

The Interlinkages between Climate Change-Induced Natural Disasters, Development Aggression and Gender-Based Violence in Indonesia and The Philippines





This report forms part of the IUCN Resilient, Inclusive and Sustainable Environments (RISE) project “Empowering Indigenous Women Environmental Human Rights Defenders of Asia”, which aims to empower and elevate the voices of Indigenous women environmental human rights defenders to self-determine their priorities, voices, and strategies to end gender-based violence as a barrier to their defense of the environment. With a focus on the Philippines and Indonesia, the report addresses extractive development projects such as industrial plantations and large-scale mining projects operated by State and corporate interests, as well as so-called ‘green’ and ‘sustainable’ development and infrastructure such as hydropower projects and the construction of a ‘green city’. Further, the report looks at national policies of climate change and development to assess whether they include issues of Indigenous women, gender, and GBV, and to consider whether they are effective in preventing GBV. The report was carried out in collaboration between the Asia Indigenous Peoples Pact (AIPP), the International Work Group for Indigenous Affairs (IWGIA), the Association of Indigenous Women of the Archipelago (PEREMPUAN AMAN), Innabuyog and Cordillera Women’s Education and Resource Centre (CWEARC) with support from the Ministry of Foreign Affairs of Denmark (Danida) and IUCN.

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Published by: International Work Group for Indigenous Affairs (IWGIA) February 2025

Photos: Unless otherwise noted, all photos are credited to Signe Leth and Katrine Gro Friborg

Publication date: February 2025

Design by: www.NickPurserDesign.com

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Cover photo: National level protest against hydro-power projects being proposed within Indigenous Peoples’ ancestral territories in the Philippines without their FPIC. Credit: Katribu Kalipunan

Photo above: Indigenous rice terraces in the Cordillera, Philippines.

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Abbreviations

- ADCEL** – Ancestral Domain Claimants of Eastern Lagawe
- AMAN** – Association of Indigenous Peoples of The Archipelago
- CERD** – International Convention on the Elimination of All Forms of Racial Discrimination
- CEDAW** – Convention on the Elimination of All Forms of Discrimination against Women
- CPA** – Cordillera Peoples Alliance
- CWEARC** – Cordillera Women’s Education, Action, Research Centre
- EHRDs** – Environmental Human Rights Defenders
- FPIC** – Free, Prior, and Informed consent
- GBV** – Gender-based violence
- GoP** – Government of the Philippines
- GoI** – Government of Indonesia
- HGU** – Hak Guna Usaha (Cultivation rights, Indonesia)
- HPH** – Hak Penguasaan Hutan (Forest Concession Rights, Indonesia)
- HTI** – Hutan Tanaman Industri (Industrial Plantation Forest, Indonesia)
- IHM** – PT. ITCI Hutani Manunggal (company name, Indonesia)
- IKN** – Ibu Kota Negara (Mother Capital of the Nation)
- IPRA** – Indigenous Peoples Rights Act
- ITCI** – International Timber Corporation Indonesia
- LGBTQIA+** – Lesbian, Gay, Bisexual, Trans, Queer, Intersex, Asexual
- NDC** – Nationally Determined Contributions
- NIA** – National Irrigation Administration
- NCIP** – National Commission on Indigenous Peoples
- NTFPs** – Non-timber Forest Products
- PEREMPUAN AMAN** – Association of Indigenous Women of the Archipelago
- PT** – Perseroan Terbatas (Limited liability company)
- RT** – Rukun Tetangga (Neighbourhood association, lowest government level)
- UNDRIP** – UN Declaration on the Rights of Indigenous Peoples
- UNFCCC** – United Nations Framework Convention on Climate Change



An Indigenous woman walking in a field in Ifugao, Philippines.

1. Introduction: Gender-based Violence and Environmental Linkages

In Southeast Asia, the surge and intensification of climate-related disasters, compounded by alarming levels of environmental degradation and land rights violations caused by development projects (such as mining, logging, agribusiness, infrastructure and energy), results in immense harm to the sustainability of ecosystems, biodiversity of terrestrial landscapes and aquatic life, and human well-being. The impacts of climate change and environmental degradation are disproportionately experienced across the continent, as pre-existing power structures and intersectional disparities are exaggerated in times of crisis.¹ Indigenous Peoples are particularly subjected to both climate change impacts and land rights violations by State and corporate interests given that their territories, frequently rich in coveted natural resources, are often located within states which uphold oppressive neo-colonial institutions often saturated with imperialism, systemic violence, gender inequality, and economic marginalisation.² Indigenous Peoples are especially exposed to impacts of climate change and to land violations because their traditional ways of living, cultural identities, knowledge systems, ontologies, and spiritualities, which are essential for their existence, self-determination, livelihoods and well-being are inherently interconnected with their territories. Unlike Eurocentric notions of culture and nature as detached concepts, for Indigenous Peoples, nature is beyond material and tangible; land, culture, belief systems, and identity are unified and, thus, not separable. If Indigenous Peoples suffer loss of land, their cultural/natural survival is at risk.³ With the global rush to adapt to a changing climate, along with a surge in global demand for energy and resources, numerous extractive development projects are now taking place. What is seen as development for some may pose violent threats to others⁴ as these schemes may well replicate patterns of neo-colonial development aggression⁵ and thus risk posing further threats to Indigenous Peoples.⁶ The new 'green/sustainable' capital of Indonesia and hydropower in the Philippines which force displacements of Indigenous Peoples are both examples of how development projects with a 'green' commitment may cause detriment and

loss to Indigenous Peoples and their environments. For Indigenous women, extractive, aggressive development is one of the most pervasive threats to their survival and well-being, as the presence of State and corporate businesses in their territories increases their exposure to different forms of gender-based violence and violations of human rights, such as the psychological violence of threats of forced eviction, loss of livelihood, forced displacement, increased hunger and poverty,⁶ violence against women, including rape.⁷

The gendered linkage of climate change and development aggression is often overlooked. In national and international policy frameworks, women are typically portrayed as homogeneous, equally marginalised, and as vulnerable victims. This perception deflects from the deep-rooted inequalities of institutional gender norms, which exacerbate the exclusion of women from resource access and decision-making.⁸ Intrinsically, such uniform categorisation ignores intersectional⁹ discrimination based on ethnicity, class, age, socio-economic status, gender, citizenship, physical ability, and socio-ecological context,¹⁰ all of which make Indigenous women and Indigenous gender-diverse people disproportionately exposed to gender-based violence (GBV) compared to Indigenous and non-Indigenous men, and women of other social identities. Indigenous women, as well as gender-diverse people,¹¹ are particularly affected by the consequences of climate disasters and development aggression as such incidents exacerbate pre-existing gendered inequalities entrenched in patriarchal structures.¹¹ These external pressures pose serious threats to their livelihood, health, safety, cultural identity, traditions, and spirituality, creating cycles of deprivation, poverty, and amplified exposure to GBV.¹² To recognise GBV and Environmental Linkages (GBV-ENV), it is critical to emphasise which socio-cultural, economic, and political conditions, including social constructions of gender, contribute to intensifying exposure to threats driven by climate disasters and extractive development projects. Gender-based violence involves any harmful threat or acts of violence

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i. *Development aggression refers to the imposition of so-called development projects and policies without the free, prior and informed consent of those affected, under the rubric of modernization or nation-building. This process can lead to destruction or loss of ancestral territories and resources, denigration of indigenous worldviews and values and of their political, economic and socio-cultural systems and institutions, ecosystem degradation, displacement, and violent conflicts.* see E/C.19/2005/4/Add.13 Permanent Forum on Indigenous Issues.

ii. In most cases, individuals with non-binary gender identities have fewer rights and are often discriminated against compared to the dominant gender binary, which is a key driver of violence against them. Non-binary gender identities are present in many Indigenous cultures (ICCA 2018), including the four gender identities of the Chiricahua Apache in North America e.g., two-spirit individuals, or the Machi gender fluidity of the Mapuche. Within Indigenous cultures, gender identities are often related to a person's spirit rather than chromosomes. Colonialism has been a vast force in annihilating gender fluidity across Indigenous cultures (see Mohan 2020). The terms gender diversity will be used to include all gender identities that do not refer to the binary of cis 'men' and 'women'.

directed at an individual or group based on actual or perceived sex, gender, gender identity or expression, sex characteristics, sexual orientation, and/or lack of adherence to varying socially constructed norms around masculinity and femininity.¹³ GBV is an umbrella term for any harmful act that is perpetrated against a person's will and that is based on socially ascribed differences between men and women. It includes acts that inflict physical, sexual, or mental harm or suffering, threats of such acts, coercion, and other deprivations of liberty.¹⁴ Among others, GBV includes rape, domestic violence, forced sterilisation, forced marriage, forced pregnancy, forced virginity testing, forced prostitution, trafficking, sexual exploitation, femicide, female genital mutilation, and other forms of harassment, including non-physical psychological harassment.¹⁵ For Indigenous Peoples, GBV often takes the form of psychological, physical, sexual, economic, structural, political, spiritual, and environmental violence.¹⁶ *Structural violence* refers to a form of violence wherein social structures and institutions harm people by preventing them from meeting their basic needs. This form of violence is distinct from direct interpersonal violence and emerges from the unequal distribution of power and resources. Structural violence includes prevailing racist or discriminatory ideas and attitudes in society, including formal or informal rules that discriminate against groups of people.¹⁷ Structural violence is prevalent when laws and law enforcement (or lack thereof) are used as instruments to perpetrate human rights violations that benefit some while harming others. *Spiritual violence* relates to acts of violence and discrimination that harm the particular role Indigenous women play in their communities concerning the continuation of their culture and the survival of their people. This form of violence not only harms Indigenous women but negatively impacts the collective identity of their communities.¹⁸ *Environmental violence*ⁱⁱⁱ can take the form of environmental harm, degradation and contamination, or State failures to prevent anticipated harm connected to climate change.¹⁹ Intrinsic in the concept of Environmental violence is the exacerbation of underlying conditions of inequalities.²⁰ This type of violence includes sexual violence, abuse, and trafficking associated with the presence of extractive industries²¹ and serious health impacts, which disproportionately affect Indigenous women.²² At large, these kinds of violence are enacted as a means of control to enforce and protect privileges around nat-

ural resources. Owing to the pervasive intersectional inequalities that limit women's rights and access to resources, the majority of GBV victims and survivors are women and girls.²³ Despite the emerging recognition of the linkages between climate change and GBV, and between development aggression and GBV, these issues are largely absent from political agendas.²⁴ The amount of disaggregated data on GBV and Environmental Linkages (GBV-ENV) is limited;²⁵ in particular, GBV against Indigenous women is under-reported.²⁶

With a specific focus on Indonesia and the Philippines, this report draws attention to the linkages between the increased GBV against Indigenous women a) in relation to climate change and related disasters, and b) in the presence of large-scale extractive development projects run by State and corporate interests; we centre on so-called 'green' and 'sustainable' development, i.e., hydropower and development infrastructure. Specifically, the report centres on i) in, **Indonesia**, the relocation of the State Capital from Java to Indigenous territories in East Kalimantan, and the gendered impacts experienced by Indigenous Balik and Paser women who live in the designated area of the new State Capital; ii) in the **Philippines**, the report centres on Indigenous Women Environmental Human Rights Defenders accused of terrorism for their activism to protect ancestral lands and human rights, and on how Tawali, Kalanguya, and Ayangan Indigenous Peoples are impacted by the proposal of a hydro dam project on their territories in Ifugao province, Cordillera Region, Luzon. In both countries, following a trail of intrusion and dispossession of Indigenous land by extractive development compounded by impacts of climate change, this report focuses on how Indigenous women's livelihood, roles, knowledge, culture, identity, and responsibilities are challenged, and how they struggle, survive, and resist different forms of GBV. Moreover, the report looks at national policies and frameworks of climate change and development policies to assess whether they include Indigenous women, gender issues, and GBV. The conclusions and recommendations discussed in this report are aimed at States, donors, and researchers within the field of sustainable development, land rights, human rights, rights of Indigenous Peoples, gender equity and social inclusion, and protection of knowledge(s), cultures, and languages.

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iii. The concept was formally recognized by the 2012 UNPFII 12th session and the Lima Declaration, October 2013.



The Alimit river is significant for the livelihood, culture, and survival of the Ayanagan and Tuwali Indigenous Peoples of Lagawe, Cordillera, Philippines.

2. Methodology

This report is based on qualitative data collected in East Kalimantan, Indonesia and in Cordillera, the Philippines, and a review of literature, including academic publications, UN documents, policy documents, and grey literature. Keyword searches combined a) 'climate change', and 'climate disasters', or b) 'development', 'mining', 'plantations', and 'agribusiness' with 'Indigenous women', 'rights of Indigenous Peoples', 'gender', 'gender-based violence' both within the specific geographical ranges of 'South-East Asia', 'the Philippines' and 'Indonesia'. In Indonesia, qualitative data were collected in August 2023 in East Kalimantan, Indonesia. Semi-structured interviews and focus group discussions included 26 Balik and Paser Indigenous women, and seven Indigenous men, of which six were community leaders. The Balik and Paser interlocutors were members of six communities (Sepaku, Panajam, Binuang, Maridan, Pematuan, and Sepan) affected by the relocation of the Indonesian capital. The report, interviews and focus groups, and field visits to East Kalimantan, meeting with government officials, were carried out in partnership with PEREMPUAN AMAN, an association of Indigenous women from the Indonesian archipelago. PEREMPUAN AMAN was established in 2012, based on the experience that Indigenous women needed a place to organise, unite, learn about their rights, and voice their interests. The organisation aims to involve Indigenous women in decision-making, create awareness and acknowledgement of their knowledg-

es, roles, and contributions as well as fight GBV in state law and in domestic and public spheres. In the Philippines, qualitative data were collected in January 2025, in partnership with Innabuyog and Cordillera Women's Education and Resource (CWEARC), in the Lagawe municipality of the Ifugao province. Seven focus groups with 26 women and eight men, and five interviews with women belonging to the Limos, Tingguian, Kankanaey, Ibaloy, Tawali and Ayangan Indigenous Peoples were carried out. The majority of interviewees were from Tupaya, Nammog, Banga, and Dulao communities. Innabuyog is a regional alliance of grassroots Indigenous women in the Cordillera that is also affiliated with the Cordillera Peoples Alliance (CPA). Innabuyog works to empower Indigenous women to fulfil their potential in leadership in their communities. Innabuyog incorporates organising, research, education and training, advocacy and campaigns with building the women's movement in the Cordillera. CWEARC grew out of the historical role played by Indigenous women fighting development aggression from mining and hydro-dams. CWEARC provides support to Cordillera women's groups, particularly Indigenous women in pursuit of land, food sovereignty and rights. The findings of the report are a collection of Indigenous Peoples' testimonies. Free, prior, and informed consent (FPIC) was obtained prior to all visits and interviews. For their personal and communal safety, most interlocutors are kept anonymous.



Timber extracted along the Sepaku River, East Kalimantan, Indonesia.

