ In countless instances, a girl whose dowry is considered



insufficient by the man's family, may suffer physical violence or face death in the hands of his husband or of his family. In communities where the man pays the bride price, the impression is he "bailed" the wife and she is expected to be obedient to the wishes of her husband. In brideprice negotiations, the girl is not even consulted. Exorbitant brideprice results to indebtedness of the young couple who have to pay it later when they are already married.²⁰ Among the Hmong, if the groom's parents cannot pay the bride price, the couple will stay with the girl's family and work for her father. This reduces the amount of the brideprice and a couple can already have two or three children when the price is fully paid.²¹

Changing marriage traditions

Marriage practices in some Asian indigenous communities are changing. This can be attributed to the transforming effects of Western paradigm on marriage. Before, betrothed children could not break free from the arrangement of parents. If they do, they will be meted with severe punishments like paying or giving back more the initial dowry given. Now, children can and are strongly asserting their wish to choose and marry their partners. There are also parents who recognized the complexity and the burden of



following age-old traditions like child marriage and dowry system. They themselves consent to their children's decision on marriage.

Inroad of Christianity in indigenous communities also has a great role in the cessation of marriage traditions. This is evident in the Langilans who ceased to observe wife kidnapping in the 1940s at the peak of Christianity. Christian missionaries in indigenous communities introduced a new tradition based on Western and Christian attitudes which gradually replaced a new thread in the fabric of marriage practices.

Changes are also emanating from legislations or policies outlawing child marriage and other practices that are considered rights-violating. However, these changes are slowly gained

because of questions on the effective implementation of those laws by governments. In the Philippines, the Langilans ceased to follow wife kidnapping in recognition of government law. Though child marriage is strongly practiced in Nepal, the Civil Code of 1963 made child marriage and polygamy illegal and set the legal age of girls for marriage at 16. Several penalties for violating the provisions against under age marriage are set.²²

To free parents and prospective wives and husbands from the bondage of dowries, laws are promulgated to facilitate marriage. In India, the Dowry Prohibition Act was put in place but enforcement is difficult especially in rural areas where deeply-rooted traditions exist.²³

Both wife abduction and child marriage not only violate local laws but also international tenets on human rights. The Universal Declaration on Human Rights Article 16 is very strong that:

[M]arriage shall be entered only with the free and full consent of the intending spouses.

This is further strengthened by Article 16 of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) which says, in part:

States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular

shall ensure, on a basis of equality of men and women:

- (a) The same right to enter into marriage;*
- (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent...*

The CEDAW Committee is very firm in its stipulations that States must "take positive measure to eliminate all forms of violence against women." The Committee further commented that traditional attitudes involving violence or coercion such as forced marriage and dowry deaths (specifically mentioned in this article) may justify gender-based violence meant to control women.²⁴


Even the UN Declaration on the Rights of Indigenous Peoples is very strong in its provision on the full protection of indigenous women from such kinds of violence and discrimination.

Article 22 (2) says:

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.

Although there are already actions to outlaw wife kidnapping, child marriage and the dowry system, there are still fragments of these practices in indigenous communities.

Hence, to fully remove such discriminatory practices, the challenge is for indigenous women to strongly and vigilantly pursue actions for the effective implementation of the CEDAW and the UNDRIP and other local or national laws. Continuous monitoring and reporting of States' obligations under international human rights laws like the CEDAW would also ensure the attainment of liberty of women from those traditional bondage. 



Endnotes:

¹ Dizon, Gina P., Editor. 1999, 1st ed. Learning From the Spirit of Cordillera Tales. Philippines: Indigenous Studies Centre, Benguet. pp. 12-13.

² One of the provinces in the Cordillera region in the Philippines and home to indigenous peoples.

³ Crapo, Richley H. 1995, 4th ed. Cultural Anthropology: Understanding Ourselves and Others. USA: Brown and Benchmark Publishers. p. 220.

⁴ Sabah Women Action Resource Group. 1992. Women in Sabah: Needs, Concerns, Aspirations. Sabah, Malaysia: SWARG. p. 69.

⁵ Dozier, Edward P. 1967. The Kalinga of Northern Luzon, Philippines. USA: Holt, Rinehart and Winston, Inc. pp. 42-43.

⁶ 60% girls marry before 18. On-line. Available from Internet, <http://www.gorkhapatra.org.np/detail.php?article_id=4041&cat_id=8>, accessed on 30 January 2009.

⁷ Inhabitants in the Terai region in Nepal.

⁸ Poudel, Pabita. Girls suffering from the Gauna practice. Sancharika Feature Service Vol 9 Issue 1 January 2006. On-line. Available from Internet, <<http://www.sancharika.org/files/English%20January%20Jan%202006.pdf>>, accessed on January 30, 2009.

⁹ Ibid.

¹⁰ Interview from Mrs. Grace Tauli-Balawag, CBD IP Project staff, Tebtebba, Baguio City. Interview on February 3, 2009.

¹¹ Shimizu, Hiromu. 1989. Pinatubo Aytas: Continuity and Change. Manila: Ateneo De Manila University Press. pp. 116-118.

¹² Ibid.

¹³ Ibid., pp. 118-119.

¹⁴ Indigenous peoples in Mindanao island, the Philippines.

¹⁵ Guardados, Johanna Joyce, et al. 2000. Mindanao ethnic communities. Quezon City: UP Center for Integrative and Development Studies. p. 50.

¹⁶ One of the hill tribes which now occupy the Golden Triangle area.

¹⁷ Teng Moua, The Hmong: Kinship, Marriage and Family Systems, A Research Paper, The Graduate College, University of Wisconsin- Stout, May 2003, pp. 20-21. On-line. Available from Internet, <<http://www.uwstout.edu/lib/thesis/2003/2003mouat.pdf>>, accessed on February 2, 2009.

¹⁸ From the sharing during the Training on Monitoring State Accountability Through CEDAW, 29 September- 02 October, 2008, ChiangMai, Thailand.

¹⁹ Ibid., Girls suffering from the Gauna practice.

²⁰ Ibid., Women in Sabah, p. 70.

²¹ Paul and Elaine Lewis. 1998. Peoples of the Golden Triangle: Six Tribes in Thailand. Bangkok: River Books, Bangkok. p. 126.

²² Dithal, Rupa Dithal. Child Marriage in Nepal. CWIN Nepal. On-line. Available from Internet, <http://www.cwin.org.np/resources/papers_articles/child_marriage.htm>, accessed February 4, 2009.

²³ Onewomen. Women's Situation in India. On-line. Available from Internet, <<http://www.onlinewomeninpolitics.org/womensit/india.pdf>>, accessed February 6, 2009.

²⁴ General recommendations made by the Committee on the Elimination of Discrimination against Women. On-line. Available from Internet, <<http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm>>, accessed on February 6, 2009.



The 8th UNPFII and the side-events - A bird's eye view!

By Khesheli Chishi

Member, Indigenous Women Forum of North-East India (IWFNEI)

The journey to New York was, as usual, an exhausting, long trip. Having reached New York City on the 18th morning of May, 2009, without getting time to rest and recover from the grueling journey, I had to spend the day with the registration formalities and miss the opening session and the rest of the day's proceedings.


The next morning, the 19th of May, was my introduction to the 8th Session of the UN Permanent Forum on Indigenous Issues (UNPFII). This day's session dealt on agenda item No. 3 on indigenous women. This was enlightening and refreshing. But it was an ice-breaker and a privilege when I had to participate as a panelist in the side-event of the International Indigenous Women's Forum (FIMI) on "Advocacy Training on Violence Against Indigenous Women." On behalf of the Indigenous Women Forum of North-East India (IWFNEI), I spoke as an indigenous woman who "comes from a situation where our people and our lands have undergone all kinds of harassment and hardships under a heavy militarized situation."