3. Climate change and related disasters in the two archipelagos

Indonesia and the Philippines are among the most exposed places to climate change disasters owing to their geographical locations. Indonesia is estimated to have one of the largest coastal populations exposed to flooding while being highly exposed to tropical cyclones, while the Philippines is one of the most typhoon-prone countries worldwide. In both countries, droughts are expected to increase in frequency and intensity given the association with El Niño events through warmer global temperatures as a result of anthropogenic CO₂ emissions.²⁷ Both countries are thus highly disposed to more extreme weather patterns causing landscape destruction, food insecurity, migration, and forced displacement.²⁸

3.1 Indigenous Peoples' sustainable practices and exposure to climate change

Although Indigenous Peoples represent a mere 6% of the global population, they effectively manage at least 28% of the planet's ecosystems, including vital biodiverse environments.²⁹ In many areas, Indigenous territories are abundant with unexploited natural resources. In the Philippines, approximately 85% of the remaining forests and 96 of 128 key biodiversity areas overlap with Indigenous territories.³⁰ Indonesia is ranked 2nd among the ten most biodiverse countries in the world³¹ and encompasses two of the world's most threatened biodiversity hotspots.³² In 2020, over 11 million ha of Indonesia's Indigenous territories were documented and registered, with over 460,000 ha of land conserved by Indigenous Peoples. These are strong indicators confirming that Indigenous Peoples are key custodians in protecting the remaining rich biodiversity and forest ecosystems across the archipelagos.³³ Relative to Westernised lifestyles, Indigenous sustainable ways of living hardly contribute to the climate crisis and yet they bear the brunt of the consequences, due to their direct dependency on ecosystems vulnerable to climate disasters.³⁴ Indigenous lifestyles are engrained in their knowledge systems. These knowledge systems are key to understanding interlinked ecosystems across terrestrial and aquatic systems,³⁵ including, among others, watershed protection, diversified crop systems,³⁶ fire management,³⁷ irrigation systems,³⁸ forest protection, food security, and climate change mitigation.³⁹

For example, in the Philippines, Indigenous Ifugao practices known as *muyong* promote sustainable forest management, including cultivation practices following soil and water conservation principles, providing abundant wood supply and protecting biodiversity.⁴⁰ The knowledge of Indigenous women is rooted in their traditional roles and responsibilities, which e.g., relates to forests, ecosystems, biodiversity, soil, water, medicinal plants, and food systems. For example, a central role of Indigenous Dayak women in Indonesia is farming vegetables and fruits, gathering tree seed, ferns, bamboo shoots, and wild fruits, thus enabling nutritional and livelihood diversification.⁴¹ In Indigenous land-use systems, such as *simpukng* in East Kalimantan, the knowledge developed through the tasks women perform, including seed selection and propagation, are key to the conservation of biodiversity.⁴² The profound understandings of the natural world and the myriads of adaptation strategies of many diverse Indigenous Peoples present a key argument for their active role in leading current and future climate-resilient approaches.⁴³ Despite their crucial role and valuable knowledge systems, Indigenous Peoples are prevented from mitigating and adapting to problems of which they are not a driving force, and find themselves discriminated against through acts of harassment and violence, including GBV. For instance, in Indonesia, despite a deep embodied knowledge of the forests in which they live, Indigenous Orang Rimba and Dayaks are commonly stigmatised and racialised as 'primitive' and lazy by government officials, e.g., if they decide not to accept oil palm development on their ancestral territories.⁴⁴ As Filipino scholar Chaya Ocambo Go explains: "*Anthropogenic climate change is not a singular, external, existential force threatening the future fate of an archipelagic nation... instead, the nature of this violence unfolds through and compounds catastrophically with chronic poverty, ecological degradation, racial and gendered violence, militant terror, and an emergent authoritarian state*".⁴⁵

3.2 Gendered impacts of climate change

When major environmental changes occur, whether acute, slow, or chronic, the impacts are likely to exacerbate gender and intersectional inequalities.⁴⁶ Even within Indigenous communities, disruptions are

experienced differently, based on e.g., age, wealth, political involvement, mobility, gender norms, and responsibilities. Indigenous men may suffer from many of the same impacts; however, impacts are often amplified for women and gender-diverse people who face intersecting levels of discrimination based on ethnicity and gender.⁴⁷ Gender norms play a significant role in how impacts are distributed. Gender norms are informal rules of what is expected and considered acceptable behaviour for each gender in a given society. Intrinsic to many gender norms is the patriarchal structure that bestows power on some while excluding others, a structure that has resulted in centuries of male privilege in most aspects of life.⁴⁸ Settler colonialism played a major part in the construction of patriarchal gender norms across the Global South(s).⁴⁹ In many contemporary Indigenous communities, the gendered responsibilities of Indigenous women consist mainly of time-consuming reproductive work, including providing water and food security, and caring for children, the sick and the elderly, and agriculture. When climate hazards such as drought, flooding, crop failure and severe storms occur, livelihoods, food and water security are disrupted.⁵⁰ This disruption increases the daily workload of women and may contribute to the risk of GBV. For example, when women are compelled to walk long distances to obtain necessities such as water, fuelwood and food, they may face abuse and rape in areas far from their communities.⁵¹ As women experience a surge in responsibilities,⁵² they have less time to carry out other responsibilities, including to comply with male demands, which may result in intimate partner violence.⁵³ Reports from Central Papua, Indonesia, showed that when floods and landslides destroyed large areas of agricultural lands, the Papua women were forced to travel far distances to comply with their responsibilities. These changes resulted in intensified marginalisation and GBV both in the domestic sphere and from outsiders. In addition, their recognised status as food providers diminished.⁵⁴ GBV exists in multiple forms across the climate crisis.⁵⁵ For many women, the lack of participation in decision-making due to gender norms, coupled with limited access to information, public services, and technology, limits their coping mechanisms.⁵⁶ When an acute environmental crisis occurs, the care responsibilities for elders and children will often make it difficult for women to leave their homes.⁵⁷ Gender norms also limit women's opportunities to learn basic survival skills such as swimming⁵⁸ and climbing

trees,⁵⁹ thus reducing their chances of survival during flooding.⁶⁰ Women accounted for 70% of the mortalities in the 2004 Indian Ocean tsunami, and 61% when Cyclone Nargis hit Myanmar in 2008.⁶¹ Resource scarcity and lack of livelihood opportunities caused by climate change may result in male out-migration, which places vast burdens on women who remain behind and may expose them to GBV from community members and/or outsiders.⁶² In the aftermath of climate change-induced disasters, especially in the case of forced displacement,⁶³ women are disproportionately exposed to various forms of GBV.⁶⁴ The lack of national mechanisms, effective implementation of existing policies, and infrastructure to support Indigenous women and gender-diverse people in times of distress contribute to structural violence, including high levels of GBV.⁶⁵ Trafficking has been identified as a significant concern in several post-disaster settings.⁶⁶ Across Asia, adolescent girls may be married off to reduce financial burdens, with devastating consequences for their health and well-being.⁶⁷ In the aftermath of the Bima floods in Sumatra in 2016, an increase in early marriages and GBV such as domestic violence and sexual harassment was observed.⁶⁸ In the Philippines, displacements in temporary centres showed amplified risks of GBV due to a lack of safe spaces, adequate sanitation, and limited health services, especially for people with disabilities.⁶⁹ Indigenous LGBTQI+ individuals often suffer severe levels of GBV as distress aggravates pre-existing levels of discrimination, especially in evacuation shelters.⁷⁰ In the chaotic aftermath of typhoons Pablo in 2012 and Haiyan in 2013 in the Philippines, GBV increased drastically, including levels of trafficking and rape within displacement centres.⁷¹ In addition, the destruction by the typhoons resulted in greater food insecurity, destruction of livelihoods and natural resources, and health problems.⁷²

When gender aspects are neglected in key international and national climate-related policies, they risk worsening the gendered impacts of climate change, including GBV.⁷³ For example, in Indonesia and the Philippines, there are no legal instrument dealing with GBV during or after climate change-induced disasters, nor any mention of the realities of Indigenous women or gender-diverse people. In general, the experience of women is often homogenised as vulnerability, and the 'protection of women' is mentioned as needed to ensure 'meaningful involvement of women'.⁷⁴ Portraying women as in *need* of protection may

ignore intersecting social identities without altering deeply rooted patriarchal and racist structures, and may further deprive those who are not male of power and agency.⁷⁵ Without the inclusion of Indigenous women in decision-making, planning, or adaptation measures, their specific needs, situated knowledge, and contributions are likely to be neglected.⁷⁶ In general, their experiences can inform a more nuanced understanding of climate governance and adaptation.⁷⁷ True accountability requires a diversity of voices in decision-making processes at all levels, and that Indigenous Peoples are part of the leadership in order to inform policies that can respond to GBV in climate disasters.⁷⁸

3.3 International human rights and climate action commitments

Indonesia and the Philippines have ratified key international human rights conventions such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the International Convention on the Elimination of All Forms of Racial Discrimination (CERD). Notably, both countries are signatories to the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), the most comprehensive international human rights instrument on the rights of Indigenous Peoples.⁷⁹ The UNDRIP establishes a universal framework of minimum standards for the survival, dignity, and well-being of the Indigenous Peoples and elaborates on existing human rights standards and fundamental freedoms as they apply to the specific situation of Indigenous Peoples.⁸⁰ However, the UNDRIP has no legal standing in Indonesia⁸¹ and, in the Philippines, where a legal framework on Indigenous Peoples is present (Indigenous Peoples’ Rights Act), its application has been found weak.⁸² Having adopted the Paris Agreement, under the United Nations Framework Convention on Climate Change (UNFCCC), both countries have committed to promoting and respecting human rights, including the rights of women and Indigenous Peoples when addressing climate change. Both countries have submitted their Nationally Determined Contributions (NDCs), a required climate action plan

on how the Parties plan to cut emissions and adapt to climate change.^{iv} In 2022, the NDC of the Government of **Indonesia** (GoI) outlined how Indonesia had instituted a moratorium on the clearing of primary forests and prohibited conversion of remaining forests by *inter alia* sustainable forest management, which includes social forestry through the active participation of Indigenous communities and women. The NDC further declared that Indonesia respects, promotes, and considers its obligations to human rights, the rights of Indigenous communities, gender equality, and empowerment of women. Despite commitments, key national policy documents such as the National Energy General Plan (2017-2050) and Electricity Supply Business Plan (2021-2030) do not refer to gender or Indigenous Peoples. Furthermore, Law No. 24/2007 on Disaster Management and the National Action Plan for Climate Change Adaptation (2013-2025) mentions gender but no methods on how to take action on gender inequities are included. In addition, the NDC commitments conflict with the Omnibus Law. One of the main objectives of the Omnibus Law is to accelerate industrial investment such as mining, oil palm and industrial logging. In short, the law generates profound structural changes in the framework of environmental protection by removing legal protection mechanisms for forest cover,⁸³ e.g., by removing a former legal requirement that provinces must maintain a minimum of 30% forest cover. The law has been criticised for further legalising the dismantling of the protection of Indigenous land while facilitating the ease of investments, land encroachment, and development by eliminating the requirement of environmental permits,⁸⁴ which may place Indigenous women’s access to land at risk.⁸⁵ With the Omnibus Law, CERD found that the GoI is providing the legal basis for the economic interests of large-scale corporations and political elites to violate Indigenous Peoples’ lands⁸⁶ at the expense of the functioning of vital ecosystems.⁸⁷ The Omnibus Law contradicts the pledges made in the NDC, including the forest-clearance moratorium, as the Omnibus Law provides a legal basis for land encroachment by corporations and development projects, without FPIC or compensation.⁸⁸ In 2021, the CEDAW review of Indonesia expressed concern that Indigenous women were disproportionately affected by development projects, including the exploitation of natural

iv. A global mapping of the NDCs looking at the level to which they recognize Indigenous Peoples has been published: <https://www.iwgia.org/en/resources/publications/4943-recognition-indigenous-peoples-nationally-determined-contributions.html>

resources, deforestation, agricultural expansion, and land conflicts. CEDAW emphasised concerns about the limited participation of Indigenous women in policy and decision-making and their limited access to land ownership.⁸⁹ In 2022, the Universal Periodic Review expressed concern at the lack of legal recognition of Indigenous Peoples, which hindered the registration of collective land rights, and the lack of legal mechanisms to prevent land encroachment by State and private interests without FPIC.⁹⁰

The NDC of the Government of **the Philippines** (GoP) emphasises sustainable industrial development, inclusive growth, energy security, social and climate justice, and the transformation of its socio-economic sectors towards a climate and disaster-resilient and low carbon economy. The NDC mentions the importance of the meaningful participation of women, as well as ensuring ecosystem integrity and promoting the country's obligations to human rights and the rights of Indigenous Peoples.⁹¹ Meanwhile, the national policies on Renewable Energy Outlook (2011-2030) do not mention gender or Indigenous Peoples. The Power Development Plan (2020-2040)⁹² and the NDC consider the environment, people, and biodiversity in decision-making at strategic and operational levels. Details on how this will be implemented are not included. The pledges made in the NDC, combined with recent statements by the GoP that it has taken measures towards implementing the Indigenous Peoples' Rights Act, particularly regarding rights to ancestral territories and resources, diverge substantially from observations by the UN High Commissioner in 2022, which expressed concern at the powerful business and political actors who continued to undermine efforts at land distribution and agrarian reform. Concerns included the passing of Executive Order No. 130, revoking a nine year-moratorium on new mining permits⁹³ as well as evidence of how FPIC processes were frequently manipulated and replete with intimidation and coercion.⁹⁴ The executive order, which aims to boost the post-COVID19 economy and feed the rising global demand for nickel, has led to an escalation in mining activities, many of which are within Indigenous territories.⁹⁵ In relation to climate disasters, the National Disaster Risk Reduction and Management Plan 2020-2030 include measures to address persistent gender gaps while recognising the importance of Indigenous knowledge in community-based disaster risk management.⁹⁶ Despite these pledges, findings indicate different realities on the

ground, for example, as part of the law, the "no-build zone" forbids the construction of houses within 40 m of the seashore to reduce disaster impacts. This has resulted in many displacements without adequate relocations provided. For example, after an Indigenous Badjao community was displaced by Typhoon Haiyan, they were not allowed to rebuild their houses.⁹⁷ According to an Indigenous Women's Rights group, a Teduray Indigenous woman spoke out against the displacements and lack of relief after disasters; she was subsequently harassed and received threats on social media.⁹⁸ In some areas, policies to protect women following a climate disaster have been violated by those deployed to protect the displaced. For example, women were reportedly subjected to GBV by military and security personnel stationed to protect survivors of Typhoon Haiyan.⁹⁹

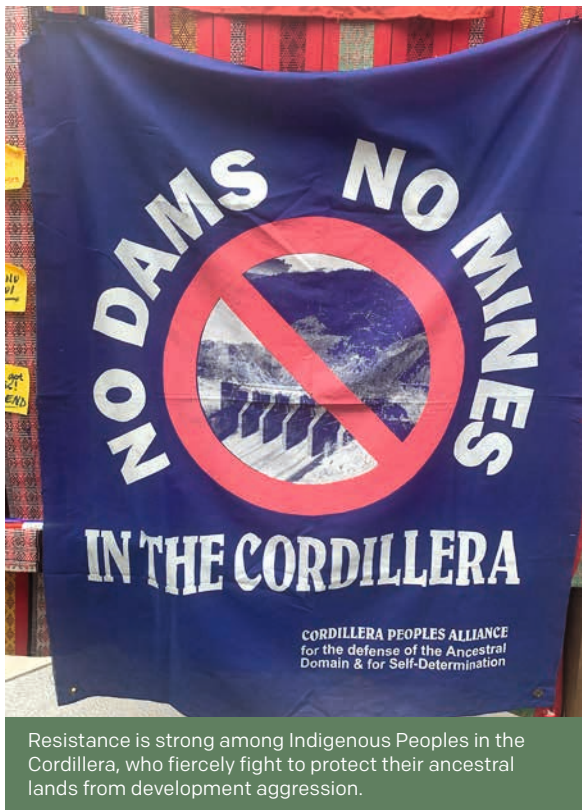
3.4 Law on Gender-based Violence, the Philippines and Indonesia

After year-long controversy, Indonesia passed the Sexual Violence Crime Bill in 2022.¹⁰⁰ The law involves nine different types of sexual violence, i.e., physical and non-physical sexual abuse, forced contraception, forced sterilisation, forced marriage, sexual torture, sexual exploitation, sexual slavery and sexual abuse through electronic means. Prior to 2022, Indonesia had no legislation concerning GBV, which has been criticised as reflecting the State's decision to adhere to religious and cultural ideologies of male dominance.¹⁰¹ The Philippines has a comprehensive legal framework on GBV i.e., the Anti-Rape Law of 1997 (Republic Act No. 8353), and the Magna Carta of Women Act of 2009 (Republic Act 9710). This latter translates the CEDAW into national policy in order to promote gender equality, including specific provisions for marginalised women relating to discrimination based on class, age, gender, language, ethnicity, religion, disability, and status.¹⁰² Despite the legal frameworks, the judicial system has been criticised for granting impunity to perpetrators, often by bestowing more creditability on the perpetrators than the victims.¹⁰³ For example, in 2015, the Indigenous leader, Juvy Capion, was killed by the military for protesting against a mine in her ancestral territories; the trial was dismissed and those responsible were never brought to justice.¹⁰⁴



Balik Indigenous women demonstrating against IKN development. In Bahasa, the banner reads: "We reject eviction and destruction of women's management area of the Balik Sepaku tribe which results in the loss of Indigenous women's knowledge".

4. Indigenous women at the forefront



Despite the pressing danger of environmental defence and resisting aggressive development, numerous Indigenous women are at the forefront defending their territories, protecting nature, and resisting large-scale development aggression on their territories, effectively challenging the larger structures of systemic power inequities. This has made them targets of harassment, rampant repression, threats, criminalisation, and GBV.¹⁰⁵ Consequently, they encounter the linkage between the violations they face as Environmental Human Rights Defenders (EHRDs) and patriarchy, misogyny, sexism, racism, and xenophobia.¹⁰⁶ GBV is a brutal tool, used structurally and individually to silence and demolish resistance. The past decade has seen an alarming spike in State-sanctioned GBV such as femicides against women EHRDs.¹⁰⁷ In the **Philippines**, Indigenous women EHRD demand accountability for the damages caused by extractive industries, and they are active in calling for FPIC processes in mega-dam projects.¹⁰⁸ In Nueva Vizcaya, Ifugao women have relentlessly been fighting against the mining company, OceanaGold, which has poisoned their land, food systems, water and air, and displaced them from their lands. By leading the struggle to stop the mining operations, Indigenous

women continue to face harassment, intimidation, and trumped-up charges from the police and military who serve as the security guards of the mining company.¹⁰⁹ Similarly, in Kalinga, Uma Indigenous women have formed human barricades against the Chevron geothermal power project in response to land encroachments.¹¹⁰ In Benguet, Itogon women have contributed to preventing the expansion of the Benguet Corporation mines by protesting, including opting for mass solidarity arrests if one of them were arrested.¹¹¹ Other forms of resistance include petitions and organising mass actions, conducting research, and raising awareness of projects where individual and collective rights are violated.¹¹² Among others, the Dumagat peoples' rights group uses social media to educate the public about the consequences of mega-dams. In **Indonesia**, similarly, Indigenous women have protested injustices related to forest fires triggered by large-scale deforestation, which cause severe health hazards to the people, wildlife, and forests.¹¹³ Other forms of resistance include advocacy and awareness on the radio, such as the Dayak Voices, and composing songs to protest controversial agribusiness expansions.¹¹⁴ Indigenous women continue to fiercely strengthen their position in defending their right to self-determination and their right to ancestral lands against destructive mining projects and other forms of development aggression.¹¹⁵

When women take part in resistance, political activism, and decision-making as rights defenders, they may step out of the gender roles and norms they are expected to perform. In some contexts, Indigenous women who have taken up new roles outside their households and are claiming their rights have been met with resistance in their households and communities, as some may consider women's rights external to the Indigenous struggle. As a result, a surge in GBV by men, such as shaming, harassment and battering, has emerged.¹¹⁶ Indigenous women's advocates explain that such a misleading dichotomy between the rights of Indigenous women and collective rights may lead to GBV, depriving women of their right to agency and self-determination by disregarding their individual and collective rights.¹¹⁷ It is important to stress that 'custom' does not grant immunity to those who marginalise and abuse women.¹¹⁸ However, in some

areas, such as in the Cordillera of the Philippines, Indigenous women have been at the forefront of the struggles against aggressive development since the 1960s, and they are renowned, respected and seen as role models by their community.^v

Indigenous women’s advocates argue that the false distinction between women’s rights and collective rights can strip women of their agency and self-de-

termination, making them more vulnerable to gender-based violence. It’s important to stress that “custom” and Indigenous collective rights should not be used as a pretext to protect those who marginalize and abuse women. In places like the Cordillera of the Philippines, Indigenous women have been at the forefront of the struggles against aggressive development since the 1960s and they are renowned, respected and seen as role models by their community.

v. FGD w. Indigenous women human rights defenders, 18.01.2025; Interview w. Indigenous woman human rights defender, 18.01.2025; FGD with Indigenous women human rights defenders, 25.01.2025.



Vast areas of the Balik ancestral territories have for decades been impacted by development aggression such as logging and later eucalyptus plantations.

5. Destruction of Indigenous survival in Indonesia

5.1 The relocation of the State Capital of Indonesia

In 2019, President Widodo presented his plan to relocate the capital of Jakarta from Java to East Kalimantan, Borneo. Jakarta, which is located on a delta system of rivers, has gradually been sinking in the past decades. A staggering 40% of northern Jakarta is now below sea level. In addition, Jakarta faces a myriad of challenges from overpopulation, traffic congestion, smog, and rising sea levels.¹¹⁹ The challenges are largely a result of improper governance, unsustainable environmental policies, the absence of law enforcement, and the vast destruction of biodiversity.¹²⁰ For example, almost all mangroves, which provide a buffer against storm tides, have been felled.¹²¹ The relocation project, which includes a major expansion of the infrastructure network across Kalimantan, is anticipated to result in vast ecological destruction, with severe consequences for wildlife, biodiversity, forests, mangroves, and climate change resilience, including the release of massive CO₂ emissions from deforestation.¹²² Borneo is one of the most biodiverse hotspots on the planet, consisting of large tracts of vital ecosystems of old-growth forests and peatland.¹²³ By opening new forest frontiers, the relocation is likely to further advance commercial connectivity for industrial logging, plantations, and mining.¹²⁴

5.2 Nusantara – the new ‘green’ State Capital

Nusantara, the Bahasa word for archipelago, also referred to as *Ibu Kota Negara* (IKN), which translates into *Mother Capital of the Nation*, will replace Jakarta as the official capital in 2045. IKN is promoted as a sustainable city, marketed with eight pillars: *In Harmony with nature; Unity in diversity; Connected, active and accessible; Low Carbon Emissions; Circular and resilient; Safe and affordable; Convenient and efficient; and Economic opportunity for all*. Campaigning under the slogan ‘Liveable, lovable sustainable’ it promises not to sacrifice the environment.¹²⁵ The IKN area, covering 256,142 hectares¹²⁶ located in the two regencies of Penajam Paser Utara and Kutai Kartanegara is not uninhabited land. On the contrary, nearly half of the IKN site is considered Indigenous

customary territory.¹²⁷ Across East and South Kalimantan, the Balik and Paser Indigenous Peoples have lived for centuries with forests and rivers as inseparable components of their livelihood, culture, and identity. The area now known as IKN is the original home of the Balik tribe, while the Paser tribe, with a distinct language, migrated from South to East Kalimantan. Among the Indigenous communities located within IKN are the Balik Sepaku (40,701 ha), Paser Balik Pematuan (28,874 ha), Maridan (5,531 ha), and Paser Mentawar (35,668 ha). According to the Association of Indigenous Peoples of the Archipelago (AMAN), 21 Indigenous communities will be directly affected by the IKN project.¹²⁸ Around 178,000 people reside in the IKN area. Indigenous Peoples of both the Balik and Paser tribes plus Javanese transmigrants comprise most of the residents.¹²⁹ Besides being the ancestral land of the Balik peoples, a large part of the IKN area is controlled by corporate industrial timber plantations, oil palm, and mining corporations. In total, the IKN area consists of 162 concessions,¹³⁰ all of which are expected to profit from selling their concessions to the government.¹³¹ Meanwhile, Indigenous Peoples have a long and complex history of being deprived of their land rights. Consequently, they rarely possess land titles to their ancestral lands. As a result, the Indigenous Balik and Paser peoples are at risk of being dispossessed of their ancestral lands in large numbers.

5.3 Balik and Paser Indigeneity, gender, inheritance, and State-regulated discrimination

Balik and Paser community members describe through interviews and focus groups how, prior to the immense development of the area mainly by mining, logging and oil palm plantations, their tribes practised sustainable customs, including shifting cultivation e.g., *paddy Gunung* (mountain rice), collecting rattan, medicinal plants, resin, vegetables, and fruits, and hunting small game in the forests. As an elder Balik emphasised: ‘*the forest was our ATM*’, providing the communities with an abundant variety of goods. Farming was mainly a collective activity, termed *Sempolo*, a tradition tying Balik and Paser Indigenous communities closely together. From the

rivers, mangroves and riparian forests, Balik and Paser have relied on a vast range of aquatic and natural resources for centuries. Further, these ecosystems have been essential parts of their culture and cosmologies. Contemporary Balik and Paser continue these sustainable practices along the Sepaku River in areas where development aggression has not yet restricted their access. Mangrove systems support and provide a range of ecosystem services, such as food, medicine, fisheries, coastal protection, water quality maintenance, erosion control, provision of nursery habitats, and non-material benefits, such as spiritual and religious practices tied with cultural heritage.¹³² In addition, the mangrove, river, and riparian forests are habitats of the endangered proboscis monkey¹³³ and Irrawaddy dolphin.¹³⁴ For Indigenous women, mangroves are an important part of their livelihood: here they collect seashells, snails, and leaves from the nypa palm (*Nypa fruticans*), a palm unique to the estuarine habitat and used to weave mats, baskets, and thatch. In the Balik and Paser traditions, water collection for the household is another essential element tied to the traditional gendered role of women.



Elder Balik Indigenous woman with traditional string instrument

In both Balik and Paser societies, specific gender roles and norms exist but roles often overlap. While women are responsible for reproductive work, both men and women make important contributions to economic production and fulfil equally important roles in agriculture and work related to the river. Women and men alike mentioned that men mainly perform the 'heavy tasks', such as cutting trees, while women are responsible for water collection, gathering vegetables and fruits, including edible ferns, and medicinal plants, seashells, snails and shrimps, planting rice and vegetables and weeding, hence the more time-consuming and repetitive tasks. Moreover, women weave nypa palm leaves and rattan into mats, baskets, and thatch, and perform traditional dances. Women mainly work longer hours than men, thus men have more leisure time. For example, men socialise at night, while women stay at home to finish their responsibilities. In both Balik and Paser cultures, Indigenous women play an essential role in ceremonies and rituals related to agroforestry cycles, births, and curing diseases. The Sepaku River is a significant site of religious ceremonies, Balik and Paser sail out to remote sites of value to perform rituals and to connect with their ancestors. Rituals can be carried out by all genders; the role is determined by the ability of a person to communicate with the ancestors and spirits. Trans women in Balik and Paser cultures often hold the responsibility of performing specific prayers and bridal ceremonies. For Indigenous women, a key part of their traditional role is to preserve knowledge of their traditions and pass it on to future generations. Balik and Paser peoples inherit the right to own and manage land from their parents following customary institutions. Among the six communities, the inheritance systems traditionally mostly privileged men, with 75% of the land passed on to sons and 25% to daughters. If Indigenous women inherited land, it did not necessarily equate to control over the land, since decision-making is regularly dominated by men, e.g., land sales are carried out by men, even when the certificate is in the name of a woman. The unequal inheritance paradigm is rooted in the patriarchal notion that, since men have more responsibility, they should get a larger piece of land. However, as Indigenous communities are not homogeneous, gender-equal inheritance was also present, for example, in one of the communities and some households' land was divided equally regardless of gender. In the commu-

nities, different gendered traditions were present; in some communities the man would move to the village of the woman (matrilocal) whereas in others, the woman would move to the village of her spouse (patrilocal). At community meetings, decision-making and political positions were dominated by men, whereas women were present nominally, mostly listening, and often in charge of bringing refreshments. When the Indonesian state intervened in customary traditions of land rights, gender asymmetries tended to further deteriorate. In the rare case that a household obtained a legal land title, the name on the certificate would automatically change to the male head of the household, thus the husband became the authorised owner of the land, irrespective of the former owner. Consequently, Indigenous women may be dispossessed of their land if their husbands choose to sell since consent is not required as the land legally does not belong to women. Such laws demonstrate a form of structural violence whereby the State invalidates customary rights and dissolves the rights of women to their land.

5.4 A trail of intrusions on Indigenous territories

Land disputes, human rights abuses, and dispossession run deep in the memory of the Balik people. For centuries, they have been exposed to multiple layers of violations, exclusion and displacement from their ancestral lands in a political climate that has favoured extractivist development.¹³⁵ The first waves of intrusion date back to 1861 when the coal mining industry was instigated in East Kalimantan by Dutch colonial rule.¹³⁶ Mining has brought a destructive trail of deforestation, land encroachment, and severe pollution to Indigenous territories, an industry that still thrives today.¹³⁷ After independence, from the late 1960s on in the authoritarian era of Suharto, a series of policies were formed that would shape the future of natural resource exploitation, namely, the Law on Forestry, the Law on Mining, and the Law on Foreign Investment. In this era, East Kalimantan became a notorious stronghold for extractive industries and political dynasties owned and protected by the military.¹³⁸

Vast areas of the Balik ancestral territories have for decades been impacted by development aggression such as logging and later eucalyptus plantations.



Colonial law legalised the dispossession of land, an instrument found to be continued by the postcolonial state; laws relating to land rights and development are argued to be 'codified racialised hierarchies of profit'.¹³⁹ In Sepaku, large-scale logging began in 1969, namely when PT ITCI HT (Perseroan Terbatas, International Timber Corporation Indonesia Hutani Manunggal), owned by military generals of the Suharto regime, was granted logging concession rights, known as Hak Penguasaan Hutan (HPH).^{vi} As a result, massive logging of the forests began. Numerous logging and mining companies were granted HPH on Indigenous land without their consent.¹⁴⁰ Subsequently, thousands of hectares of Balik territories have been under dispute between Indigenous Peoples and ITCI IHM. In 2006, after decades of degrading the forests, the ITCI IHM area was converted into a concession with a right to cultivate (Hak Guna Usaha, HGU).¹⁴¹ As a result, the company burned down the degraded forests and turned them into industrial plantations. The ITCI IHM plantations cover 127,000 hectares, producing paper and pulp mainly from exotic eucalyptus and acacia. According to the Indonesian Land Bill, the maximum land ownership of a company or affiliated companies is 10,000 ha per province and 50,000 hectares nationwide¹⁴² so, clearly, the area of ITCI IHM plantations far exceeds these limits. In Binuang and Maridan districts, Indigenous Peoples have experienced similar land disputes with the timber corporation PT. ITCI Kartika Utama.¹⁴³ The subsequent wave of intrusion started in the 1970s when thousands of residents from the densely populated areas of Java were relocated by the Suharto regime. The Javanese transmigrants were allowed by the government to encroach on Indigenous territories by granting them land titles within Balik territories.^{vii} The land allocation scheme was based on a male-headed nuclear family farm, a structure that altered communal and customary land rights and brought patriarchal individual land ownership to the area.¹⁴⁴ The Balik and Paser received no compensation and no titles to their land.^{viii} In the late 1980s, the industrial oil palm

venture instigated the next wave of exploitation of natural resources and capitalisation of Indigenous land.¹⁴⁵ Similar to the logging industry, the oil palm corporations did not obtain consent from the Indigenous communities before encroaching on their territories.^{ix, 146} With a lack of political will to protect the rights of Indigenous Peoples, the communities gained no compensation for their loss of land.¹⁴⁷ In some cases, Balik and Paser were compelled to take part in plasma schemes to avoid losing their land completely. In the plasma scheme, a certificate was given to the male head of household, regardless of prior customary ownership. Consequently, new gender inequalities followed as many Indigenous women lost customary land rights. Across Kalimantan, meetings convened by corporate industries to negotiate with communities involved men as unanimously representing the household.¹⁴⁸ As a result, Indigenous food systems of vegetable gardens managed by women were replaced with monoculture oil palm plantations. For many Indigenous women, this often occurred without their knowledge, as they were excluded from meetings. This conversion decreased the agency, management areas, and income of many Indigenous women.^x Such *de facto* exclusion from decision-making has disregarded Indigenous women's lived experience, knowledge, and voice.¹⁴⁹ Furthermore, deforestation has increased the burden on women as they have to travel longer distances to cover basic needs, which exposes them to sexual harassment and sexual violence from strangers.¹⁵⁰ The loss of land, forest access, and income have deteriorated their status within the household and as communal land tenure holders,¹⁵¹ and altered their status from self-sufficient to economically-dependent on men or low-paid jobs.¹⁵² Communal land loss and poverty, compounded with the introduction into the cash economy, have resulted in increased alcohol consumption, mainly among men, which has been associated with increased domestic violence.¹⁵³ Other gendered impacts include psychological intimidation and harassment by plantation workers, and increased levels of trafficking and demand for sex workers.¹⁵⁴

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vi. FGD with male leaders and farmers 13.08.2023.
vii. Interview with elders 14.08.2023; FGD Indigenous women 12.08.2023; FGD male leaders and farmers 13.08.2023.
viii. FGD Indigenous women 12.08.2023.
ix. Discussion among Indigenous women during a GBV workshop 12.08.2023.
x. FGD Indigenous women 12.08.2023.



An essential livelihood and food security source for Indigenous Balik and Paser women is their small agricultural plots which they manage.