I shared some glaring examples of what is happening to the indigenous women of North-East India—the rapes and murders and the trauma of all kinds of violence that are perpetrated on our communities in different metropolitan cities of India, including Delhi, even as recent as April 2009. I also felt somehow relieved with my submission which concluded a note to

suggest and appeal to the UN Permanent Forum, to take initiatives to activate the various UN agencies to monitor all these kinds of crimes against humanity in itself and take the various Governments to tasks for their inability to deal effectively with such crimes in most cases, and particularly to those Governments who simply allow these things to happen knowingly.

The rest of the working sessions were mostly routine, giving opportunities to indigenous representatives to air their feelings while keeping certain strictures and protocols in mind. I must say, however, that the side events—such as the one I mentioned above—and a few others that followed proved much beneficial for our own understanding and applications.

In this regard, I also must say that the activity on the 23rd of May, (which was a holiday for the main session)—called the Workshop/Strategy meeting on Indigenous Peoples, Climate Change and the UN Framework Convention on Climate Change (UNFCCC)—was another eye-opener for a lay-person like me. I found this activity to be an "acclimatization" in a sense, where I got more familiar with the topic itself. Climate change would have, otherwise, been more of an academic talk for me, without really understanding the applicability in my own situation. I also realized that even we, Nagas, directly contribute many things to affect climate, such as through our agricultural activities. But while some of these activities are detrimental, however, there are also activities that attempt to rebuild, which needs no elaboration as most indigenous peoples live on agricultural activities. This experience has strongly motivated me to be more serious about climate change. I feel that even in the context of our (Nagas) present day situation, there is the need to initiate more awareness program and take these to the rural areas.

The other events and, of course, the main sessions on the many relevant topics were all equally interesting and educative. But from my own perspective, I have shared this very brief experience as a first-timer as others will have much more to share with their many experiences as well. Moreover, I also take this opportunity to thank AIWN for enabling me to participate in the 8th UNPFII through its kind sponsorship and the warm partnership that we enjoyed throughout our stay together in New York. 

REPORT OF THE ASIAN INDIGENOUS WOMEN'S NETWORK TO THE 8TH SESSION OF THE UNPFII

18-29 MAY 2009

AGENDA Item 3 c: Follow-Up to the Recommendations of the Permanent Forum on Indigenous Women: Second International Decade of the World's Indigenous People

The Asian Indigenous Women's Network has been engaged, last year, in facilitating capacity development of indigenous women to hold governments accountable using CEDAW (Committee on the Elimination of Discrimination Against Women). This is with support from the UNIFEM CEDAW South East Asia Programme. From the activities held in the Philippines, Thailand, Indonesia and Cambodia, the following situations of indigenous women were surfaced:

1. Indigenous women suffer disproportionately from the impacts of development aggression, including the current initiatives to curb climate change. Oil palm plantations have displaced women in Indonesia and the Philippines. In West Kalimantan, the doyo—a significant material in indigenous women's traditional livelihoods—have become scarce because of oil palm monocrops. Displacement of indigenous communities by extractive industries has increased women's economic dependence on men who are equally compelled to find other income sources. In Cambodia, such situation resulting from land grabbing and appropriation through economic land concessions and infrastructure development has precipitated increase in domestic violence in indigenous peoples' communities. In one instance, a man reportedly forced his wife to sign the deed of sale of their land just to make sure that they get a little amount instead of totally losing this through land grabbing or state appropriation.

2. As women stand up against these violence, their human rights and freedoms are threatened. Mama Aleta Baun who lead the community resistance against a marble mining company in Mollo, West Timor, cannot go back home to her village due to threats on her and her family's life. Strategic lawsuits against public participation have been used to silence indigenous women and community leaders by mining companies in the Philippines.

3. Intolerance prevails. A lot of indigenous women and men in Thailand do not have the security of citizenship. As a result, they have no access to basic services like health and education. Corruption is rampant where indigenous women have to contend with bribery and sexual harassment, among others. This is exacerbated by the lack of skills and capacity of indigenous women to engage the complicated and difficult system and process of filing for citizenship. Citizenship cards, however, do not guarantee equality. Indigenous women in Thailand have poor health-seeking behavior. This may be due to their lack of confidence in public health providers who are prone to errors and wrong diagnosis as a result of language gap. This gap is, likewise, not being addressed by government as a strategy for their effective discharge of their duties as public servants.

4. Gender discrimination persists, inhibiting women from asserting their full development as human beings. Factors predisposing this include inheritance practices,

arranged and early marriages and gender stereotypes, among others. This is further complicated by women's complacency and internalized discrimination resulting from the lack of opportunities and capacities for women to address or challenge their situations. These include the lack of information on basic human rights. As one participant in a women's rights workshop from Thailand expressed: "We have always been active; we participate in all development initiatives in our communities but we never had the space to talk about gender and ourselves." Knowledge of basic human rights and standards, including CEDAW and the UNDRIP (UN Declaration on the Rights of Indigenous Peoples) imparted during these activities, has somehow given indigenous women confidence to discuss their situations and organize to address their issues and concerns. These issues include inheritance and violence in the name of tradition. In Thailand, for example, most Hmong women attain a sort of self and identity only when they are attached to men. This is partly because all religious rites, including burial rites, are done by the husband's family. Widowers and divorced women are not entitled to burial rites unless they remarry.

RECOMMENDATIONS:

1. AIWN recommends continuing support to fully enable indigenous women's organizations to strengthen present capacities to monitor the implementation of the CEDAW at the national level. This can be an enabling process for indigenous women to effectively engage with national, regional and international machineries for women, the CEDAW mechanisms and other human rights bodies (CEDAW Report, 4th session para 114). To this recommendation, AIWN further recommends that States Members, UN agencies and NGOs concerned with gender equality and women's rights shall:

- strengthen current initiatives, declarations, mechanisms and conventions to inform indigenous women of their human rights as women and as indigenous peoples. These include CEDAW, the UNDRIP, the ICESCR (International Covenant on Economic, Social and Cultural Rights) and ICCPR (International Covenant on Civil and Political Rights);
- mobilize technical, logistical and expert resources to equip and enable indigenous women to be able to use the different human rights mechanisms, tools and procedures towards the fulfillment of their rights to equality and non-discrimination;
- ensure effective information and communication of national CEDAW implementation plans and programmes including consultations with indigenous women's organizations to define specific approaches and strategies that would be most appropriate in their context;

2. AIWN calls on the different women-related processes at the UN to strengthen their work on the particular situations of the rights and freedoms of indigenous women through institutionalization of the UNDRIP as a minimum standard in the fulfillment and enjoyment of rights by indigenous women. These include the Commission on the Status of Women (CSW), the Committee on the Elimination of Discrimination Against Women, funding mechanisms such as the UNIFEM (UN Development Fund for Women) through its subregional offices;

3. Finally, AIWN calls on the UNPFII to support the proposed 3rd Asian Indigenous Women's Conference which will discuss, among others, domestic violence and violence in the name of culture and tradition, trafficking and prostitution, and climate change vis-a-vis indigenous women.

THANK YOU MADAM CHAIRPERSON!

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Stories of Indigenous Women in **INDIA**



By **CHRISTINE C. GOLOCAN**
AIWN Secretariat

A culture of impunity persists in this country where extractive industries are displacing the indigenous peoples from their lands and territories, denying them of their subsistence and control over natural resources, and depriving them of their lives. They are confronted with similarly controversial issues like violence against women perpetrated by traditional practices, exploitation, militarization, and the overarching issue of discrimination. These have impacted indigenous women negatively and subsequently impaired their rights and freedoms.

Even with education and similar training as men... women are less preferred in job offers.

Discrimination

Discrimination against indigenous peoples, especially on indigenous women, is prevalent particularly in North East India. During the National NGO Consultation on Violence against Indigenous Women in India held in October 2008 in New Delhi, various statements were issued by indigenous women. These stated that while there may be a number of educated women, it was still considerably low compared to men. Even with education and similar training as men, e.g., Theology, the women are less preferred in job offers. They are relegated to teaching in primary schools with meager salary while the men are absorbed as pastors and missionaries.

Women are also less likely to hold political representation even in the lower level. The society they evolve in is bounded by the structures of customary practices which hamper women's representation in decision making. The "traditional democracy," as termed to mean the direct democracy practiced in the traditional chief's council, provides no space for women to participate in decision making. The Lamkang indigenous women, particularly, lack equal participation in social, cultural, economic and political life.

The statements during the consultations also mentioned that indigenous women are denied the right to inheritance. Women have no inheritance rights over their parental properties. The

denial of this right impacts on the women's psyche and self-esteem.

There is also disrespect for religious beliefs of minorities even though the Constitution of India provides freedom of religion.

Moreover, indigenous peoples are always looked down and given certain names to indicate their low status. Women, in particular, are viewed as inferior to men—lacking in intelligence and considered ignorant. Women are further exploited because of their economic situations. Hence, they are forced into the trap of engaging in dangerous and undesirable jobs such as prostitution and drug trafficking. The scenario entangles them deeply into a vicious cycle of violence and further discrimination.

Dams, Multipurpose projects and Violence Against Women

Faced with numerous so-called development projects, indigenous peoples of India have launched several campaigns to defend their basic existence and to confront the militarization that accompany these projects. These include campaigns against the Mapithel Dam (Thoubal Multipurpose Project), the Tipaimukh Hydroelectric (Multipurpose) project and Dumbur Hydro Electric Project.

I Facts reveal that the Mapithel Dam (Thoubal Multipurpose project) will affect more than

8,000 indigenous peoples from 17 villagers, aside from non-indigenous populations. According to calculations based on surveys conducted by non-governmental and community organizations, the submergence area is 3,568.77 hectares.

The Naga Frontal Organizations, in a Joint Press Statement released on May 7, 2008, pointed out the irregularities in which the Mapithel Dam was undertaken since it was approved by the Planning Commission of India in 1980. The issues raised were:

1. That there was no comprehensive Resettlement and Rehabilitation (R&R) policy for the affected villagers.
2. The Memorandum of Agreement (MOA) regarding the payment of lands for direct purchase (mutual transfer) was not initially complied with, and started only in the years between 1996-2003. Besides, there was a deviation in the completion of payment which cannot be completed to date.
3. The project-affected villagers continuously suffering from anxiety because of the threat of displacement; there is no immediate plan for survival, livelihood and habitation.

The "Appeal on Mapithel Dam," released by the Naga Peoples Movement For Human Rights (NPMHR), contain similar issues. It also identified specific concerns related to ongoing human

rights violations such as suppression of freedom of expression; the employment of villagers without providing safety measures; and violations particularly committed by security personnel of the dam construction company and elements of the 19 Assam Rifles. Such violations resulted to loss of life without reparations. There are also ongoing threats to survival and livelihood, considering that their movement in going to the forest were curtailed by security forces. These security forces were established and maintained along the area of construction within the villages.

The above statements echoes the initial calls to the concerned authorities and specifically to the Honorable Dr. Manmahan Singh, Prime Minister of India. These were made by Ramrei Aze Shannao Long (Ramrei Women's Union), Chadong Shanao Long (Chadong Women's Union), Rhia Shano (Riha Women's Union) and Thawai Shanao Long (Thawai Women's Union) on 27 May

Women, in particular, are viewed as inferior to men – lacking in intelligence and considered ignorant.





Specifically, there was an oversight and failure in securing the consent of the people and disregard on the participation of women in the decision making and implementation of the construction.

2006. These different women organizations demanded the suspension of the Mapithel Dam until a complete review of the Rehabilitation and Resettlement program has been made.

Specifically, there was an oversight and failure in securing the consent of the people and disregard on the participation of women in the decision making and implementation of the construction. They claimed that as early as 1976 during the initial investigation, survey and proposal for the construction, there was no consultation undertaken. The women of the village and other villagers did not have any knowledge about such project.

The letter likewise identified the absence of an Environmental Impact Assessment and the project's reliance on the military to suppress the people. They further expressed that such construction posits serious threat to the survival and inherent rights of women over their land and resources, taking into account the initial violations and disrespect of authorities to the call and demands of the affected villagers.

Therefore, in consideration of the severe negative impacts of the project on the lives of women and children and of the affected villagers, the group agreed that the construction works of Mapithel Dam should be stopped. The government must review the entire process, including the Rehabilitation and Resettlement program.

II In the case of the Tipaimukh Hydroelectric (Multipurpose) project, affected tribes have been contesting and protesting its construction. The proposed dam project was rejected by the people from its very conceptual stage as it would submerge about 311 square meters covering 90 villages. This would affect 1,310 families and 27,242 hectares of forest and cultivable land, thus, posing serious threat to the rich biodiversity, flora and fauna of the region. It would eventually displace mostly Zeliangrong and Hmar communities and permanently deprive them of their livelihood. There are also potential environmental disasters. The site of the the Tipaimukh dam axis falls on a potentially active "fault line" and possible epicenter for major earthquakes. During the past 50 years, at least two major earthquakes of 8+ in the Richter Scale have been recorded.

Despite vigilant opposition from concerned communities and organizations, the Power Minister of India went ahead and laid the foundation in December 2006. This was done in the midst of a general strike rejecting the dam construction. Again, this action by the government is an act of suppression and oppression. This also violates indigenous peoples' rights to land and territories, free, prior informed consent, participation and self-determined development.

Even before the construction proper, indigenous

peoples have already felt the social and cultural impacts. These include the entry of migrant workers and military forces. The Armed Forces have been mobilized to protect and defend the company and dam workers and properties. In the guise of keeping peace and order in this conflict-ridden region, this move will only escalate the existing conflict and rights violations.



In 1971, during the Chief Ministership of Sri Sukhomoy Sengupta, more than 25,000 indigenous peoples were forcibly evicted from their own lands when the Government proposed the Dumbur Hydro Electric Project on the river Gumti. The Government dispatched police, Central Reserve Police Force (C.R.P.F.) with elephants and bulldozers to force them to leave their lands. Women were sexually abused and many children starved to death.

Mrs. Durga Laxmi Jamatia, a pregnant woman, was beaten up and forced to leave her house. She gave birth to a dead baby in the jungle.

Also, Mrs. Sukumari Jamatia (about 60 years old), a paralyzed woman, died and her cremation had to be performed in the jungle on the way to relief camp.

In these dam and multipurpose projects, violence against indigenous families involves arbitrary house searches, body searches, questioning, threats and harassment. These have greatly impacted on their

freedom of mobility and livelihoods, and on women's access to the forest.


Traditional Practices that Violate Women's Rights

Indigenous women continuously experienced discrimination from community norms and practices molded from a patriarchal form of society. Such practices marginalize women's status and participation in their community.

Indigenous women of Tangkhul Naga tribe, for example, play the most important role in preserving and promoting the cultural identity of the tribe. They are also the bearer of change for the betterment of societies. In many ways, they sustain their family and the community as well. As such, they are considered the container and carrier of life. Yet, these women have not been able to enjoy the life they fully deserve. They have been victimized in many ways and their rights have been violated systematically in the name of their tribe's custom and culture.

The customs and traditions they have long maintained and preserved are, regrettably, also the causes of their discrimination. Within the society where they evolve, patriarchy is very much visible and real. The women do all the household chores, serve their husband, care for their children, and observe the norms of customary practices. They

The customs and traditions they have long maintained and preserved are, regrettably, also the causes of their discrimination.



*The survival
of a family
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weave and design traditional clothes for their men, both young and old. Ironically, once worn by men, it becomes taboo for women to even touch these, except when washing or mending these clothes.

The survival of a family in a tribal community in India strongly depends on a woman. A family without the presence of a woman is unlikely to endure life. However, their existence finds no significance during headcount (census) because only the men are considered head of the family. A family headed by a widower is not even accounted for. The widower need to be attached to the husband's next of kin, thus giving a negative impression of dependency.

The women are also considered of second class status. In the case of a son or a daughter, it is the son who is given the priority in food, clothing and education, among others. The birth of a son brings forth jubilation while a daughter is an ordinary event. All the parent's properties are inherited by the sons while the daughters are left with nothing. If there is only a daughter, the parent's properties will be inherited by the brother or cousin of the father.