5.5 Rights of Indigenous Peoples in Indonesia and the Nusantara Law

As part of the UNDRIP, Indigenous Peoples have the right to self-determination, cf. article 3.¹⁵⁵ In 2013, the Constitutional Court affirmed the Constitutional Rights of Indigenous Peoples to their territories, including their collective rights to customary forests.¹⁵⁶ Nevertheless, despite their socio-ecological and spiritual connection to their land,¹⁵⁷ Balik and Paser people have been denied legal status as Indigenous Peoples.¹⁵⁸ Critics relate this to the position that ‘all Indonesians are Indigenous’, which exempts the Gol from recognising the rights of Indigenous Peoples.¹⁵⁹ For Balik and Paser people, such lack of recognition prevents them from enjoying their rights to land. The Indigenous Peoples Bill of Indonesia, which is intended to institutionalise the rights of Indigenous Peoples, remains a bureaucratic maze, requiring resources that Indigenous Peoples often do not possess.^{xi} The continuous land dispossession, which has

caused cultural erosion,¹⁶⁰ impedes them from complying with the requirements of the laws.¹⁶¹ The lack of legal protection over Indigenous territories confirms the failure of the State to recognise and protect the rights of Indigenous Peoples.¹⁶² As a Balik woman noted: *‘We have lost everything - water, food, the river and fish, forests, vegetables, ferns and other crops we used to plant and collect in the forests.’*

In 2022, the Law on the State Capital, known as the Nusantara Law, was issued. Substantially, the Nusantara law concentrates on the technicalities of relocating the capital, with no attention to East Kalimantan’s environment.¹⁶³ Notable is the lack of transparency and meaningful public participation in the law-making process,¹⁶⁴ which translate into a disregard for the affected communities. While Indonesia voted in favour of the UNDRIP, of which FPIC is an essential component, the Nusantara Law does not recognise the right to FPIC. The law therefore contradicts the UNDRIP as well as pledges made in the NDC (cf. section 3.3). Instead, the Nusantara Law includes principles of ‘public participation’ with ambiguous language such as ‘may be involved’ or ‘public participation be considered’. Public participation is thus not mandatory, and the wording can be interpreted to fit any agenda, to a degree bordering on autocratic tendencies.¹⁶⁵ A lack of transparency, information and FPIC was prevalent among the Indigenous community members’ testimonies. No attempts were made by the authorities to obtain FPIC; even consultation or basic information sharing with affected communities were absent. Although the Public Information Disclosure Act of Indonesia obliges public agencies to make information of public interest publicly available, particularly on matters concerning the life and safety of the people,¹⁶⁶ a year and a half into the construction of the IKN, the authorities had not provided detailed information to the affected Indigenous communities. Balik and Paser women all stressed that they had been excluded from information and important decisions relating to their homes, lands, livelihoods, and futures. In many cases, the only notification the Balik and Paser had received was when the authorities placed boundary demarcation markers on their land. The boundary markers contained a statement declaring that the land was now part of IKN. In some

xi. FGD with Indigenous women 12.08. 2023, Interview with elder Balik couple, 14.08.2023.

areas, e.g., where the future VIP airport would be located, the authorities had placed markers and banned Indigenous community members from entering their areas.^{xii} These findings contradict the statements made by the Ministry of National Development Planning in 2022 to the effect that Nusantara would not evict Indigenous Peoples from their social and historical sites; in fact, the Ministry suggested that Indigenous Peoples would thrive because of IKN.¹⁶⁷

5.6 Land dispossession by IKN, Sepaku River and the Intake Sepaku Dam

An elder Balik woman showed the IKN city demarcation poles that had been placed among the high grass on their land. A 58-year-old Balik woman explained: *'They just put up markers and came to collect IDs and our Segel'*^{xiii} without providing further information. The demarcation occurred shortly after most of their paddy fields had been encroached upon by the new Intake Sepaku Dam. Several community members

disclosed how their Segel certificate had been temporarily confiscated by the National Land Agency. The authorities had assured them that they would return the Segel papers but, at the time of writing, this had not happened. On a few occasions, communities were invited to *'Socialisation'*^{xiv} gatherings by the authorities. The meetings were carried out without FPIC, dialogue, or opportunity to ask questions. The concept *Socialisation* dates back to the Suharto regime, in which local cultures were seen as obstacles to development. Inherent to the concept is the exclusion of the knowledge, perspectives, and ideas of those who have resided in the areas for millennia.¹⁶⁸ Invitations to the meetings were announced at the subdistrict government building *Kelurahan*; however, few had access to the building and many were illiterate and thus not able to read the announcement. Moreover, only people with land certificates were invited, thus systematically excluding those without certificates, most often women. One Balik woman described how they were told by the authorities to *'just accept everything'*. Community members explained that inconsistent information was given, one community was informed



Balik woman overlooking her ancestral land now encroached by the Sepaku Intake Dam under development as part of the new capital Nusantara of Indonesia.

xii. FGD with Indigenous women August 13, 2023.
 xiii. Segel is a lower-level document given by the government for them to be able to collect taxes but it is not a legal claim to the land that can be used in the court system as a land title.
 xiv. Sosialisasi refers to a process whereby people are informed and persuaded (sometimes forced) to accept policies made by the government (Elmhirst et al. 2016).

that a market close to their homes would be affected but no information was given about their homes despite being located where a highway was planned. Meanwhile, others were informed that their land was now part of the IKN project but no relocation plans were included. For some, their lands were taken without any information, consultation, or FPIC, while a few received compensation. For the few who received compensation, a lack of transparency was prevalent, e.g., they were denied the opportunity to negotiate the compensation, and they received no information on the appraisal that determined the amount. Consequently, the communities had limited opportunity to consolidate and form a joint position, which could potentially have strengthened their position. Some disclosed that the compensation was insufficient, e.g., one Balik man explained that he was able to buy 0.5 ha of land far from their home for the compensation received from 1 ha within the core IKN area, thus reducing the value of their land by a minimum of 50%. Several community members experienced being coerced by the authorities: *'They forced us to take the compensation, there was no negotiation'*. Some explained that, if they requested more information or refused to give up their land, the authorities threatened to take them to court in Jakarta. Moreover, they were told that the compensation would be reduced or withdrawn if they did not accept it immediately. The prospect of a court case 1200 km away, in an unfamiliar judicial system, requiring resources many did not possess, combined with the threat of being deprived of compensation altogether was ample deterrence, and compelled most households to "accept" the offer. According to one community leader, an oil palm corporation agreed to compensation with the IKN authorities while the community plasma scheme was left out of the deal; their land was consequently appropriated with no compensation.

Another key piece of IKN infrastructure relates to the construction of the Intake Sepaku Dam, planned to provide clean water to the residents of IKN. As part of the construction, the Sepaku River was planned to be widened by 25 metres on each side of the river stream. For Indigenous families of Sepaku the construction, termed the 'normalisation' by the IKN authorities – Orwellian^{xv} rhetoric resembling that of 'socialisation' –, had resulted in the encroachment

of agricultural lands and deforestation of mangroves. Moreover, many Indigenous homes were situated along the Sepaku River, some located as close as 2 metres from the river bank. According to the IKN Deputy for the Environment, the river widening was necessary to secure the area from potential flooding and landslides and thus, to protect the inhabitants living close to the river *'they must be removed'*.^{xvi} Balik and Paser women unanimously expressed their frustration at the lack of transparency relating to the 'normalisation' and of being excluded from information, coupled with a complete disregard for their knowledge, needs, and opinions. This lack of information and uncertainty about their future caused frustration, fear, and resentment among Indigenous women and their families. Many feared that their land would be taken without compensation. The spectrum of fear further involved concerns about whether they would be relocated or not, where the relocation would be situated, if they would be able to continue their traditional livelihoods, rituals, and culture, if they would receive a land title for the relocation area, and when all this would take place. Balik and Paser women described how degradation and deforestation of the mangroves was started decades ago by timber corporations and was now being continued by the IKN expansion. Multiple changes to the river and mangrove have been observed over the past three decades. Balik women explained that the water table had decreased, the quality of water had declined, salt levels had increased and how the fish stock suffered when chemical fertilisers and pesticides from industrial plantations entered the river.^{xvii} The women described how the loss of mangroves decreased the number of fish, snails, seashells, and shrimps in the river. Moreover, they explained that when the exotic trees from the plantations were cut down every five years, it caused erosion and sedimentation of the river. With the IKN, construction waste was adding to the sedimentation and contamination. Consequently, Indigenous women have lost access to clean water, food, and livelihoods. The loss of access to water was felt acutely, as they were now compelled to buy water for all purposes. Although Indigenous women are traditionally responsible for collecting water for their households, none of the Balik or Paser women interviewed had been invited to meetings or discussions concerning the IKN development. The majority

xv. In the dystopian book "1984" by George Orwell, the authoritarian regime employ newspeak, the deliberate use of ambiguous and deceptive talk by government officials in an attempt to control public opinion.
 xvi. Meeting with IKN Deputy.
 xvii. FGD August 2023.



Remnants of a mangrove and riparian forest home of the proboscis monkey, crocodiles and a rich aquatic ecosystem along the river of the new capital Nusantara of Indonesia.

insisted on staying along the river. One Balik woman emphasises: *'Our history is here – we don't want to move'*. The women expressed a strong will to be part of meetings, voice their opinions, be listened to and respected, and have their knowledge recognised.

In August 2023, the Indigenous women's organisation, PEREMPUAN AMAN, arranged a meeting between the IKN Environmental Deputy and the women of the local chapter of PEREMPUAN AMAN, all residing within the IKN. The meeting was the first of its kind, where Indigenous women had the opportunity to ask questions and voice their opinions to the IKN authorities. The Deputy equally stated that it was the first time she had heard the voices of Indigenous women in the IKN area. During the meeting, the Deputy emphasised that the IKN project would recover the forest of the area and that an eco-friendly strategy was in focus. In response, Balik and Paser women voiced how they were all significantly affected by the IKN project and expressed frustration at the lack of government commitment to keep their promise to avoid negatively affecting their territories. They discussed how disturbances ranged from losing their livelihoods, culture, homes, agricultural areas, water, and forests, and a

fear of further loss coupled with a lack of information from the IKN authorities. The Deputy explained that those living near the river had no option but to relocate. Further, the Deputy stated that if they wanted to be relocated near the river, they should *'just let us know'*. The Deputy stated that they would re-establish the river *'as it was before'* and that the burial area of the Indigenous community would not be affected.^{xviii}



Destruction of mangroves along the river as part of the 'normalization' development of the areas of the new capital Nusantara of Indonesia.

xviii. Meeting with IKN authorities, Deputy for the Environment, August 2023.

5.7 Roles, changes and challenges of Balik and Paser Indigenous women

As the forests, rivers, agricultural systems, and homes of Indigenous Peoples are increasingly at risk, the traditional livelihoods and foundation of the socio-ecological and spiritual roles of Balik and Paser women are gradually disappearing and disconnecting the women from nature/culture. The loss of land has induced a loss of access to their agroforestry systems, wild vegetables, fruits, edible ferns, bamboo shoots, and medicinal plants. As one Balik woman noted: *'Before we made coconut oil, now we have to buy palm oil'*. The loss and contamination of the river and mangroves has led to the loss of clean water, nypa leaves, and aquatic resources such as seashells and snails. Taken as a whole, this triggers a loss of livelihoods, well-being and aspirations. The Indigenous concept of well-being is not simply embedded in income, just as land is not simply understood as a commodity. Well-being is a combination of social, environmental, and cultural well-being, with no separation of human health and planetary health.¹⁶⁹ Eventually, these drivers of change are likely to undermine the status of women in their community and push their societies from communal to increasingly individualistic, causing several changes in the socio-cultural fabric. An important role of Balik and Paser women is to perform rituals and ceremonies and pass down the language, beliefs and values of their culture to younger generations.^{xix} This form of intergenerational reciprocity connects the past with the future, and the land with the people, creating and sustaining oral cultures while retaining cultural and spiritual values.¹⁷⁰ These changes challenge the roles of women, which are deeply linked to knowledge of nature/culture. As a result, the integrity of their natural/cultural systems is at risk of eroding.

While IKN promotes *'Economic opportunity for all'*, intersectional levels of discrimination have surfaced in job opportunities, relating to ethnicity, education, and gender. For most of the Balik and Paser, it has been difficult to find new economic opportunities. The lack of formal education was mentioned as a significant

barrier, especially, among the women. Meanwhile, some women have faced barriers when applying for jobs despite having a university degree. Within the IKN, construction work is the preserve of men, but mainly non-Indigenous men.^{xx} Indigenous men have some job opportunities, and a few women have been able to get temporary employment.^{xxi} For example, some women mentioned that they had started working in catering, laundry, guesthouses set up for IKN workers. However, some explained how they had been tricked by their customers, who either paid them less than agreed or left without paying them at all. This does not point towards *'Economic opportunity for all'* but rather to a system of IKN-related employers taking advantage of Indigenous women, who may not be able to hold their employers accountable. During the meeting with the IKN Deputy for the Environment, the Deputy stated that she would like to see a change in mindsets among the women and suggested that they should *'become entrepreneurial'* by benefiting from natural resources and producing goods to sell. In fact, many Indigenous women are entrepreneurial and produce goods for income; however, as most of their natural resources have been degraded or demolished, and given that IKN is likely to further add to this deprivation, it will be a challenge for them to continue their sustainable practices.

5.8 A strong will to protect their lands

The land encroachments by IKN triggered women's engagement in protests and their urge to become involved in meetings and negotiations. Despite threats and intimidations jeopardising their safety, Balik and Paser women were not silent about their opposition to the development of their ancestral lands. In response to the prospect of losing their river, natural resources, homes, and cultural sites, Balik and Paser women and their communities were uniting in protests. The protests included actions in which banners were placed along the main road. The fear of repercussions, arrests, and violence by the police and military was salient among the Indigenous women. The protests were met by police and military and they were ordered to

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xix. FGD with Indigenous women, 12.08.2023; FGD with Indigenous women, 13.08.2023.
xx. Informal talk PEREMPUAN AMAN, 15.08.2023.
xxi. FGD with Indigenous women, 13.08.2023.

take down the banners and 'keep silent'. However, the women did not want to comply – they wanted to negotiate with the IKN authorities. Nevertheless, during the first protest, the authorities discussed with the male leaders, and they agreed – without the women – to take down the banners. The women did not give up, however, and after continuous protests, the IKN authorities finally agreed to meet with the women, providing that they took down their banners. Six months later, however, the authorities had not fulfilled their promise to meet with the women. One of the protests was filmed and shared online; in response, armed soldiers came to one of the communities to find out who had made the video and who had participated in the protest. The authorities subsequently banned the video and ordered the community not to share it. Other women protested through direct actions. For example, after finding demarcation markers on her land, an elder Balik woman took them down in protest at the planned eviction. Like many others, she did not receive information prior to the demarcation. She was subsequently asked to present herself to the authorities, where she confronted them and told them that she would take down the markers if they placed them on her land again: *'I have a right to protest! I will fight for my rights. As long as I know I am doing the right thing, I am not afraid to protest.'*^{xxii} Concerns and fear surfaced among the Balik and Paser women when they described how undercover police were present in their communities and during community meetings and monitoring those who entered the communities in the core area of IKN.

In some cases, when Balik and Paser women transgressed their prescribed gender roles, such as becoming politically organised or taking up work outside the household, there was clear resistance from their spouses. While some women described how they were supported by their spouse, others stated that their husbands would 'act with suspicion' and 'ask them many questions'. Some were prohibited from joining organisations or participating in meetings. In general, most women noted that their domestic and agricultural work limited their availability for meetings. The women further discussed how they were often excluded in community meetings, discouraged from speaking up or told that the meetings did not

concern them. As explained by PEREMPUAN AMAN, the root of the problem lies in the harmful stereotype that Indigenous women are weak, lacking in capacity and, further, some women internalise this stereotype of inferiority and come to accept it.^{xxiii} Exclusion from decision-making was also experienced at the regional level when women challenged hegemonic male institutions and traditional gender norms. Several women experienced exclusion from meetings at the Kelurahan level and a general refusal on the part of officials to listen to them. For example, one Balik woman, active as a representative at the Kelurahan, explained that she was silenced by the regional authority when she raised awareness about a brothel in a nearby village. Various women stated that women with strong voices were regularly regarded as a problem. If they spoke up, they were told that they were defying the decision-making institutions. As one woman pointed out, subordination was part of the custom.

5.9 GBV - spiritual, environmental, physical, sexual, structural, and psychological violence

The disruption of access to natural resources, subsistence livelihoods, and the criminalisation of shifting cultivation, including mountain rice and hunting, coupled with a lack of income opportunities, caused financial distress in the households. As a result, Balik and Paser communities were undergoing a rapid transformation from sustainable subsistence into poverty and/or cash-based market economies. Several women mentioned that men were the main decision-makers and were expected to secure and lead the family, and that the pressure of the loss of livelihood had triggered intimate partner violence in some households. Many had experienced an increase in alcohol abuse and gambling by their spouses, leading to an increase in GBV in the form of verbal violence, threats of violence, harassment, and physical violence. If the women reported GBV, they would do so at the Rukun Tetangga (RT), or "Neighbourhood association", the smallest administrative unit or Kelurahan. Women would mainly report physical violence, where-

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 xxii. Semi-structured Interview, Balik elder, 14.08.2023.
 xxiii. Informal talk with PEREMPUAN AMAN, 15.08.2023.

as verbal abuse and psychological violence were not reported. In a mediating process, the RT would gather the perpetrator and the victim/survivor of GBV and their families together to write an agreement with the aim of ending the violence. If the perpetrator violated the agreement, they would be sanctioned and reported to the police. Although the Sexual Violence Crime Bill was passed in 2022,¹⁷¹ there were no mechanisms in place to support survivors of GBV. Several women stressed that they needed a safe space where they could make decisions together as survivors of GBV. It was mentioned that they would prefer to revive and renew their customary institutions to deal with GBV rather than depending on the State.