Accordingly, within the traditional system of the Tangkhul tribe, women have dedicated their life to serving all the men in the family. Consequently, the pains inflicted by the men in their family are endured in silence. This is in accordance to the

belief that domestic violence is normal. This culture of keeping silent is reinforced by community norms and values.

In most cases of sexual abuse and rape by family members, such incidents are not disclosed because the family gives more importance to social stigma than the rights and feelings of the victims. Further, the resolution of cases under traditional and customary laws is more lenient and biased towards the perpetrator than to the victims.

It is, therefore, in this light that some practices are being questioned because of the discriminating nature and the violation that these bring to indigenous women. Oftentimes, community norms and practices are used as instruments to condone violence.

Women under Militarization

A major issue that women face in India is the violence perpetrated by state security forces. In conflict zones like Manipur and North Eastern states, militarization, especially for indigenous women, is a very crucial problem. The women in these areas are seen as easy targets of violence. Noteworthy also is the limited access to justice that further marginalize women and increases their vulnerability to sexual abuse and other human rights violations.

Impacts of decades of militarization on women in the North East region were

also presented during the consultations. The following are some highlighted cases:

- “My house was searched and we were detained for five hours from evening till midnight. The psychological stress we undergo cannot be compensated by anyone or any measure. Daily house search and combing operations do not allow us to get proper access to education. Work (agriculture) or socialized and daily wage earnings are curtailed to a great extent.” (Statement of a woman victim in North East Region);
- When the 2nd IRB (Infantry Rifle Brigade) personnel were engaged as security guards of P. Kipgen, they assaulted two women in Imphal, belonging to the Rongmei community, beating their faces with rifle butts and robbing their silver chain, mobile phone and money;
- There were cases of rape victims who were ashamed to tell even their family. They had to resort to medical termination of pregnancy, often through unhygienic means. These have resulted to deaths or complications. There are also cases where women gave birth and had to raise the child as a single parent, bringing more burden to her;
- The horror of army torture, rampant sexual assault and violence against the villagers of Oinam in Senapati district in Manipur in 1987 during Operation Bluebird launched by the Assam Rifles;
- Gang rape of 14 women of Ujanmaidan in Tripura by jawans (private soldiers or male constabulary) of the 27 Assam Rifles in 1988;
- The terror wreaked by the army in Assam during Operation Rhino in 1991;
- The shelling of the town of Ukhrul in Manipur with mortars in May 1994;
- Indiscriminate firing on civilians by armed forces personnel when a tire of their own jeep burst in the town of Kohima, Nagaland in March 1995;
- Torture of the villagers of Namtiram, Manipur in 1995;
- The army’s reign of terror in Jesami in Manipur in January 1996;
- Rampage of the village of Huishu in Manipur in March 1996;
- Torture, rape and killing of Thangjam Manorama Devi;
- Gang rape of 21 women in Parbung and Lungthulen in Churachandpur in Manipur by non-state actors in 2006;
- The case of illegal arrest, rape and torture of Thangjam alias Henthoi which led to the protest of 12 women activists in Imphal. On July 16, 2004, the women stood naked in front of the headquarters of the Assam Rifles Headquarters at the historic Kangla Fort camp in the center of the city, shouting slogans and carrying a banner which said, “Indian Army Rape[d] Us!”;
- The conflict also led to more women rearing their children alone and being marginalized because of their situation;



- The process of the armed forces in settling conflict and giving reparations remain inaccessible to the victims. Likewise, the court martial and intra-army judicial processes have provided impunity to the guilty;
- Specifically from Tangkhul tribe, many women were subjected to sexual abuse and some were murdered in the State's counter insurgency programs. In one incident, Miss Rose was forced to serve and make the beds of the Border Security Forces (BSF) officers who came to their village. The two BSF officers gang-raped her; the next day, she hang herself;
- There was also a case of attempted rape on a 17-year old girl by an Indian Army Officer in broad daylight. The girl resisted him which led to the army officer shooting her on the head.

Further, oppression by the State against indigenous women persisted way back in 1949 when the merger of Twipra (Tripura), a small hilly state in the North East region of India, with the Union of India materialized. The women have been victims of all types of atrocities. The following cases are some highlighted incidents in Twipra:

- In 1988, the Assam Rifles gang-raped eight indigenous women for three consecutive days (May 31 to June 2) at Ujanmaidan under Khowai Sub-Division of West Twipra;
- On 1st April 1995, the Central Reserve Police Force (CRPF), led by Asi Biswanath Majumdar of Twidu (Taidu) Police Station, went to Thalibari and gang-raped three indigenous women in broad daylight;
- On 4th March 1997, a group of Assam Rifles went to Toksa, under the Birganj Police station of Amarpur Sub-Division of South Twipra District, and gang-raped Miss Tabarung Reang and sexually assaulted six other women;
- In 1999, a group of Tripura State Rifles (TSR) went to Takhum Bari Village under the Nutan Bazar Police Sation, South Tripura District. Many women were beaten, molested and raped in that village. One of them, a pregnant woman, was beaten by a rifle butt. Later, she gave birth to a baby with a bruised head. Even a 15 year old girl was beaten in her private parts;
- On the 12th March 2008 at around 3:00 pm, Aapaima Mog (21 years old) was raped and killed by Special Police Officer Sri Jagadish Shill (22 years old) who was working in the District Armed Reserved Camp of Avenga chera Out Post under Jalai bari police Station, South Twipra District;
- The use of some school buildings as camps by security forces caused fear among school children;
- Indigenous peoples have been restricted to go to forests for collection of forest produce and in practicing shifting cultivation—their main source of livelihood. Women, in particular, feared being killed and raped by the security forces;
- In June 1980, when Sri. Nripen Chakraborty was then the

Chief Minister of Twipra, a communal riot flared up between the indigenous and non-indigenous population. It was unfortunate that the police took active part in the riot and sided only with the non-indigenous. They also indulged in killing, looting, raping indigenous women and burning their villages. More than 3,000 indigenous peoples were arbitrarily arrested.

There are other incidents perpetrated by the State and State Security Forces that have caused several women to suffer, to be widowed, and children orphaned. These women victims and survivors of violence and repression continue to demand justice and reparations for the harm done to them, their families and their communities. *aiwn*

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Reference to Indigenous Peoples' Rights in UNFCCC COP 15 Agreement: A Strong Call of IPs*

Copenhagen, December 11 (Maribeth Bugtong, AIWN) — "We are here because we have rights!" said Joseph Ole Simel, Executive Director of the Kenya-based Mainyoto Pastoralist Integrated Development Organization.

To ensure that their rights are considered in any agreement that will come out in the 15th Conference of Parties (COP 15) of the United Nations Framework Convention on Climate Change (UNFCCC), hundreds of indigenous peoples from different regions of the world are participating as observers and as official delegates of State Parties.

COP 15 is seen as crucial to the continuous survival of indigenous peoples. More than stakeholders but rights-holders, Ole Simel added that indigenous peoples are suffering seriously from the impacts of climate change. This is despite the fact that they are contributing the least to climate change. Thus, their rights must be recognized, respected and protected.

The controversial "Danish text," which "leaked" out in the first days of the meeting, is a draft agreement that is said to give more power to rich countries and would open an avenue to abandon the Kyoto Protocol (KP). This alarmed the indigenous peoples present

in Copenhagen.

According to Johnson Cerda, a Quicha lawyer from Ecuador and Conservation International's advisor on Indigenous and Traditional Peoples Program, it is surprising that indigenous peoples' rights nor the demands of the International Indigenous Peoples' Forum on Climate Change (IIPFCC) were not mentioned in the so-called draft agreement. This said document is also devoid of references to the long-standing demand of indigenous peoples. These demands include recognition of their rights as stated in the UN Declaration on the Rights of Indigenous Peoples, full and effective participation of indigenous peoples in any climate processes and the respect for their traditional knowledge. They are not even acknowledged as a vulnerable group. Now being claimed as "open" document, Cerda stated that it is not recognized by the IIPFCC, the caucus of indigenous peoples participating in the climate negotiations.