In summary, Indigenous Balik and Paser peoples have been impacted by multiple violations on the part of the State and corporate interests. Notwithstanding this, the struggles over environmental injustice highlight the intersectional reality of constructed gender norms and roles, amplified by racialisation and ethnic discrimination, which exclude Indigenous women from decision-making at multiple levels, silence their voices, threaten their cultural/natural survival, and disregard their knowledge, needs, and aspirations. In

such an environment, several forms of violence intersect and are reinforced. Considering the continuous destruction of areas of ritual, cultural, and spiritual importance, the occurrence of *Spiritual violence* was evident in IKN. The roles of Balik and Paser women as water and food providers, knowledge bearers, weavers of heritage patterns, performers of unique dance customs, and ceremonies and rituals were all harmed by development they had not given consent to. Such development placed at risk the continuation of their culture/nature, and the survival of their identity, given that their specific cultural and environmental roles, livelihoods, and management areas were jeopardised. *Environmental violence* emerged as the Indigenous women were subjected to the destruction of their mangroves, forests, riverbank, and aquatic ecosystems and contamination of water sources, altering access to terrestrial and aquatic resources coupled with a lack of policy or enforcement of legal repercussions to prevent this destruction and contamination. Moreover, this form of violence included a contradictory and destructive strategy by the authorities to deforest the mangroves. As mangroves provide important ecosystem services through coastal protection, water quality maintenance and erosion



Balik Indigenous women's roles and spirituality is strongly linked to the river and mangroves, East Kalimantan, Indonesia.



A Balik Indigenous woman working in her vegetable garden in Indonesia.

control,¹⁷² it is difficult to understand how uprooting the mangrove and riparian forest along the river will form part of 'securing the area from potential flooding and landslides' as noted by the IKN authorities. Evidence from Java has shown how cutting down mangroves has contributed to making Jakarta vulnerable to flooding. The destruction of the mangrove ecosystem could be interpreted as a premeditated environmental crisis.¹⁷³ Environmental and structural violence often overlap, particularly when the State allows deforestation, degradation, and environmental destruction while profiting from such destruction. For Balik and Paser women, these mounting inequalities involve a lack of secure land rights, exclusion of decision-making and lack of FPIC processes. *Structural violence* was prevalent in the complicated process to be recognised legally as Indigenous Peoples as well as proving that Indigenous Peoples are the rightful owners of their lands is exceptionally harmful. For women, this form of violence is further underpinned when the State undermines customary inheritance systems such as excluding women from formalised land titles and land certificates in the plasma systems. The absence of guaranteed rights, lack of access to justice, appeals mechanisms,¹⁷⁴ or FPIC is

undemocratic and does not provide a fair and equal process of development. Structural violence is further apparent in the lack of transparency and information when patriarchal structures benefit men while excluding women from meetings and decision-making. In a structure that perceives Indigenous women as obsolete, weak, and without capacity, their voices, needs, and knowledge are largely ignored. As a result, development projects in East Kalimantan, which cause pervasive land encroachment, harm livelihood opportunities and natural resources upon which Indigenous women depend, trigger food insecurity and loss of food sovereignty. Moreover, livelihood practices are forbidden, leading to the loss of food security, cultural rituals, transfer of knowledge, and sustainable practices to future generations. Structural violence intersects with Psychological violence when discriminatory laws are followed by threats and surveillance by the police and military. *Psychological violence* further surfaces in the threats to livelihood, land, and homes, and threats of 'the court' if they do not comply with land dispossessions, the presence of authorities during community meetings, as well as the systematic exclusion from information.

►► Situation Update

The field research in Indonesia was conducted in August 2023. Unfortunately, a short update provided by PEREMPUAN AMAN in February 2025 shows that the situation has deteriorated for the Indigenous women living in the IKN area.

According to PEREMPUAN AMAN, the infrastructure development is intensive and massive. The houses along the street have been seized and demolished by the government. Although a consultation was conducted with the affected community members regarding the road expansion plans, instead of seeking consent, the authorities misused the signatures from the attendance list and manipulated them to be used as permission for the government to grab the land. Now the road is almost complete, serving as access to the new airport.

The people who refused to move from the Sepaku intake area were allowed to stay by the IKN authorities. However, they are now negatively affected by the river widening ("river normalization") and road constructions. They are trapped between the new road and the wall of the river. When it is raining, the water cannot be drained naturally, resulting in the houses sinking. When the community raises their grievances to the authorities, they respond that it was their own choice to remain.



Tarpaulin showing the four designated "terrorists" of CPA, Philippines, after a hearing on 16 August 2024. The text says: "Fight on!" Credit: Sarah Bestang Dekdeken

6. Red-tagging of environmental human rights defenders in the Philippines

In 2020, the Duterte regime introduced the Anti-terrorism Act. The law has been found to label a wide range of oppositions to the regime, namely Indigenous leaders, environmental and human rights defenders (EHRDs) and civil society organisations, by ‘red-tagging’ them as so-called communist terrorists – regardless of their affiliations.¹⁷⁵ The Philippines has received numerous condemnations e.g., from the UN and EU, for the human rights violations that have followed the passing of the law.¹⁷⁶ Statements included UN human rights experts condemning the fact that *“Human rights defenders in the Philippines continue to be red-tagged, labelled as ‘terrorists’ and ultimately killed in attempts to silence them and delegitimise their human rights work.”*¹⁷⁷ Furthermore, in 2022 the EU parliament called for the GoP *“to stop ‘red-tagging’ organisations and individuals, such as trade unionists, human rights defenders and media representatives. ‘Red-tagging’ involves the government linking such associations and people to communist groups, which continues to result in killings, threats, warrantless arrests and harassment of oppositional voices.”*¹⁷⁸ Moreover, concerns include how the regime’s

acts are encouraging corporate industries, military, paramilitaries, and State agencies to use violence against communities that resist mining, coal, land encroachment, and logging on the ancestral territories.¹⁷⁹ Critiques include how, in an attempt to circumvent its position on the ‘grey list’ of the Financial Action Task Force (FATF),^{xxiv} the GoP’s counter-terrorism efforts have targeted poor communities, non-profit NGOs, and Indigenous human rights activists instead of actual terrorism and money laundering.¹⁸⁰ In 2018, the Department of Justice labelled around 600 individuals as terrorists and outlawed several organisations, many of them environmental and human rights defenders. Among the individuals were six prominent Indigenous women, e.g., former and current members of AIPP, CPA, and the UN Permanent Forum on Indigenous Issues.¹⁸¹ The CPA (an Indigenous rights organisation) has experienced first-hand how an ambiguous definition of ‘terrorism’ has been weaponised as a tool to accuse, intimidate, discredit and silence their voices and designate human rights defenders as targets of human rights violations.¹⁸²



National level protest to save the rivers of the Philippines from development aggression. Credit: Katribu Kalipunan

xxiv. A position on the ‘grey list’ refers to a list by the FATF, an intergovernmental body mandated to tackle global money laundering, terrorism and proliferation financing. The grey list places a country under increased monitoring and means the country has committed to swiftly resolving the identified strategic deficiencies within agreed timeframes and is subject to increased monitoring.

As an outcome of the law, many have suffered human rights violations including restrictions on their right to free speech, movement, and to protest, and denial of legitimate grievance processes, unjustified and arbitrary arrests, trumped-up charges and illegal surveillance. In 2021, two Indigenous women human rights defenders were falsely charged as they defended their ancestral lands, one with murder and the other with possession of firearms and explosives.¹⁸³ In 2022, two Indigenous women leaders of the CPA, Sarah Alikes and Jennifer Awingan, were red-tagged as terrorists and accused of rebellion. The charges were dismissed in 2023 but they remain red-tagged on the Anti-Terrorist Council's list.¹⁸⁴ Alarming, the law has resulted in numerous extrajudicial killings targeting individuals and organisations.¹⁸⁵ In 2021, Julie Catamin, a Tumandok leader who was a witness in the case of the nine murdered Tumandok men, was killed by unknown assailants. A lawyer representing the victims survived a murder attempt a few days later.¹⁸⁶ In 2021, an Indigenous Lumad woman and a 12-year-old girl were sexually abused and killed by the military.¹⁸⁷ The killings occurred after former president Duterte uttered misogynist statements and ordered soldiers to shoot female rebels 'in the vagina'.¹⁸⁸ In 2022, Jocelyn Samar Palao, the head of the ancestral domain division of the Ministry of Indigenous Peoples Affairs was killed by unidentified assailants.¹⁸⁹ Relentless campaigns against environmental and human rights defenders red-tagged as 'terrorists' demonise the individuals such that, if they are killed, there will be less outrage from the public but rather support for the killings owing to the disinformation created by the government. The outcomes of the anti-terrorist law stand in crude opposition to the Law of the Republic No. 8371 known as The Indigenous Peoples' Rights Act of 1997 (IPRA). The law consists of rights to ancestral domains, self-governance, self-determination, social justice and cultural integrity, including the enjoyment of equal rights and opportunities for Indigenous women and men in all spheres of life. Various sections include the rights of Indigenous women, e.g., no. 26 on the participation of Indigenous women in decision-making processes at all levels. Furthermore, the law includes specific provisions for FPIC defined as 'the consensus of all the members of indigenous peoples to be determined in accordance with their

respective customary laws and practices'.¹⁹⁰ The National Commission on Indigenous Peoples (NCIP) is mandated to execute the law. Although the law is one of the strongest supports of Indigenous Peoples rights globally, the GoP has been widely criticised for lack of implementation. Despite, recent statements by the GoP that it had taken measures toward fully implementing the IPRA, particularly regarding their rights to ancestral lands, territories, and resources, the implementation of the law is often undermined by companies and powerful politicians.¹⁹¹

6.1 Indigenous Women Environmental Human Rights Defenders in Cordillera, Philippines

In Baguio city, Ifugao, nine women EHRD, seven of them Indigenous, ranging from 23 to 73 years old, shared their experiences of being 'red-tagged' as 'terrorists'. Common among the women is a profound dedication to activism on human rights and environmental justice. The nine women include Joanna Cariño, who became a student activist during the Marcos regime in 1969, in a period with a general awakening in the Filipino society, due to – among others – the rice crisis, high levels of corruption, and the Vietnam war. When martial law was declared in 1972, all organising, meetings and protesting were banned and the social movement consequently went underground. During the military control, Joanna was arrested in 1974 – she recounts: '*I was tortured badly with electroshock – for 2 years I was illegally detained in a military camp*'. Despite the suffering, Joanna is still an activist at the age of 73.^{xxv} Geraldine Cacho, a Kankanaey Indigenous woman, became a student activist in the 80s and joined CPA after her community in Mountain Province was affected by the World Bank-funded Chico Dams project^{xxvi} and the militarisation that accompanied the project proposal. Geraldine witnessed the evacuation of community members from Abra who were protesting the Cellophil logging concession and who sought refuge in Saga-

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 xxv. FGD with Indigenous women EHRDs, 25.01.2025.
 xxvi. See for example AIPP 2019, HerStory4: Struggles and Successes: Indigenous Women voices and perspectives. Asia Indigenous Peoples Pact, Chiang Mai, Thailand. <https://aippnet.org/herstory-4/> or Göransson MB. 2023. Peace pacts and contentious politics: The Chico River Dam struggle in the Philippines, 1974–82. *Journal of Southeast Asian Studies*. 2022;53(4):641-663. doi:10.1017/S0022463422000777

da, Mountain Province. There were two evacuations from Abra and, in the second one, Geraldine described how the military killed a pregnant Indigenous woman, burned down a village and killed several young men in the village.^{xxvii} Jennifer Awingan, a Limos Indigenous woman active in the CPA, experienced from a young age what injustice looked like as an Indigenous person and as an Indigenous woman as her community was militarised, limiting their movements and freedom. In college, Jennifer made the causal linkage between the situation of her tribe and the socio-political structural issues causing the injustices of Indigenous Peoples, which led her to commit to social rights and social change. Jennifer explains that, in the past, it was the role of men to protect the community but that the work of the social movement has changed the recognition of the role of women in the struggle and the movement. Assertion of women’s rights can be credited especially to Innabuyog and CWEARC.^{xxviii} Daisy Bagni, Marcylyn Pilala, Maria^{xxix} and Emi Carreon became engaged due to personal experiences with mining operations, militarisation of communities and social injustices.^{xxx} Raven Mensenas and Maria Cleo (MC) Cuya, two young activists from the youth chapter of Innabuyog describe how the elder women EHRDs inspired them to advocate for wom-

en’s rights. As activists, they have both been a strong force in creating a safe space for women, victims of GBV, LGBTQ+, and non-binary people. From the diaspora of their rural communities, they fight for a re-connection with their cultural heritage and for human rights, especially for the youth.^{xxxi} Leading up to the red-tagging, all nine were involved in numerous social and environmental justice issues such as conducting research on the impacts of mining projects, fighting development aggression from mega-dams, actively lobbying for the human rights ordinance in Baguio city, as well as numerous community activities such as International Women’s Day on 8 March, developing an anti-sexual harassment code, art activities, advocating for women’s rights, and community outreach and support.^{xxxii}

All nine women emphasise how the red-tagging and the trumped-up charges of terrorism expose them to violent attacks, limit their freedom, mobility, and opportunities to take part in activities as EHRDs, and pose dangers to their families and colleagues. Jennifer explains: *‘Our activism comes from issues such as poverty, and poverty will not be resolved by arrests and red-tagging – Red-tagging is antidemocratic and diverts from actual problems of poverty and corruption’*.^{xxxiii}



Indigenous Human Rights Defenders on the way to celebrate and strategize during the annual Peoples’ Cordillera Day celebration in the Philippines.

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xxvii. FGD with Indigenous women EHRDs, 25.01.2025.
 xxviii. Interview with Jennifer Awingan, Indigenous woman EHRDs 18.01.2025.
 xxix. Anonymised name used to protect the EHRD from FGD, 18.01.2025.
 xxx. FGD with Indigenous women EHRDs, 18.01.2025; FGD with Indigenous women EHRDs, 25.01.2025.
 xxxi. FGD with female youth EHRD 25.01.2025.
 xxxii. FGD with Indigenous women EHRDs, 25.01.2025; Interview with Jennifer Awingan, Indigenous woman EHRD 18.01.2025, FGD women EHRD, 18.01.2025, FGD with female youth EHRD 25.01.2025 .
 xxxiii. Interview with Jennife Awingan r, Indigenous woman EHRD 18.01.2025.

The women discussed how red-tagging is used by the GoP to break the unity of communities by associating individuals or human rights organisations with armed groups, especially the New People’s Army (NPA).^{xxxiv} Despite no affiliation between the women EHRDs, their organisations and the NPA, the GoP – and especially the National Task Force to end local communist armed struggles (NTF-ECLAC) – continuously accuse them of being members of the armed group.^{xxxv} The Commission on Human Rights has found that the rights of the women have been violated on several occasions,^{xxxvi} however, the GoP continue its strategy of jeopardising their safety by labelling them as terrorists. Alongside the red-tagging, the women reveal how hate speech and disinformation on social media are used to demonise and discredit them and their work. Attacks online surged during the pandemic, with 1000s of posts red-tagging the CPA and their partners, attacks that are still ongoing. Social media posts originate, among others, from official sites such as the NTF-ECLAC, the Philippine National Police, and from fake accounts. Many of the posts were reported to Meta, the owner of Facebook, but only a few were taken down, and the fake profiles still exist on Facebook.^{xxxvii} Another tactic by the GoP has been to distribute ‘wanted’ posters around Cordillera communities and Baguio city. The posters include pictures and names of the women, as well as warnings such as ‘threats to security’ and ‘Daughter of terrorist – be aware of those people’.^{xxxviii} Furthermore, posters announce rewards for information on the whereabouts of the red-tagged individuals. Emi stressed ‘My face and my name are out there, that is very dangerous. Hired killers can target me’.^{xxxix} Harassment is also experienced during social events, including ‘chalk art events’ organised by the youth chapter of Innabuyog. Some of the women have been accused by police of terrorism, MC and Raven explained how their slogan ‘Women against tyranny’ was identified by police as a ‘terrorist motto’.^{xl}

The immense levels of stress and fear the women are shouldering, and the risks associated with the red-tagging, compels some to move out of their homes either temporarily or long term, for their own and their family’s safety. Marcylyn, one of the red-tagged women, moves from place to place with her young baby due to safety issues – which she explains is very stressful and draining. As a result of the red-tagging, she rarely sees her husband and older child.^{xli} Similarly, Jennifer explained: ‘I can seldom go to the community to do the education and research work because of the threats, I am afraid for myself but also for the local people I deal with’.^{xlii} Most of the women have experienced surveillance and threatening visits by police forces to their homes. One of the young women received an interrogative phone call, questioning her activities, which ended with an explicit threat of rape.^{xliii} Emi stressed how their activism for social and environmental justice was continuously criminalised by the State: ‘It is your heart and sacrifices but they demonise it – they make it illegal – it is like they are saying that helping people is a crime. If there are no activists, the true terrorists can roam free – in fact, they are the true terrorists’.^{xliii} Despite threats to their lives, all nine women are committed to continuing their work for social and environmental justice. Emi explains that social and environmental justice has been her life for more than 20 years: ‘That experience cannot be removed by my system – If I am not involved in something, I am not complete’.^{xliii}