In addition, Cerda reflected that governments invited by the IIPFCC in its meetings expressed their support for indigenous peoples' rights and the positions of the IIPFCC. However, some governments are not really putting their words into reality, with the



Danish "text" being the evidence.

Joan Carling, the Secretary-General of the Asia Indigenous Peoples Pact and co-convenor of the IIPFCC, initially mentioned that in indigenous peoples' communities where REDD (Reducing Emissions from Deforestation and Forest Degradation) projects are pursued, indigenous peoples' rights are disregarded. She mentioned that there is no consultation with indigenous peoples, their free, prior and informed consent not taken, their traditional knowledge not respected and their right to their land, territories and resources not recognized. According to Ole Simel, indigenous peoples will face the threat of eviction from their territories if REDD is implemented in Tanzania.

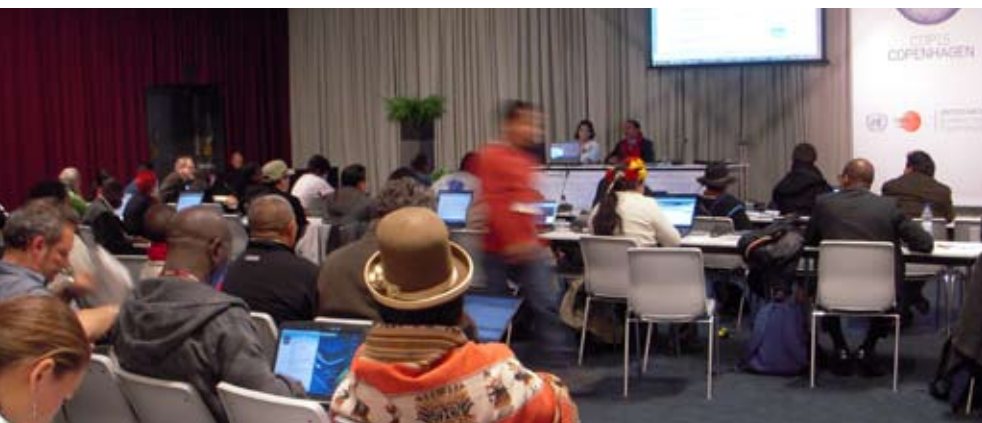
In retrospect, Ole Simel further stated that the Danish government has been historically supportive of indigenous peoples' rights. However, it has now contradicted itself in the leaked "text." He said that the Danish government has moral, social and political responsibilities in putting forward an agreement that

has reference to indigenous peoples and their rights.

Furthermore, Cerda, echoing the IIPFCC demands, called on any climate change funds to be accessible to indigenous peoples, who have, for centuries, been undertaking their own mitigation and adaptation measures.

The IIPFCC has come up with a proposal that they sought to be included in the COP 15 agreement. It states:

State Parties commit to respect international human rights standards that establish moral and legal obligations to protect and promote the full enjoyment of indigenous peoples' collective human rights in all matters related to climate change, including their rights to their lands, territories and resources, their traditional knowledge, and their free, prior and informed consent, consistent with the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), as well as guaranteeing their full and effective participation in all climate change related processes at the global, regional, national and local levels.



*This article was written during the COP15/MOP of the UNFCCC held last 7-18 December 2009 in Copenhagen. The climate conference failed to come out with any substantial agreement that would deal with climate change beyond 2012. It only came out with a Copenhagen Accord which was merely noted by States-Parties of the Convention. Negotiations will continue in 2010 and beyond.

*Indigenous women assert
rights against*

EXTRACTIVE INDUSTRY !!!

By MARIBETH V. BUGTONG

AIWN Secretariat



It is the resounding cry of the peoples of Kasibu, Nueva Vizcaya, the Philippines against mining exploration by foreign mining companies.

Indigenous peoples' lands and territories are continually being expropriated for multinational extractive ventures. These are undertaken without consideration to the rights of the peoples who are the owners and rightsholders since ancient times. The resources found in their territories are appropriated for mining and oil and gas exploration, to the detriment of the indigenous peoples' existence. They receive very little or no benefits from these projects. Rather, they are confronted by evictions and displacements that happen amidst their strong opposition. Seeking to maintain their sustainable living in harmony with Nature, indigenous peoples face these plunderers who are often disguised as promoters of development.

Equally most affected in the race to so-called development through neo-liberal extractive policies are the indigenous women who are the bearer and transferer of indigenous knowledge and skills. Both witnessing and experiencing the devastating impacts of indiscriminate extractive projects, indigenous women raise their voices as a response.

A statement of the International Mining and Women Network (Red Internacional Mujeres y Minería) strongly emphasized the various effects of mining:

We state that mining has serious negative impacts on women's lives, livelihoods, social and cultural status, physical and sexual rights, ecological spaces, access to and control over natural resources, legal and customary rights and traditional knowledge systems. Mining has also generated serious development myths, which we challenge from the gender perspective.

How indigenous women are impacted by mining is elucidated by an indigenous woman from Mollo, Nusa Tenggara Timor, Indonesia. During the protest against marble mining in 2006 by the indigenous peoples of Mollo, NTT, Mama Senam Oematan said:

We (women/mama-mama) must walk even further to obtain water because the water around the location is now polluted while among us now there are pregnant women. The same is true with our crop harvests that will surely be diminished since we can no longer plant on our land that is at the mining site. This condition will certainly cause us women here to suffer more and more so that we are all determined to obstruct the excavator so that it will not ruin our fields, water and rock that have kept us alive all this time.

Not only for their own lives but for the next generations do indigenous women raise their voices against mining. Mrs. Carlita Cumila, an Ifugao grandmother and an active participant in the fight of the indigenous peoples of Kasibu, Nueva Vizcaya, the Philippines, expressed her concerns:

Seeking to maintain their sustainable living in harmony with Nature, indigenous peoples face these plunderers who are often disguised as promoters of development.



This watershed gives us the cleanest water from the mountains. If this will be flooded by mining waste, it will destroy the area for agriculture. What will become of our people, especially our grandchildren?

-Carmelita Cumila

This watershed gives us the cleanest water from the mountains. If this will be flooded by mining waste, it will destroy the area for agriculture. What will become of our people, especially our grandchildren?

History of indigenous peoples' actions for the protection of their source of life gives a picture of the determined participation of women in those countless struggles. During the First International Conference on Women and Mining in January 1997 at Baguio City, Philippines, Ms Florina Miro Lopez of Panama, in her paper, said:

We are the foundation and guardians of our cultures. Therefore, our struggle as women has always been to stand by our brothers in every aspect of our existence.

Involvement of indigenous women against mining disguised as state-initiated development projects does not construe total shunning from initiatives that may benefit indigenous peoples. Gabriela Caballero, a leader of Gnobe-Bugle (Guaymi) nation who have been protesting the copper extraction by the Canadian firm Panacobre in Chiriqui province, Panama, expressed this:

Once more, we repeat that we are not opposed to any properly conducted development so long as this leads to integral change in the quality of men's lifestyle. However, we are strongly against any false concepts of development promoted by the government and the mining companies. The condition facing us in our different regions are serious.

As each day goes by, fresh complications arise, to the point that we fear for our health and can see no future for ourselves or our children.

Actions of indigenous women have been continually repressed by governments and their armed forces, mining companies and their workers and paramilitary units. However, no bullets or sticks have dispirited the indigenous women. An Amungme human rights defender in Papua, Indonesia, Yosepha Alomang, who went through tortures and violence from her fight against Freeport McMoRan Copper and Gold Incorporated, is a strong testimony to this:

I still work to defend the indigenous people's rights. I've seen many other organizations emerging here, but not a single person dares to go against the government like me. But I am not going to be here forever. Somebody has to replace me later. We all have dreams to follow, but we have to be strong and stand up for our rights.

Even defying the burden of old age, elderly indigenous women join protest actions whenever they can, bearing the thoughts that survival and development do not always speak of money from extractive projects. In protest against the mining bid of Climax Arimco, Mrs. Dinaon Cut-ing, an old woman in Didipio, Kasibu, Nueva Vizcaya, Philippines echoes what every older indigenous woman would say:

Even if I am an old woman, I will fight them...With land, even if it is small, if you are industrious, you will be able to eat. There is kamote (sweet potato), gabi (yam) and rice. If you plant vegetables, you will have food. That is plenty to live on. Even if you have a lot of money, but you don't have rice, would you be able to chew your money?

Collectively, they call for the recognition, respect and protection of indigenous peoples' rights to their territories and to self-determined development. These are paramount to the realization of a dignified life. During the NGO Forum of the UN Fourth Conference on Women in Beijing in 1995, indigenous women declared:

We urge the governments who are opening up our territories to foreign investors especially to mining corporations, to respect these rights. Full disclosure of development projects and investments to be put into our territories should be done. We should be fully involved in making decisions on these matters.

Long beforehand, in the First International Conference on Women and Mining in 1997, they demanded from governments:

We are the foundation and guardians of our cultures. Therefore, our struggle as women has always been to stand by our brothers in every aspect of our existence.


-Florina Miro Lopez

That they revise their policies to prioritize the rights and welfare, health and wellbeing of their people, over and above the interests of the mining companies.

They further asked during the Fourth Conference in Beijing for actions to repair and restore damaged lands:

Indigenous peoples' lands which have been ravaged by mining corporations, or which have become dumping sites of toxic, radioactive and hazardous wastes, should be rehabilitated by the corporations or the governments which allowed this devastation.

In whatever grounds they would find themselves fighting for their lands, territories and resources, the resolve of indigenous women would never fade. The following words of an Ifugao lady, Ms Josephine Namujhe-Fernandez, who supports firmly the resistance to large-scale mining in her community, expresses the common sentiment of indigenous peoples on development aggression:

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. 



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Success Stories

THAILAND

Finding Purpose in Overcoming Obstacles

Vipa and Nang both grew up in the mountainous areas of Thailand. As indigenous peoples in these areas, they are often called hill tribes. They have distinct cultures and they speak their own language.

Vipa Srilipanon is from the Lisu group. She conveyed that oppression begun in her childhood. There are several cultural norms that prohibit and limit the movement, actuations, expression, and basically, the rights of girls and women. At the early age of 16, she was forced to marry a man she did not know. Her marriage further curtailed her rights and freedom. She revealed that she had higher education than her husband but that did not help her to be treated well. Also, it was only her husband who can perform sacred rituals.

Nang Noi is from the Hmong group. Likewise, at an early age she was married to a man who had a wife. She was treated more like a servant than a wife. Multiple wives is considered a norm within Hmong society. However, there are certain practices that vehemently offend the honor and dignity of a woman, especially if she ranks second or third.

Their fight against discrimination extends to the traditional and formal structures of society. Accordingly, the traditional system and the formal structure glorify men. These structures, however, are not spared from corruption. This situation further worsens the plight of poor families, especially with regards to access of women to basic social services.

These women revealed that helping other women with their problems is not easy. The training and workshops they attended certainly helped them in their advocacy. And in their encounter with the Convention on the Elimination of Discrimination Against Women (CEDAW), they had this to say: “Now we know that as women, we don’t need to just hope to be treated better, we have a right to be treated better!”

Source: CEDAW in Action, Hill Tribe Women ‘Go Out’ To Their Communities, <http://cedaw-seasia.org/thailand_hilltribe.html>, accessed in May 2009.

BURMA

A Life-Long Career in Seeking a Peaceful Life in a Peaceful Society

She is 28 years old, a role model for men and women, a “candle in the dark” by her fellowmen—and a threat to Myanmar’s junta. She is Charm Tong, a member of Myanmar’s Shan minority, and a living witness to the sufferings especially of the Shan. She expressed how her own people lost their lands, and how they barely survived from torture and persecution.

Charm Tong, who lived in an orphanage, survived the test of time after being sent away at the age of six from a war-torn Shan to Thailand. Unluckily for her peers, some became victims of human trafficking and the sex trade. She only reached middle school after which she rendered volunteer work with Myanmar refugees. Her efforts gained her recognition in the international arena.





In 2002, she co-founded the Shan Women's Action Network (SWAN) together with over 40 women. It was also this time that they released a report on "License to Rape," citing in detail the rape cases by Myanmar military personnel. In 2005, she was one among other international activists who was given the Reebok Human Rights Awards. That same year, she was nominated for the Nobel Peace Prize and was named one of Asia's Heroes by Time magazine.

At present, Charm Tong maintains a school in the Thai-Burma border. The school trains the new generation of Myanmar people, giving opportunities for young people to build their capacity and enhance their skills. She confessed "this is a life-long career for me. My students represent hope for the future, hope for a democratic Myanmar. I know I'm taking a risk, but I know that we are trying to do our best to speak the truth and change the situation. No matter how difficult it is, we have to continue to do it."

Among her recent appeals concern the stoppage of the construction by Chinese investors of several hydropower dams. The construction of the Salween hydropower will endanger indigenous culture and uproot them from their homes. The specific area that will be directly affected is the Yin Ta Lai, home to about 1,000 Yin Ta Lai minority. As a consequence, they will lose their life, distinct culture, and a biodiverse rainforest.

Source: *Shan Herald*, *Shan: Young Activist Speaks Out Against Junta*, July 14, 2009, <<http://www.shanland.org/>>, accessed in July 2009.

CANADA

"Women Leaders have to be Tougher and Stronger than Men"

Rhuby Dhalla—from a cultural minority in Punjab, India to Canada's Parliament.

She is a community activist, a doctor, and one of leading progressive voices in North American politics today.

Her story unravels how a young woman from a cultural community has to go beyond her upbringing to be in her current position. This upbringing is based on the traditional belief that a woman of color has no part in politics. She said, "The issues, challenges and barriers that women face in politics are many, but you must be strong, you must have a vision, and you must always have a thick skin."

She further confessed that it entails hard work, coupled with a strong support system and a great team, to be able to pursue and achieve one's vision. She believes that "to empower women, [one needs to] empower those who are struggling to be heard."

Source: *Inter Press service news Agency (IPS)*, *Nergui manalsuren interviews RUBY DHALLA, Canadian MP, 2009*, <<http://www.ipsnews.net/news.asp?idnews=45990>>, accessed in July 2009.



PHILIPPINES

A Living Legacy of Courage, Determination and Hope

Mother Petra “Tannaw” Macliing—a name always to be remembered by Igorots for generations to come and, probably, also by indigenous peoples of the world. She is one of the awardees of the 2009 Women’s World Summit Foundation’s (WSSF) Laureate Prize for Rural Women.* Mother Petra, as fondly called by the younger generations, is a living legacy of women empowerment.

One will always remember her story who, together with other mothers and grandmothers, led the fight against the entry of mining companies in Mainit, Bontoc, Mountain Province in northern Philippines. She was among the women who initiated dialogues with the mining engineers who were conducting mining explorations in the area. When the series of dialogues failed, she led the women to plan their next move.