In 2020, to address the dangers of red-tagging, members of CPA’s chapter in Baguio city, and the Tongtongan Ti Umili, including Indigenous women, men, and LGBTQI+ activists, initiated a dialogue with the mayor of Baguio. At first, the mayor declined their initiative, and instead sent his secretary and NTF-ELCAC, the latter a key actor in red-tagging EHRDs. However, the activists did not give up and, before the last election, the mayor accepted their invitation and agreed to meet with them. Paradoxically, after meeting with the women of CPA, the mayor was red-tagged on national TV by the NTF-ELCAC. The mayor experienced what it means to

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xxxiv. FGD with Indigenous women EHRDs, 18.01.2025; Interview with Jennifer Awingan, Indigenous woman EHRD 18.01.2025; FGD with Indigenous women EHRDs, 25.01.2025.
xxxv. FGD with Indigenous women EHRDs, 18.01.2025; Interview with Jennifer Awingan, Indigenous woman EHRD 18.01.2025; FGD with Indigenous women EHRDs, 25.01.2025.
xxxvi. Commission on Human Rights Cordillera Administrative Region (CAR), 2024. CAR-R-06L24-064. Violation of the right to security (CHR CAR Case No. 2024-0048).
xxxvii. FGD with Indigenous women EHRDs, 25.01.2025; FGD with female youth EHRD 25.01.2025.
xxxviii. FGD with Indigenous women EHRDs, 18.01.2025; FGD with Indigenous women EHRDs, 25.01.2025.
xxxix. FGD with Indigenous women EHRDs, 18.01.2025.
xl. FGD with female youth EHRD 25.01.2025.
xli. FGD with Indigenous women EHRDs, 18.01.2025.
xlii. Interview with Jennifer Awingan, Indigenous woman EHRD 18.01.2025.
xliii. FGD with female youth EHRD 25.01.2025.
xliv. FGD with Indigenous women EHRD, 18.01.2025.
xlv. Ibid.

be red-tagged. Subsequently, a human rights protection ordinance was passed for Baguio city, which was a major win for the EHRDs.^{xlvi} The passage of the human rights ordinance was the result of more than three years of determined lobbying by activist organisations in Baguio, a process that NTF-ELCAC persistently attempted to obstruct, without success.^{xlvii} Additionally, in May 2024, the Supreme Court declared red-tagging, vilification, labelling, and guilt by association a threat to a person’s right to life, liberty, and security.¹⁹² As explained by Innabuyog, the ruling on red-tagging is a positive development but red-tagging must further be criminalised, and perpetrators penalised, *‘because it leads to killing activists’*.^{xlviii} During interviews, it was further emphasised that the FATF must pressure the GoP to redirect its efforts and address the big sharks of money laundering and the actual threat of terrorism, instead of intrinsically weaponising policies for political gain by targeting organisations serving the people.^{xlix}



Indigenous women crossing the river in the Cordillera, Philippines.

Across Cordillera communities, the NTF-ELCAC has campaigned to terminate people’s engagement with CPA and NGOs working for social and environmental justice. Many community members are scared to be interrogated or red-tagged themselves if they participate in CPA activities. As a result, the NTF-ECLAC scare tactics cause disunity within families, villages, tribes, and clans. Consequently, memberships and activities have decreased.ⁱ It was highlighted that, during interrogations, government agents would pressure or bribe community members to turn on others in their communities in order to avoid being red-tagged themselves. Emi and Maria explained that they were themselves red-tagged due to interrogations of members of their community and a partner organisation.ⁱⁱ However, many community members are persisting and insisting that there is a need to correct injustices in the Filipino society. Hope was emphasised by Daisy, especially relating to the youth: *‘We are still trying, because there are still supportive people – especially the young people. There is still hope because the youth are engaging.’*ⁱⁱⁱ

6.2 GBV and Militarisation of Indigenous territories

Across the Philippines, Indigenous communities are increasingly being subjected to a heavy presence of military troops deployed to defend corporate interests. Militarisation of Indigenous villages has resulted in a surge of physical, psychological and sexual violence, including rape and sexual harassment by the military.¹⁹³ GBV is known to be used by corporations and States to establish power over the community and suppress any protest.¹⁹⁴ Violations and abuses are reported to occur with impunity, e.g., the Philippines National Police have been reported as protecting the interests of mining companies, resulting in human rights violations, while the GoP has been criticised for lack of action in preventing the violations.¹⁹⁵ Some of the highest rates of GBV are to be found in Mindanao region, namely Caranfa and Davao provinces.¹⁹⁶ In these conflict-prone areas, climate

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xlvi. FGD with female youth EHRD 25.01.2025.
 xlvii. Informal conversation, Innabuyog, 15.02.2025.
 xlviii. Interview with Innabuyog, 18.01.2025.
 xlix. FGD with Indigenous women EHRDs, 25.01.2025.
 i. FGD with Indigenous women EHRDs, 25.01.2025.
 ii. FGD with Indigenous women EHRDs 18.01.2025.
 iii. FGD with Indigenous women EHRDs, 25.01.2025.

disasters and conflict compound devastatingly with poverty, ecological degradation, violence, military terror,¹⁹⁷ and a surge in gendered inequalities.¹⁹⁸ Within the heavy militarisation of the Indigenous territories of Cordillera and Mindanao, Indigenous women disclosed their experiences as victims of physical, psychological and sexual violence at the hands of the military.¹⁹⁹ Similarly, Indigenous Ifugao women, have experienced harassment, threats and intimidation from the Australian-Canadian OceanaGold mining company, which has encroached upon and polluted their ancestral lands for decades. When Ifugao women protest against these violations, the GoP accuses them of being terrorists,²⁰⁰ thereby attempting to justify government-sanctioned attacks on human rights and environmental sustainability. Despite such rights abuses, Indigenous women continue to defend their ancestral land and assert their right to self-determination as Indigenous and as women.²⁰¹ In response to the environmental degradation and human rights violations, various UN special procedure mandate holders have expressed serious concerns at the activities of large-scale mining corporations with the support of the Philippines National Police, and the failure of the GoP to take action to protect the rights of Indigenous Peoples.²⁰² In Cordillera, military operations have been deployed in Indigenous territories to

demolish resistance and protect financial interests over human rights and environmental sustainability. Geraldine recounts her experience in the late 1970s to early 1980s when her community provided refuge for evacuees fleeing from militarisation of villages in Abra and how she, as a high school and later university student, took part in the first two fact-finding missions to uncover what had led to the assassination of several young Indigenous men and a pregnant woman by the military. Similarly, Daisy explains that, at the age of 10, she witnessed two children from her community on their way to school being shot and killed in broad daylight. The trauma and fear of the military was branded into her memory – *‘they can shoot you if they wish – especially when they’re drunk’*.^{liii} After 14 long years, the Filipino people managed to oust the Marcos regime and, subsequently, an anti-dictatorship front was formed and critical mass was reached. However, after the Marcos regime, there was no accountability for the atrocities. The women discussed how unacceptable it was to the victims of martial law that the Marcos dynasty, alongside the Duterte dynasty, was now back in power – as voiced by Joanna *‘a tragic form of collective amnesia’* – strategic efforts on social media soaked in misinformation played a large part in restoring their reputation.^{liiv}



National level protest against militarisation of Indigenous Peoples' territories. Credit: Katribu Kalipunan

liii. FGD with Indigenous women EHRDs, 25.01.2025.
liiv. FGD with Indigenous women EHRDs, 25.01.2025.

A study by CWEARC found that the military continuously use a strategy of courting, forcibly marrying, raping, and impregnating young women in the communities in which they are deployed, as a weapon of domination, control, and fear.²⁰³ In the few cases where GBV against Indigenous women has been reported, the military try to settle with financial compensation. As a result, impunity serves the violators as there is no accountability for their acts of violence. Jenifer explained that the military take advantage of the customary laws to avoid legal punishments. In some cases, the army have relocated the rapist officer to another community; the rapist is consequently being protected by the State and, with no repercussions, their violent crimes are likely to reoccur in a new community.^{iv} At the community level, Barangays are mandated to have Violence Against Women (VAW) desks – but the staff are rarely equipped nor mandated to handle GBV cases. With the limited implementation of the Magna Carta of Women Act and the absence of access to legal mechanisms or a system to support victims, in some areas, rape cases are reported to the Barangay council and settled by customary law through payment e.g., by giving an animal or paying a fine or both, to the family of the victim. The length of a court case, on occasion taking years and extensive lawyer fees, is a barrier to pursuing a lawsuit. CPA, CWEARC and Innabuyuog are pushing for an end to such settlements of rape as it is a clear violation of human rights. On a few occasions, women have taken matters into their own hands; for example, in Sagada Mt. province, women organised a citizen’s arrest and brought a paedophile to jail.²⁰⁴

6.3 Coping and resistance strategies

Due to fear of repercussions such as GBV and physical, sexual, psychological, spiritual, environmental and economic violence, arrests and harassment, coupled with surveillance and interrogations, many EHRDs are forced to continue their social and environmental justice activities covertly. Members are thus learning how to move forward assertively while safeguarding themselves, their families and the com-

munities they serve. One woman EHRD emphasised: *‘On a daily basis we have to find a way – be creative, strengthening the movement - If we stop talking the perpetrators win - they want to silence us – so we continue asserting our rights individually and collectively’.*^{lvi} Although social media is flooded with disinformation, the majority spread by the GoP, companies and the military – with no or limited fact checks – it can help to profile the stories of EHRDs and so social media platforms are used for advocating and countering red-tagging. Other coping and resistance mechanisms include ‘kamustahan’ (‘how are you’) check-in sessions at the beginning of meetings to make sure everyone is okay. Moreover, EHRD organisations practice ‘The buddy system’: MC and Raven explained that, when they observe that someone is at risk: *‘We will recommend that they never go around alone, for support we will appoint someone to accompany a person at risk- we are sisters, we care for one another’.*^{lvii}

6.4 Greenwashing of extractive aggressions in the Philippines

In 2017, former president Duterte introduced his flagship “Build, Build, Build” economic policy, to promote development projects across the Philippines. The programme was further extended by President Marcos Jr. who, in 2022, pledged to increase the country’s renewable energy sources, such as hydropower, geothermal, solar, and wind, as part of the country’s climate change agenda.²⁰⁵ The growing demand for ‘green’ energy has rendered hydropower from mega-dams an attractive energy source. Such development projects are often promoted as a sustainable way of facilitating the transition away from fossil fuels.²⁰⁶ After a period of caution towards hydropower since the 1990s, achieved among other things by fierce Indigenous opposition, with women at the forefront fighting mega-dams in the 80s, such as the Chico, Balog-Balog, and Laiban dams,²⁰⁷ an emerging revival is now taking place, contributing to a new wave of dam construction proposals and projects. Despite social and environmental impacts,²⁰⁸ com-

iv. Interview with Jennifer Awingan, Indigenous woman EHRD 18.01.2025.
 lvi. Interview with Jennifer Awingan, Indigenous woman EHRD 18.01.2025.
 lvii. FGD with female youth EHRD 25.01.2025.

panies are gathering under the banner of 'sustainable hydro', including Chevron who have presented their geothermal project as a solution to climate change. Meanwhile, Chevron has displaced numerous Indigenous communities from their ancestral territories.²⁰⁹ A growing body of scientific literature and local accounts indicate that mega-dams are essentially replicating patterns of violent repression i.e., causing rampant displacements of Indigenous Peoples and severe environmental impacts similar to the extractivist industries e.g., mining.²¹⁰ Energy projects are promoted as essential for poverty reduction,²¹¹ and for covering the growing energy demands; however, these projects rarely benefit the people who are dispossessed of their lands and livelihood, nor do they involve Indigenous Peoples in the design and decision-making process, which is a prerequisite of the UNDRIP and the IPRA. Such 'green' extractivism constitutes attacks on Indigenous Peoples and ecosystems involving corporations and States who collaborate to encroach on Indigenous territories.²¹² In some cases, the communities around the periphery of mega-dams stand to be submerged, and even larger areas and more communities will be submerged during rainy and typhoon seasons, when the dams are forced to open their floodgates to avoid damage to the dam. Not only do the sites of dwellings and farmland stand to be submerged or damaged but also their areas of spiritual significance and burial grounds, thus violating the communities' collective rights. Among numerous mega-dam projects, the construction of the Kaliwa and Laiban dams in Quezon is estimated to displace several thousand Dumagat and Remontado Indigenous families and flood areas in Tanay, Rizal, and General Nakar.²¹³ Similarly, the construction of the Jalaur River dam in Panay has forcibly displaced thousands of Indigenous Tumandok and has led to the militarisation of their territories.²¹⁴ Opposition to the mega-dams has been widespread, e.g., the Tumandok have persistently protested the mega-dam project on the Jalaur River.²¹⁵ Protesting mega-dams can have severe consequences, e.g., in December 2020, nine Indigenous Tumandok men were brutally killed and 16 were arrested, including six Indigenous women, by the Philippine police and military, in what is believed to be a response to their

protests albeit at the pretext of them being NPA. In 2022, the Commission on Human Rights urged the Philippines to enact laws that enforce legal liability for corporate-related human rights abuses, and that all projects aimed at increasing sustainable development and resilience to climate change should be established with the meaningful consultation and participation of the affected Indigenous Peoples.²¹⁶

However, FPIC processes have been found to be continuously ignored, fraudulently implemented, and inherently manipulated, and those who resist hydropower dams in their territories increasingly face GBV and are labelled as terrorists.²¹⁷ Several financial institutions and international frameworks include requirements for FPIC in line with the UNDRIP. However, genuine FPIC rarely forms a part of development projects.²¹⁸ Various corporations claim they follow the requirements and practise FPIC but these procedures have often been found to be initiated too late in the process, at a substandard level, permeated with threats, and conducted without proper involvement of the affected Indigenous Peoples – especially women.²¹⁹ For example, the FPIC process was deemed distorted in the case of the hydropower project awarded to the Hydro Electric Development Corporation (HEDCOR) by the GoP on the ancestral land of the Bagobo-Tagabawa, a Mindanao Indigenous group living near Mount Apo. Sacred to the Bagobo-Tagabawa and crucial for livelihood and water access were the Tudaya Falls and surrounding rivers that the hydropower project would disrupt. The FPIC process was declared as '*easily accepted the entry of the project as it provided them a number of benefits*' by the Philippine Information Agency; however, according to Indigenous advocates, signatures were forged, some were disinformed and others signed papers in a language they did not comprehend. Furthermore, the project was criticised for only inviting individuals in favour of the project to the FPIC process, which caused widespread protests by the Bagobo-Tagabawa, including sacred rituals by Bagobo-Tagabawa elders. Despite claims of a fraudulent FPIC process and protests, the hydropower project was built.²²⁰ In the race for a 'green' transition, a vast number of hydropower projects in different stages of approval across the Philippines, are blasting into numerous different Indigenous Peoples' territories without their consent.²²¹

6.5 Alimit Hydropower Complex



Ambuklao Dam, owned by SN Aboitiz since 2009. Impacts of the dam include submergence of villages and displacement of residents living along the lake. [Nordis, 27 October 2010. Supplement: The impacts of mining and dams on the environment and Indigenous Peoples in Benguet. Northern dispatch <https://nordis.net/2010/10/27/topic/energy/supplement-the-impacts-of-mining-and-dams-on-the-environment-and-indigenous-peoples-in-benguet/>]

SN Aboitiz Power Group, a Norwegian (partly State-owned) and Filipino corporate joint venture, owner of the three mega-dams Magat, Ambuklao and Binga Hydroelectric Power Plants, revealed a proposal to construct the Alimit Hydropower Complex (AlimitHEPP) in 2014, a large-scale hydroelectric power plant on Alimit and Ibulao rivers in Ifugao province, Cordillera region. Besides the 80-metre-high dam to be erected on the Alimit River, the project includes two tunnels, i.e. a 7.7 km Ibulao Diversion Tunnel, constructed under a mountain of the Tupaya landscape to divert flows from Ibulao River to Alimit River to increase power generation at the AlimitHEPP and a 1.7

km tunnel connecting the upper and lower reservoirs. Along the Alimit and Ibulao rivers lie the ancestral homes of the Ayangan and Tuwali Indigenous Peoples. According to the SN Aboitiz website,^{lviii} the vision is 'to empower employees, businesses, communities and the country toward a sustainable future', championing sustainability initiatives and ventures by providing Energy Solutions that put 'People and the Planet First' – that help make the world a better place not only for people living today but for generations to come.^{lix} Despite the positive rhetoric, concerns about the impacts of the project have emerged from various sources. For example, a risk assessment report by Advocates of Science and Technology for the People (AGHAM)²²² found a number of potential negative impacts, namely the high risk of vast areas of farmlands and pastures along the riverbanks of both the Ibulao and Alimit being submerged, the hindering of the natural flow of sediments and nutrients affecting farm yield, decreased water levels for irrigation downstream, siltation of the irrigation intake and canal, loss of rice terraces due to construction, downstream flooding, and destruction of forests and wildlife habitat due to submergence and risk of improper waste disposal caused by the large amounts of excavated materials for the tunnel construction, containing acidic contents known as acid mine drainage, that are expected to be produced. Acid mine drainage is a harmful phenomenon producing sulphuric acid that dissolves other harmful metals and metalloids from the surrounding rock, increasing the acidity of water and which can greatly affect life forms. The report finds that documents provided by SN Aboitiz lacked consideration of protecting the affected farmlands, especially rice terraces. The inconsistencies in the schedule for the release of water in the dam would make the river unsafe. Several rice paddies and corn fields are located on the immediate location of the proposed dam and will be submerged during and after the construction of the dam. Concerns further include flooding risks, particularly when the reservoir reaches its critical level. The dam will be releasing excess water and the flow of water downstream is unlikely to hold the surplus water, thus submerging the community and their farms, especially if a natural disaster occurs, which is far from uncommon in the Philippines.²²³ Most of the affected Ayangan and

lviii. SN Aboitiz Power Group: <https://snabotiz.com/>
lix. Ibid.