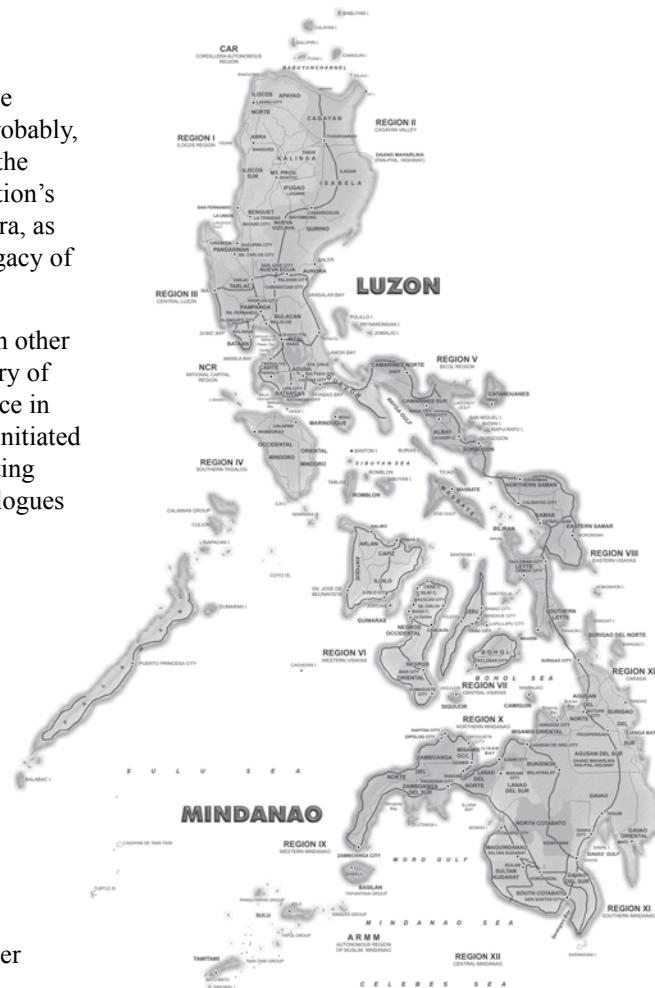
The village women approached the mining camp at night and shouted for the mining engineers to leave, while simultaneously exposing their breasts to the men. The Bontocs believed that men are not supposed to see their mothers and grandmothers unclothed. This is considered taboo. Otherwise, they will incur an endless round of bad luck. This drastic measure finally made the mining engineers leave the area, never to return.

Mother Petra was also one of the staunch oppositionists to the construction of the four Chico River Dams in 1970. She is also committed to sustainable agriculture and practices indigenous farming techniques. These, she advocates among Bontoc households and farmers in neighboring areas.

Mother Petra is a leader and has a strong voice and presence in the Cordilleras. She was a founding member and officer of the Cordillera Peoples Alliance (CPA) in 1984 and is presently a member of its Advisory Council. She is, likewise, a member of the Regional Council of the Cordillera Elders Alliance (CEA), a Cordillera-wide alliance of traditional elders’ organizations. She was part in the setting up of the KBPPHA (Kalinga-Bontoc Peace Pact Holders Association) in 1979, a federation of traditional tribal leaders and peace pact holders. It was through her that women were represented in the tribal elders’ council which is traditionally held by men.

**The WSSF Laureate Award honors creative and courageous women and women’s groups worldwide for their contribution in improving the quality of life in rural communities, or protecting the environment, transmitting knowledge and standing up for human rights and peace.*

Source: HAPIT, The Official Publication of the Cordillera Peoples Alliance, Volume XVII, No.3, July-September 2009.



other

News

New UNSR on VAW, its Causes and Consequences.

Congratulations to Ms. Rashida Manjoo, the new UN Special Rapporteur (SR) on violence against women, its causes and consequences!

Rashida Manjoo is a South African legal practitioner, as well as a member of Women Living Under Muslim Laws. She is an advocate of women's rights and an expert on various international mechanisms for the promotion of women's rights. Her versatility is reflected upon her involvement with international processes and civil society initiatives for gender justice in Africa, Asia, and other parts of the world.



http://www.sidint.net/images/Rashida_Manjoo.jpg

International Meeting Applauds Australia's Support for Indigenous Peoples

Australia received a loud and heartwarming applause from about 600 participants from the government, environmental groups, business industry and indigenous peoples, when it announced that it was supporting the UN Declaration on the Rights of Indigenous Peoples. The announcement was made on April 3, 2009 during the 7th session of the working group developing a regime for access and benefit sharing of genetic resources under the Convention on Biological Diversity (CBD) in Paris.

Mr. Mattias Ahren, Chairperson of the Saami Council of Arctic and Northern Europe region, acknowledged this improved position on the Declaration. He expressed that this pronouncement will benefit all indigenous peoples of the world.



With this pronouncement by Australia, however, there are doubts as to its realistic implementation. Many echo this uncertainty—Is this merely an act of symbolism? Tom Calma, the Social Justice Commissioner said, “the endorsement is a ‘watershed moment’ in Australia’s relationship with indigenous people.s Australia supported the Declaration after being one of the four states (under the Howard government) that voted against its adoption. The other three states—New Zealand, Canada and the United States—have maintained their position.”

Source: Indigenous Portal, *International Meeting Applauds Australia's Support for Indigenous Peoples*, Press Release, 3 April 2009, <<http://www.indigenousportal.com/Biological-Diversity/International-Meeting-Applaud-s-Australia-s-Support-for-Indigenous-Peoples.html>>, accessed in July 2009; ABC News, *Indigenous Rights Declaration Just The Start*, by Thalia Anthony, University of Sydney, posted April 14, 2009, <<http://www.abc.net.au/news/stories/2009/04/14/2541995.htm>>, accessed in July 2009.

REPORT FROM THE SECRETARIAT

For 2009, the Secretariat has been occupied with the following work: 1) finishing up the activities under the UNIFEM Project, 2) coordination work with the Asian IP Caucus in preparation for and during the 8th Session of the UNPFII last May 31-30, 2009 in New York, 3) preparatory work for the 3rd Conference of the AIWN, and 4) engagement with the different processes on climate change.

The last two country activities were done for the first semester under the UNIFEM project. These were the follow-up activity with the Indigenous Women's Network of Thailand (IWNT) and the series of consultations done with indigenous representatives and non-government organizations working with indigenous peoples in Cambodia. The earlier activity, like the two other activities held last 2008 in Indonesia and the Philippines, was a workshop on enhancing documentation for those engaged in the data gathering and report writing. Cases gathered from the field were presented where the discussions included defining data gaps, enhancing writing and initial analysis.

Following these were two regional consultations: one was on indigenous and ethnic minority women and the other was a consultation on ASEAN (Association of South East Asian Nations)-related bodies. The regional follow-up on the status of work on indigenous and ethnic minority women involved the seven countries covered by the UNIFEM-CEDAW SEAP, i.e., Vietnam, Indonesia, Philippines, Thailand, Cambodia, Laos and East Timor. A bulk of the discussion was on the macroeconomic framework and indigenous and ethnic minority women's rights and enhancing the proposed Manual on CEDAW for Indigenous Women. After this, most of the participants participated in the Regional Consultation on the ASEAN Human Rights Body and the ASEAN Commission on Women and Children organized by the APWLD and the IWRAW-AP.

In Cambodia, the Secretariat piggy-backed on the series of consultations organized by the Forum Asia in April. These focused on the land problem issue in Cambodia and its impact on indigenous women. The consultations involved indigenous community representatives, students under the Cambodian Indigenous Youth Association and NGOs working with indigenous peoples, such as the Indigenous Community Support Organization and the ADHOC, among others. Results and insights from these project activities were used as inputs to the submissions and oral interventions during the 8th Session of the UNPFII in May.

The second quarter was more focused on the preparations for the proposed 3rd AIWN Conference, as well as the preparations for and participation to the 8th session of the UNPFII. During the Asia Regional Preparatory Meeting for the 8th Session of the UNPFII, the Secretariat was assigned as the focal point on women and gender matters. In this respect, the Secretariat facilitated the drafting and finalization of submissions and oral interventions; facilitated the participation of members from the Indigenous Women's Network of Thailand, the Indigenous Women's Forum of North East India and the National Network of Indigenous Women, Nepal; organized the AIWN side event entitled "The Role of Indigenous Women in the Implementation of the UNDRIP: Exploring local-Global-Local

Synergies in the Second Decade of the World's Indigenous People” and linking and meeting with members present and other organizations in preparation for the proposed 3rd Conference of Asian Indigenous Women.