Tuwali community members strongly reject the Alimit Hydro dam. Their main concerns include a surge in flooding, deprivation of water sources, including drinking water from the mountain, water for irrigation of rice fields and vegetable gardens, water pollution by siltation, loss of agricultural land and diminished fish stock. Community members fear that when the dam is established at full capacity it will release water and exacerbate the risk of flooding.^{ix} Problems with flooding are already an issue, as a result of releases of water from the Magat Dam – especially during the typhoon season. Another major concern includes the lack of a warning system for the release of water from the dam.^{lxi} As also noted in the AGHAM report, the schedule for the release is irregular and, if a natural disaster occurs, the community and their farms will be submerged quickly and without warning. Several community members worry that the dam will cause a spike in drowning among children, adults, and animals. Warning announcements made on radio or TV for the existing dam are irregular or absent, as stressed by a Tuwali woman *‘When you are on your farm, you do not see or hear it – often, they do not*

even warn through TV or radio.^{lxii} Several community members mentioned that siltation had been a big problem in nearby rivers, caused by other mini dam projects. Other concerns included a fear of a spike in the influx of outsiders and heavy vehicles, and destruction of the nature surrounding the river and the mountain.^{lxiii} Furthermore, community members fear that the area where families bond and take time for recreational activities will be lost.^{lxiv} Representatives from AGHAM advised the communities to reject the project. A key message involves land titles, i.e., in order to claim compensation for loss of land, they would have to show proof of ownership of the land, including agricultural lands, homesteads, communal forest and pasture lands, proof the communities do not have. The company will not honour tax declaration documents related to land, hence, without land titles, the land is seen as public land, the company holds no liability, and no compensation will be provided.^{lxv} This is likely to leave Tuwali and Ayangan dispossessed from their lands with no compensation or relocation opportunities.



Ayangan Indigenous woman observing her rice paddies at risk of being submerged with the construction of the AlimitHEPP.

ix. FGD, in Nammog with members of Barangay Bimpal and Barangay Banga, 20.01.2025.
 lxi. FGD in Barangay Dulao, Lagawe, 21.01.2025.
 lxii. FGD in Barangay Dulao, Lagawe, 21.01.2025.
 lxiii. Ibid.
 lxiv. FGD in Barangay Tupaya, with Barangay officials and members of Tupaya Women’s Organization, 20.01.2025.
 lxv. FGD in Barangay Tupaya, with Barangay officials and members of Tupaya Women’s Organization, 20.01.2025.

6.6 Gender roles, inheritance, Indigeneity, connection to the river



The Alimit river is significant for the livelihood, culture, and survival of the Ayangan and Tawali Indigenous Peoples of Lagawe, Cordillera, Philippines.

Among the Tawali and Ayangan, while some reproductive and productive roles are gendered, roles are not strictly divided. Women will most often raise poultry, buffalos, and pigs, and undertake reproductive activities. Men will usually be in charge of handling heavy machinery such as tractors and ploughing the rice fields with oxen;^{lxvi} however, a few women will also plough with the oxen.^{lxvii} Some men cook, wash dishes and clothes, particularly if the women are not available. Both men and women take part in raising the children, corn and rice farming. Women are mainly in charge of preparing rice seedlings, whereas men will plant the rice, and women collect Ginga shells from the rice fields. Both

are part of negotiating prices with middlemen when selling crops. At the river, both men and women fish. Among the Tawali and Ayangan, the firstborn inherits the largest part of the land, regardless of gender. In the area surveyed, no specific patrilocal or matrilineal systems are present; couples will usually settle where most land is available.^{lxviii} The majority of households do not hold land titles but most have tax declarations tied to their land. Tax declarations, similar to the Segel system in Indonesia, do not secure compensation when development projects encroach upon ancestral territories or when flooding occurs. Very few hold officially recognised land titles. The process to obtain a land title is both costly and strenuous, hence limiting most in their attempts to obtain it.^{lxix} Both women and men are involved in community, Barangay, and FPIC consultation meetings, and community members agree that the voices of both women and men are respected at community level.^{lxx}

The creek and river are communally owned by the Indigenous communities and hold significant meaning for the socio-cultural and economic survival of the Tawali and Ayangan people. The communal resources from the river comprise multiple uses and livelihood benefits. During the hot season, the water source from the mountains decreases, so the community use the river to wash clothes and fetch water for their vegetable gardens. Tilapia and other aquatic resources are important sources of food and income, e.g., to help pay tuition fees for their children. Fishing is done individually or communally, both modern and traditional methods are utilised. Traditional fishing includes a spear and placing fishnets under water lilies where the fish take refuge at night or trapping fish in traditional baskets. As stressed by an elder Ayangan-Tawali woman: *'We cannot survive without the water source; we will have to leave the area – but there is nowhere else to go.'*^{lxxi} The creek and river embody a significant value as a communal space in which to bond, swim, celebrate, and rest – as one young Ayangan woman explained: *'It is our free re-*

lxvi. Interview with Indigenous woman, Barangay Dulao, 21.01.2025; FGD in Barangay Tupaya, with Barangay officials and members of Tupaya Women's Organization, 20.01.2025; FGD, in Nammog with members of Barangay Bimpal and Barangay Banga, 20.01.2025; FGD in Barangay Dulao, Lagawe, 21.01.2025.

lxvii. Interview with Indigenous woman, Barangay Dulao, 21.01.2025.

lxviii. Interview with Indigenous woman, Barangay Dulao, 21.01.2025; FGD in Barangay Tupaya, with Barangay officials and members of Tupaya Women's Organization, 20.01.2025; FGD, in Nammog with members of Barangay Bimpal and Barangay Banga, 20.01.2025; FGD in Barangay Dulao, Lagawe, 21.01.2025.

lxix. FGD in Barangay Dulao, Lagawe, 21.01.2025.

lxx. FGD in Barangay Tupaya, with Barangay officials and members of Tupaya Women's Organization, 20.01.2025; Interview with Indigenous woman, Barangay Dulao, 21.01.2025; FGD, in Nammog with members of Barangay Bimpal and Barangay Banga, 20.01.2025.

lxxi. Interview w. 69 y/o, Ayangan-Tawali woman in Tupaya, 19.01.2025.

sort'.^{lxxii} During the summer, especially holy week, Tawali and Ayangan families gather by the river to bond and unwind. The river also encompasses a significant spiritual site for rituals. Traditionally, small *gadiw* fish from the river are used in rituals. It is believed that, if the ritual is performed, success will fall upon those who fish. Another ritual is performed at childbirth, when it is believed that the child will receive blessings; a boy will be successful when he catches fish, while girls will be successful when they collect shells in the rice fields.^{lxxiii} Another tie to the ancestral land is related to burial sites: the Tawali and Ayangan bury their family members on their homesteads, hence displacements will cause loss of connection to past generations.

6.7 Climate change

In the past two decades, communities have suffered prolonged and intensified droughts, and stronger and more frequent typhoons. An elder man noted that: *'No rain or too much rain is the situation now.'* Severe droughts have resulted in the reduced size of the rainfed corn, leading to decreased income. These changes are causing a shift from fodder corn to vegetable gardens of smaller size, which are manageable to irrigate during dry periods. In November 2024, Typhoon Pepito hit Lagawe with unprecedented strength causing damage to farmland, crops, livestock and houses. The typhoon, which brought strong rains, led to the release of masses of water from the Ibulao river dam, farmlands along the riverbank were consequently washed away and many livestock drowned.^{lxxiv} Tawali and Ayangan men and women explained that when climate disasters occur, the Indigenous communal system of sharing and collaboration – *Bayanihan* and *Baddang* – is key for community and household support. While most literature finds that Indigenous women's responsibilities for collecting water during climate disasters exacerbate the risks of GBV, such as sexual and psychological violence, community members explain that, in times of crises, both men and women would collect water.

In response to crop failure and flooding, men would often seek labour in construction and mining far from the community, while women find work at poultry farms or as domestic helpers in closer proximity to their homes, so they can return to their households daily. A main challenge noted in times of crises for Indigenous women in the Cordillera was food security, crop failure, and flooding of crops.

6.8 Disagreements, disunity and emerging resistance of Indigenous communities



Indigenous Woman Human Rights Defender sharing her story of disunity and verbal abuse due to disagreement on the proposed Alimit dam.

While some fear a push further into marginalisation and poverty, others envision prospects and employment opportunities. Disagreements cause numerous intrafamily and intracommunity rifts and divisions. The construction of the Alimit Dam is most likely to provide employment for men for some years while a few with educational backgrounds may be hired for higher positions. However, for

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 lxxii. Young woman in FGD in Barangay Tupaya, with Barangay officials and members of Tupaya Women's Organization, 20.01.2025.
 lxxiii. Interview w., Ayangan-Tuuli woman in Tupaya, 19.01.2025.
 lxxiv. FGD in Barangay Tupaya, with Barangay officials and members of Tupaya Women's Organization, 20.01.2025; FGD in Barangay Bimpal and Barangay Banga. 20.01.2025.

women, elder community members, and those with limited educational backgrounds, opportunities are scarce. Most fear they will end up with no access to natural resources, which is the key reason why the majority of women are against the Alimit Dam. In an attempt to persuade sceptics of the dam, SN Aboitiz invited opponents to an exchange visit to see the hydropower dam in Bokod, Benguet, in order to showcase the success of the dam; in Bokod, however, community members shared that they had observed significant negative impacts and thus advised them not to accept the dam proposal, 'as it would destroy their lives'.^{lxxv}

When the proposal was announced, Ayangan professionals formed the Ancestral Domain Claimants of Eastern Lagawe (ADCEL) because, in order to be included in the FPIC process, an organisation of representatives from the community has to be formed. At first, the ADCEL opposed the dam but they were later convinced by the prospects of opportunities and endeavoured to convince people to accept the offer. Many community members felt betrayed as the ADCEL was not representing them as a people. In response, community members opposed to the dam formed the Hapiyo organisation.^{lxxvi} Hapiyo is an

intermunicipal alliance committed to defending the Ibulao-Alimit area against SN Aboitiz's project. It has been active in circulating information about the risks of the dam and submitting petitions when their rights as Indigenous Peoples have been violated – Benedict Tangid president of Hapiyo, noted: 'The only way to protest is by keeping submitting petitions'.^{lxxvii} In response, smear campaigns from the police and the 54th battalion stationed in Ifugao followed, accusing Hapiyo of being part of the NPA. A founding member of Hapiyo explained that, in 2019, during the height of the protest against the Alimit Dam, the military monitored his movements and questioned him on numerous occasions. Several CPA members were made public on wanted posters by the military and declared *persona non grata* in their community.^{lxxviii} During the intense protests, Brandon Lee, an EHRD based in Ifugao with his family, and who had faced relentless surveillance from Duterte's government due to his involvement in the farmers' movement and anti-dam struggles, was shot at one evening outside his home. Brandon's assassination attempt followed the murder of William Bugatti in 2014 and Ricardo Mayumi in 2018. All three had been involved in human rights and environmental organising to fight the hydropower project.²²⁵



Indigenous woman human rights defender at a protest in the Philippines. Credit: Katribu Kalipunan

lxxv. FGD in in Nammog with members of Barangay Bimpal and Barangay Banga. 20.01.2025.
 lxxvi. Meaning defence or shield.
 lxxvii. Interview with President of Hapiyo, Benedict Tangid Resident of Tupaya, 21.01.2025.
 lxxviii. Ibid.

6.9 Free, Prior, and Informed Consent



Several violations of the FPIC process initiated in 2014 by the NCIP as part of the SN Aboitiz hydropower proposal were noted by the Barangay officials and community members. As stipulated in the national FPIC provision, NCIP is required to conduct the first consultation meetings with affected Indigenous communities without the presence of the corporate entity proposing the project; however, SN Aboitiz was present at the first meeting.^{lxxix} Furthermore, NCIP is mandated to share the potential benefits and negative impacts but interviewees noted that only positive impacts were presented: *'They said the negative impacts will not happen.'*^{lxxx} Conversely, several positive benefits were highlighted, such as new schools, free electricity, benefit-sharing, clinics, paved roads, scholarships for children, and small entrepreneurship funds, while information on potential negative

impacts was left out of the presentations. An elder Tuwali woman noted: *'The company told us that the project will not damage the water source, and in case it does they say that we can just buy mineral water – they do not understand our situation they only think about profit.'*^{lxxx} Lack of information was also found in the report by AGHAM, including in the documentation provided by the company.^{lxxxi} During FPIC meetings, several Indigenous women voiced their opposition but, as explained by one of the women EHRDs: *'When the company came, we raised our voice, but the NCIP and the company do not listen to our voices. We are the ones who are fighting for our survival.'* Another added: *'They have ears, but they do not listen.'*^{lxxxii} Similarly, a member of the Tupaya women's group asked: *'Don't we have the right to protect our environment? Because the company said, whatever we do, the dam will push through.'*^{lxxxiii} Additional coercion was noted when community members were asked to sign for SN Aboitiz to negotiate mitigation in case of damages to their property during the construction of the project. Community members recounted that SN Aboitiz had told them that, if they did not sign, the company would not be liable for damages. Such intimidation and pressure before an FPIC process is finalised is yet another violation. Another FPIC violation was emphasised when community members were asked to sign an attendance sheet without a heading, which was said by SN Aboitiz to be for accounting for the food expenses. SN Aboitiz later attempted to use the signatures as consent signatures for the project. In response, the community submitted a petition in 2023 stating that the company had deceived those who signed by using their signature as consent to the dam. In 2024, NCIP conducted a verification process of the signatures and found that approx. 85% had not signed a consent form but an attendance sheet. Various petitions and a resolution of non-consent were submitted to NCIP in 2017, 2019, 2020, and 2023, including reminders to respond and act on the petitions. Additionally, Hapiyo has made a compilation of the violations of the FPIC process. The petitions are as of yet unsettled; in particular, Hapiyo had not received any information from NCIP since submitting the petition, hence consent has not been given. The petitions have been effective in the sense that the

lxxix. FGD in Barangay Tupaya, with Barangay officials and members of Tupaya Women's Organization, 20.01.2025.

lxxx. Interview with Indigenous woman, Barangay Dulao, 21.01.2025.

lxxxi. FGD in Barangay Dulao, Lagawe, 21.01.2025.

lxxxii. FGD in Barangay Tupaya, with Barangay officials and members of Tupaya Women's Organization, 20.01.2025.

construction of the AlimitHEPP has not yet started, despite the signing of a Memorandum of Agreement (MoA) by ADCEL in 2019. In the petitions, concerns were raised by the community as a whole. Concerns include the risk of flooding, the risks of unstable water flow, and increased siltation. The petition includes a reference to the devastating incidents from the nearby Magat Dam, where the water level rose by 20 metres from the original elevation of the river during the typhoon. Concerns further include fear of losing water sources from the mountain and their water rights in their ancestral domain, as well as concerns about damage to the biodiversity along the river stream and loss of aquatic animals, referring to the Magat Dam incidents and the assessments from AGHAM. Another concern includes how river transportation, the only means of transportation for many school children, will be cut off during periods of low water levels. The petitions manifest that the communities do not want the tunnelling component of the project nor the diversion of the Ibulao River. Furthermore, the petitions criticise the general lack of information on their environment and safety and ask to see detailed plans of scenarios of future impacts. Moreover, community members have experienced diverging statements in the meetings: some officials stated that the FPIC was back to zero while others stated that the project was already approved. In 2019, in response to community resistance, SN Aboitiz signed a Memorandum of Understanding (MoU) with the National Irrigation Administration (NIA) to study the feasibility of adding an irrigation component to the AlimitHEPP. A new feasibility study would require that NCIP introduce a new round of consultations with communities, which NIA would assume responsibility for. According to the CPA secretariat, NIA has a track record of coerced FPIC and has been criticised for circumventing FPIC requirements or taking procedural shortcuts e.g., in Mountain Province, in the Upper Butigue Reservoir Irrigation Project.²²⁸ As part of the FPIC process, Barangay officials in the affected areas are tasked with selecting community representatives for the assemblies. However, instead of following the FPIC process, NCIP invited people from 72 Barangays, even though only 17 Barangays would be directly impacted by the project. In 2018, when the Memorandum of Agreement was to be signed between consenting Barangays and SN Aboitiz, community members belonging to Lamut

decided to withdraw the conditional consent they had given to the project and disengage from the negotiations. On 20 February 2019, a day after the ADCEL signed the MoA, 927 peasants in six Barangays, Dulao, Tupaya, Olilicon, and Banga in Lagawe, and Hapid and Bimpal in Lamut, signed a petition for the NCIP to stop the implementation of the Alimit project.²²⁹ Consequently, consent among affected Barangays has not been given, and construction has not yet started.

6.10 Indigenous women and Gender-based violence in the Philippines

Violence perpetrated against Indigenous women was evident in all forms in the case of the Philippines. The concept of *Spiritual violence* surfaced as the women were deprived of their place of rituals, spiritualities, ceremonies, and their ancestral connection either because they were denied the freedom to visit their ancestral land and communities due to red-tagging or, as in the case of the Alimit Hydropower Complex, where they are at risk of being dispossessed of their river, which holds significant value for Tawali and Ayangan women. *Environmental violence* was evident in all the accounts of the Indigenous women interviewed. Personal experiences of aggressive development and the environmental destruction that followed triggered many of the women’s involvement in environmental justice. Correspondingly, environmental violence is emerging as the Aboitiz hydropower complex construction will place their environment at great risk, with causal floodings predicted to destroy rice terraces and agricultural lands hence disrupting food security, a key responsibility of the women. In Kalinga, as mentioned by a Limos woman: *‘If our rice paddies are submerged, it will be the problem of the women to get food for the family, so, the women are highly motivated in the struggles to protect the land.’*^{lxxxiii} The tunnel construction will lead to large-scale mountain excavation, potential pollution of water systems and destruction of biodiversity by acid mine drainage, with further deforestation likely to severely impact Tawali and Ayangan Indigenous women. *Structural and Environmental violence* intersects with the risk of extractive development

lxxxiii. Interview with Indigenous woman EHRD 18.01.2025.

aggression damaging or destroying the food security sovereignty and ancestral knowledge systems of Tawali and Ayangan Indigenous women. Similar to the case in Indonesia, such development aggression places the continuation of their culture/nature, and the survival of their identity, at risk given that their specific cultural and environmental roles, livelihoods, and management areas are jeopardised. *Structural violence* was further apparent in the coercing of signatures, failure to follow FPIC provisions, and lack of transparency and information regarding the impacts

of the Aboitiz hydropower project; for example, the military was also deployed to harass the opposition leading up to the COVID pandemic. For the women red-tagged by the Filipino authorities, *Structural and Psychological violence* merged atrociously, specifically in terms of red-tagging, scare tactics, anti-CPA campaigns in communities, discrediting and demonising campaigns, harassment, wanted posters, arbitrary arrests, 'shoot-to-kill' threats, rape threats, surveillance, lack of due process, and femicides of colleagues.



Climate change disasters, environmental destruction, extractive development aggression and related land rights violations have compounded to an alarming degree with intersectional discrimination to act as a multiplier of threats for Indigenous women and gender-diverse people. As existing disparities are exacerbated during crises and conflicts, such developments are likely to jeopardise the dignity, distinct identity, livelihoods, culture, spiritual belonging and survival of Indigenous women and, by extension, their families and communities. Indigenous women are continuously dispossessed of their territories and natural resources and their basic rights of self-determination and over customary lands are consistently violated, which challenges their ability to cope and respond when disasters occur, increasing the risk of facing gender-based violence in private and public spaces. It is imperative to move beyond the understanding of 'women' as a homogeneous group and acknowledge the intersectionality of different women's conditions, recognising how unequal power relations determine access to natural resources, livelihoods, and well-being.

In **Indonesia**, the majority of Indigenous women interviewed were excluded from meaningful participation and representation in decision-making in public, political and economic spheres. When the knowledge, needs, lived experiences, ideas, and skills of Indigenous women are overlooked in decision-making, it paves the way to loss of livelihoods and status, cultural disintegration, loss of important knowledge, poor health, exacerbated gender inequality and exposure to GBV. Breaking the patriarchal mindset in decision-making and governance requires meaningful and equitable representation of Indigenous women and gender-diverse people at all levels. Tokenistic participation is not sufficient to change entrenched gendered inequalities. Aggressive development, including logging, mining, industrial plantation, and infrastructure projects, has brought rapid and irreversible changes to Indigenous territories. The history of natural resource exploitation in East Kalimantan reveals how the Indonesian government is largely unwilling to protect the rights of Indigenous Peoples, especially when interests and 'development' coincide with Indigenous territories. The development of the new capital IKN is continuing a pattern of dispossession, cultural disintegration, and environmental destruction. The IKN development has led to further manifestations of exclusionary forces against Indige-

nous Peoples from their ancestral lands, with a complete disregard for Free, Prior and Informed Consent. For Indigenous women, development has caused a profound change in their cultural roles and livelihoods, which impacts their opportunities to provide water and food security, produce handicrafts, collect vegetables, fruits, and medicinal plants, and perform ceremonies, and rituals. Their roles and status as knowledge guardians and transferers are consequently at risk. In response to recent threats to their cultural survival, Indigenous Balik and Paser women have protested the expansion of the IKN, demanding their voices be heard and, by removing demarcation poles encroaching on their land, they have fought to safeguard their river, forests, lands and homesteads, both as Indigenous people, as women, and as custodians of forests and rivers. Indigenous women are taking part in this fight despite knowing the risk of being exposed to GBV, including State-sanctioned violence. In response, the authorities have employed systematic surveillance, threats of arrest, and are using the judicial system to silence the women and suppress any opposition or protests. Despite the promise of harmony, a green future, and assurances that the environment will not be sacrificed, the IKN project is likely to further worsen the situation, with devastating human and ecological outcomes. Based on these findings, we see no rational connection between human rights, sustainable development, environmental protection, and the IKN project. On the contrary, continuing these patterns, backed up by the Omnibus Law, the decision to end the mining moratorium, and the Nusantara Law, the ecological destruction on the island of Java is likely to be transferred to East Kalimantan.²³⁰ Land encroachment, displacement, the absence of guaranteed rights for Indigenous Peoples, and the systematic exclusion of Indigenous women from decision-making processes exposes them to increased GBV, including structural, environmental, spiritual, physical, sexual, and psychological violence both by State, military, corporate entities and, in some cases at community and household levels, causing further social, cultural, environmental, and economic crises. At the household level, displacement, dispossession resulting in food and water insecurity, and economic crises are triggering an increase in GBV. Intersectional levels of discrimination intrude at community, regional, and State levels, submerging Indigenous women into the lower ranks of society and depriving them of agency and well-being. If development projects in Indonesia, notably the relocation of the Capital IKN Nusantara, which will continue for the

next two decades, are to translate into something genuinely sustainable by embracing all three pillars of the concept: social, environmental, and economic, then a substantial restructuring of current methods, strategies, and practices is imperative.

The Philippines has a long history of resistance to social and environmental injustices. For decades, with courage and agency, Indigenous women have voiced their opinions and protested for recognition of their rights as Indigenous people, as women, and as protectors of the environment. Indigenous women who resist extractive development aggression, and fight for environmental justice and human rights, are constantly at risk of violence, including harassment, interrogations, surveillance, smear campaigns, trumped-up charges, 'wanted' posters,, threats of arrests, 'shoot-to-kill', and rape. The women consequently navigate in an uncertain limbo of fear, awaiting arrests and the possibility of violence. In all nine interviewed cases of red-tagging, a neglect of due process was noticeable, demonstrating that the legal rules and principles pertaining to their case have been disregarded. Red-tagging is a clear violation of International human rights law, as ratified by the Philippines, and must be terminated with immediate effect. As argued by several Indigenous women, with its placement on the Financial Action Task Force grey list and its obligation to combat terrorism, if it is to combat actual terrorism then the Filipino government must end its smokescreen tactics entrenched

in support for extractive aggressive development and redirect its forces towards actual terrorism, corruption and money laundering, instead of targeting poor communities, non-profit NGOs, and Indigenous human rights activists. Indigenous communities near proposed extractive development projects, such as the case of the Alimit Hydropower Complex, are increasingly at risk of being deprived of their land, forests and rivers of cultural and environmental significant value to them. The communities are fighting against powerful political forces to safeguard their ancestral river and land. Violence is used continuously to silence any form of resistance. Building solidarity among Indigenous communities and carrying out campaigns on the rights of Indigenous Peoples is key to strengthening their fight for survival and countering the constant attacks from State and corporate interest. When states, financial institutions and corporations continue to invest in projects without FPIC or with coerced and inadequate forms of involvement of Indigenous Peoples, and by excluding Indigenous women, as seen in Indonesia, they pave the way for violations of human rights, severe environmental degradation, and GBV. Without a robust and effective strategy to include FPIC processes, States, corporations, and financial institutions pledging to carry out sustainable 'green' projects may replicate development aggression – which is in unambiguous contradiction with any sustainable development as described by the SDGs.



Indigenous Peoples protesting against hydro-power projects on their rivers during Peoples' Cordillera Day in Kalinga, Philippines, 2022. Credit: CPA

At the national level in Indonesia and the Philippines, internationally recognised rights have been ratified in national legislation. However, this report finds that national policies and frameworks related to gender, the rights of Indigenous Peoples, GBV, development projects, and climate change are largely ineffective in preventing the increased risks that Indigenous women face. This is due to a lack of implementation that results in impunity for the violent perpetrators. In both countries the absence of justice, grievance mechanisms, and a lack of safe spaces and support systems by the State as well within traditional Indigenous institutions was apparent. State failure to provide any type of support or accountability for crimes committed was striking despite the legal framework in place through which victims could pursue accountability. In the Cordillera, Indigenous women have been outspoken and campaigned steadfastly to unearth deeply rooted and structural occurrences of GBV by State and corporate affiliations. Within Indigenous institutions, in both countries, settlements or mediation resulting in written agreements between perpetrator and victim were also failing to provide liability or support. In Indonesia, Indigenous women expressed a need to establish self-determined institutions to support victims and survivors of GBV. In the Philippines, Indigenous organisations such as CWEARC and Innabuyog (including the youth chapter) are working to create safe spaces for victims of GBV, offering psychological and compassionate sisterhood support, in groups and individually, where Indigenous women can progress from being victims to being survivors of GBV.

On numerous occasions, State and corporate interests in Indonesia and the Philippines have ruthlessly ignored human rights and environmental commitments. The renewable energy sector is no exception, by replicating strategies of extractive capitalism, such as mining, without genuine FPIC processes.²³¹ As seen in Cordillera, despite being touted as 'green', hydropower poses a serious threat to the environment and the Indigenous Peoples, who remain heavily reliant on their natural environment for survival. While it is the obligation of each state to ensure the meaningful implementation of FPIC, the process is completely absent in the Indonesian case of the new capital and coerced in the Cordillera case of the Alimit Hydropower dam. If financial institutions continue to support development projects without or with coerced FPIC and environmental considerations then the commitments to climate change adaptation and sustainable development will continue to be empty promises. Development in and near Indigenous territories must always be within their framework, interests and aspirations for economic, political, and social uplift. As custodians of lands, territories and resources, and knowledge, Indigenous women play a key role in climate resilience. Courageously, Indigenous women and gender-diverse activists continue not only to fight for their human rights and their environment but for their right to survive – collectively and as individuals. Their roles and contributions must be recognised, supported, and promoted – not discriminated against, threatened, and terrorised. Based on these findings, the authors make the following recommendations in the next section of the report.



Indigenous Peoples use boats to collect resources along the Sepaku River, Indonesia.

8. Recommendations

Indonesia and the Philippines, including corporate businesses operating in the two countries *must*:

- Fulfil their international obligations and national legislation to respect the rights of Indigenous Peoples by fully implementing the UNDRIP with specific attention on effective and just implementation of the right to Free, Prior and Informed Consent in all climate change and development projects, policies, and strategies that may affect Indigenous Peoples in and near their ancestral territories.
- Safeguard the right to meaningful representation of Indigenous Peoples in FPIC, information, negotiations, consultations, and compensation, with specific equitable measures to involve Indigenous women and gender-diverse people not merely as passive recipients but as active and equitable participants at all levels to ensure that no women, men, or gender-diverse people are deprived of their rights.
- Specifically in the Philippines, end all red-tagging of Indigenous Peoples' environmental human rights defenders as it is a clear and direct threat to life, liberty and security and criminalise the act of red-tagging, especially among State forces/authorities. The Philippines must include an end to impunity for those who have been part of demonising campaigns of red-tagging ERHDs.
- Support Indigenous women, non-binary genders and their organisations to develop protocols for obtaining their FPIC. Structural barriers to decision-making processes must be removed while expanding their active, gender-equitable, fair and just participation in decision-making processes.
- Work actively to address gender-based violence, including violence against Indigenous Women and gender-diverse Indigenous people, through prevention, mitigation and response strategies at all levels, paying specific attention to the intersectional aspects of gender-based violence.
- Provide funding for a safe space for victims and survivors of GBV within Indigenous women's and gender-diverse peoples' frameworks.
- Remove all structural barriers to legal land recognition and ensure the rights of Indigenous women in any legal recognition of individual and customary land i.e., the registration of individual land under the Indigenous women's name or jointly with spouse and include Indigenous women's rights to communal lands in management regulations.
- End all land encroachments, as well as criminalisation, threats, and terrorist-labelling of Indigenous Peoples who are resisting land violations, human rights abuses and environmental destruction.
- Ensure that project impact assessments identify gender inequalities and GBV risks - for example through gender analysis and safety perception assessments, and set in place the necessary actions to mitigate unintended consequences, including within their risk mitigation plans.
- Recognise Indigenous women for their environmental leadership, specific contributions and knowledge in international climate governance, as well as in national governments and sub-national authorities.
- Recognise the Indigenous knowledge systems, knowledge holders of all genders must be equitably involved in the planning and development of projects, with the inclusion of Indigenous Women's knowledge in managing living resources that guarantee the independence of community life.
- Provide information with full transparency for Indigenous Peoples regarding compensation, construction, relocation, and timeframes of the IKN and Alimit hydropower dam project. Information must be accessible for all, and available at all times in Indigenous languages, including methods appropriate to reach illiterate community members.
- Provide grievance mechanisms for Indigenous Peoples in relation to development projects taking place on their territories.
- Provide fair and optimal relocation areas in case of consent to development projects, in collaboration with both spouses of Indigenous households. Relocation must include secure land titles in the name of both spouses, infrastructure such as houses, electricity, and clean water.
- Ensure protection of areas significant to the knowledge, spiritual importance and livelihood of Indigenous Peoples.

Support organisations and Indigenous communities are recommended to:

- Build solidarity between Indigenous communities to carry out systematic campaigns regarding the rights of Indigenous Peoples, rights of Indigenous women and gender-diverse Indigenous people.
- Foster equality in decision-making and shared responsibilities, unite in the struggle against injustices regardless of gender.

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About IWGIA

IWGIA - International Work Group for Indigenous Affairs - is a global human rights organisation dedicated to promoting and defending Indigenous Peoples' collective and individual rights, including the right to self-determination by virtue of which they can freely determine their political status and freely pursue their selfdetermined economic, social and cultural development.

To us, everything begins with partnerships.

We work through a global network of partners, first and foremost Indigenous Peoples' own organisations and networks but also support NGOs, academia, international human rights bodies and alliances. Over our more than 55-year history, IWGIA has built and developed unique, long-standing partnerships with Indigenous Peoples' organisations and networks from all 7 Indigenous socio-cultural regions of the world.

Everything we do is with and in support of Indigenous Peoples.

Through our engagement with the Indigenous Peoples' movement around the world, we have learned the importance of local leadership and flexible and agile support. In close cooperation with our partners, we coordinate, enhance and, when necessary, lead advocacy efforts at national, regional and international levels in pursuit of common objectives within a framework of dialogue, mutual trust, respect and cooperation.

In this way, IWGIA plays a global, facilitative support role for Indigenous Peoples and the advancement of their rights.