Towards the end of the year, the Secretariat participated in the Bangkok Climate Change Talks in September 28 to October 9, 2009 and in the Conference Of Parties 15 in Copenhagen, Denmark last December 7-18, 2009. In particular, contributions on indigenous women's perspectives were made in the policy advocacy and lobbying discussions of the Gender and Women Caucus and the International Indigenous Peoples' Forum on Climate Change (IIPFCC).

Alongside these were advocacy work in several civil society activities. One of these was the Asia-Pacific NGO Forum on Beijing+15 where the AIWN sponsored several country participants. It also organized a side event on “Indigenous Women Negotiating the Millennium Development Goals (MDGs) and Climate Change.”

The AIWN was also invited to participate in a Fact-Finding Mission in Sarawak, Malaysia on November 1-7. This was in response to the reported abuse of Penan women and girls by logging workers in Baram. In response to the devastating impact of the cyclone Pepeng in Northern Luzon, Philippines in October, the Secretariat also contributed to the relief and rehabilitation efforts on a seriously-affected community in Benguet. This is an indigenous community found in an abandoned mining site.

For more details, please refer to the table below.

ACTIVITY , Date and Place	Participants	Results/ Major Discussion Points
1.UNIFEM Project		
a). Country follow-up on documentation process and experiences, assessment of data gathered <i>12-13 February Chiang Mai, Thailand</i>	<ul style="list-style-type: none"> Total Pax: 25 (1 male, 19 females and 3 observers [1 UNIFEM, 1 Asia Foundation, 1 male CHR]) IP Groups represented: <ol style="list-style-type: none"> 1. Lisu 2. Hmong 3. Lahu 4. Karen 5. Mean 6. Shan 7. Akha 8. Lua 	<ul style="list-style-type: none"> A lot of VAW cases were attributed to culture and tradition Non-citizenship status among many hilltribes women deprive them of other rights and services, i.e., access to health care and education, mobility, etc. Displacement prevalent vis-a-vis Thailand's Forest policy IWNT resolved to strengthen its ranks to address VAW in the name of culture and tradition and structural discrimination
b. Cambodia Consultations Pnom Pehn and Kampong Tom, Cambodia <i>8-12 March 2009</i>	<ul style="list-style-type: none"> Total pax: 35 (21 female, 28 male) IP Groups Represented: <ol style="list-style-type: none"> 1. Bunong 2. Kuy (Kui), 3. Stieng 4. Brao 5. Chornng 6. Por 7. Suoy 8. Por 9. Tampuon IPOs/NGOs: <ol style="list-style-type: none"> 1. IRAM 2. ICSO 3. CIYA 4. ADHOC 5. PyD 	<ul style="list-style-type: none"> Mining, hydropower dams and economic land concessions as main issues affecting indigenous women Displacement results to uncertainties and insecurity VAW increased due to escalating inability among men to provide for their families vis-a-vis uncertainties

c. Follow-up and finalization of country reports	AMAN	• 3 HerStories 1 Film Documentary
	BAI	• 9 community case studies
	IWNT	• 3 cases/IP group
d. Follow-up meeting to the SEA Regional Training and Strategic Planning Workshop on CEDAW for Ethnic Minorities and Indigenous Women <i>15 -16 February Chiangmai, Thailand</i>	Secretariat IWNT BAI AMAN ICSO Burma	• Presentation of working draft of the Manual on CEDAW for Indigenous Women
e. Manual on CEDAW and Indigenous Women write-up		• Floated for comments before finalization
2. UNPFII 8th Session		
Asia Regional Preparatory Meeting on UN Mechanisms and Indigenous Peoples <i>3-6 March 2009 Kuala Lumpur, Malaysia</i>	AIPP-member IPOs; IP-NGOs	• AIWN tasked on women and children matters; interventions • Secretariat as focal point for the Philippines in the Asia Selection Process for an IP Expert to the UNPFII
3. ASEAN Civil Society		
Women's Consultation on the Terms of Reference (TOR) of the ASEAN Human Rights Body <i>18-19 February Bangkok, Thailand</i>	Secretariat AMAN IWNT BAI ICSO WLB	• Advocacy on indigenous women's situations and perspectives on human/ women's rights
4. AIWN 3rd Conference		
a. Continuous Communications on Status of Preparatory Work	Coordinating Committee	• Postponed to 2010 to give more time for resource generation
b. Site visit and local coordination	Secretariat, NNIW	• Scout possible venue, cost, etc.
5. AP NGO Forum on Beijing +15		
"Weaving Wisdom, Confronting Crises, Forging the Future" <i>22-24 October 2009, Miriam College, Quezon City, Philippines</i>	Asia- Pacific Women NGOs	• Input on indigenous women in the Asia-Pacific NGO Forum on Beijing+15 Final Declaration • AIWN Side event: "Indigenous Women Negotiating the MDGs and Climate Change"
6. Climate Change Processes		
a. Bangkok Climate Change Talks <i>September 28- 9 October 2009 Bangkok, Thailand</i>	State Parties; Civil Society Organizations, Non-government Organizations and Indigenous Peoples, i.e., IIPFCC	• Final IIPFCC Policy Proposals on Climate Change • Input in the Gender and Women Caucus Statement • AIWN Quilt (contribution to the "Asian Women's Quilt on Climate Change") • Rural and Indigenous Women's Statement on Climate Change: A Submission to Parties to the UNFCCC

b. Conference of Parties (COP) 15 7-18 December 2009 Copenhagen, Denmark	State Parties; Civil Society Organizations, Non-government Organizations and Indigenous Peoples, i.e., IIPFCC	<ul style="list-style-type: none"> Reference to indigenous peoples' rights in the negotiations texts
7. Fact Finding Mission		
Middle Baram, Sarawak, Malaysia 1-7 November 2009	SACCESS (Sarawakians Access); SUARAM (Suara Rakyat Malaysia); Malaysian Bar Council; Women's Aid Organization; COAC; Forum-Asia; AIWN; Tebtebba	<ul style="list-style-type: none"> Official report still in draft form but AIWN advocacy started thru: AIWN statement on the "16 Days of Activism Against Gender Violence, 2009" Encouraging Malaysia participants to the 2009 Consultation with the UNSRVAV to take the lead in bringing out the issue
8. Disaster Response		
Relief and Rehabilitation Mission 21 October, Tublay, Benguet, Philippines	AIWN and Tebtebba	<ul style="list-style-type: none"> Officials of the Tublay Women Federation (TWF), during the relief operations, strategized the distribution of relief goods to typhoon victims 145 bags were given to Barangay (Village) Ambassador, having the largest number of casualties reported, and the other villages received 15 bags each. (250 relief goods for women were actually distributed) Linkage was established with the Tublay Women's Federation (TWF) for future commitment and advocacy



Under Dark *Sunglasses*



by Cheryl "Chyt" Daytec-Yangot*

*Like a doting mother, they pamper ruthless fists
That iterate force on flesh tender from recent hits
Sanguine red, her sad eyes; purple, her swollen cheeks
Such are the vivid colors of which brutality reeks
Sunglasses, she believes, camouflage dishonor
From lurid welts so palpable against her pallor
But they loan to violence a mien of dignity
Its deadly fangs lurk beneath framed obscurity*

*Her silence overwhelms her shrieks of despair
From the bowels of her soul, gasping for some air
But like a caged bird, she dreams of that flight
Beyond the blue horizon, a world from her plight
She wears a copious mask; and why should not she?
Our open eyes are closed; they choose what to see
Under labored smiles through dark sunglasses
She gathers her tears; she coddles her secrets*

*Her secrets are no secrets; we know them too well
Our mothers of old as we to strong fists fell
History repeats itself; is this not the cliché
Whose truth is immutable like water in the bay?
One writhing woman's pain is every woman's pain
One broken woman's cane is every woman's cane
In our dreams, we reside in rooms without walls
But with dark sunglasses, we rot in prison halls*

*While we wear sunglasses, our dark secrets they drown
We are suppressed by chains, our freedom tied down
But when we take them off, we bare violence's shame
Victims no longer, we claim survival as our name!*

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