



Inputs to the Report of the Special Rapporteur on the Rights of Indigenous Peoples to the United Nations General Assembly: Impact of COVID-19 on Indigenous Peoples
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Joint submission by:

1. Asia Pacific Forum on Women, Law and Development (APWLD)
2. Sisterhood Network – Nagaland, Northeast India
3. National Indigenous Women Forum (NIWF) – Nepal
4. Sabokahan Tomo Kamalitan (Unity of Lumad Women) – Philippines
5. Brown Girl Woke – Samoa
6. Sangsan Anakot Yawachon Development Project (Sangsan) – Thailand
7. Cambodia Volunteer for Society (CVS) - Cambodia

I. Introduction

The Asia Pacific Forum on Women, Law and Development (APWLD)¹, in collaboration with its members and partners, appreciates the opportunity to contribute to the Report of the Special Rapporteur on the Rights of Indigenous Peoples to the General Assembly: Impact of Covid-19 on Indigenous Peoples.

This submission draws upon the collaborative work of the submitting organisations which participated in the Feminist Participatory Action Research on Women’s Land Rights (Land FPAR²), particularly highlighting the stories and analysis of indigenous women from **Nagaland (Northeast India), Nepal, Philippines, Thailand, Cambodia** and **Samoa** on indigenous women’s situation amid the Covid-19 pandemic.

II. Covid-19 Crisis and its Impact on Indigenous Peoples’ Human Rights

Women in Asia and the Pacific bear the brunt of the Covid-19 pandemic as they face multiple and intersecting discrimination, exclusion and violence. Feminist movements across the region have reported significant lack of access to adequate and accurate information as well as governments’ failure to deliver on their state obligation, and meet peoples’ basic needs, and their arbitrary use of military power to enforce curfews and lockdowns.³

Loss of Livelihoods

In **Nepal**, NIWF reports that the nationwide lockdown is pushing many indigenous households deeper into poverty and will deepen inequality. The monthly social protection allowance (30 USD/month) given to poor households is insufficient, particularly to the Indigenous groups in the country such as Bankariya, Kusunda, Lepchha, and Raute peoples, to name a few. Many indigenous groups have been, for generations, excluded from basic social and public services including healthcare, making them severely vulnerable particularly in time of Covid-19 crisis.

¹ APWLD is a feminist, membership-driven network. Our member represents 248 diverse women’s rights organisations and advocates from 27 countries in Asia and the Pacific. For more information about APWLD, please visit: www.apwld.org

² Land FPAR is an ongoing two-year journey (September 2018 - August 2020) of grassroots feminist organisations to amplify the voices of rural, indigenous, migrant and urban poor women’s voices, shift power, taking an intersectional approach to build capacity and foster movement building, solidarity and collective actions among women in the Asia Pacific region.

³ APWLD (2020), COVID-19 Highlights the Failure of Neoliberal Capitalism: We Need Feminist Global Solidarity: <https://apwld.org/covid-19-highlights-the-failure-of-neoliberal-capitalism-we-need-feminist-global-solidarity/>



On top of that, the current lockdown measures have impacted their livelihoods. Women in the community are not able to go to the forests in search of roots and tubers or otherwise go to work. Coupled with the lack of contingency plans on supplies and services, lockdown has caused “appalling hardships” on indigenous groups.

In the **Philippines**, Sabokahan reports that the lockdown and suspension of public transportation has prevented Lumad (indigenous peoples of Mindanao island) women from selling their agriculture products in local markets. In the evacuation centre, where many Lumad are housed due to the intense militarisation of their communities, indigenous women whose source of livelihoods are bead-making and sewing, have lost income, and visitors including donors and support groups have been unable to donate food and basic needs because of strict lockdown measures. The local government has been denying Lumad community members of their rights to food and other subsidies and told that they may only receive subsidies if they return to their village.

Indigenous women from **Nagaland** experience constant discrimination especially in mainland India due to their Mongoloid features. They have been denied entry to supermarkets or been spat on and verbally abused as “Corona.” The lockdown has affected the local economy of Nagaland, one of the poorest states in India where over 70 percent of the population depend on agriculture activities. With restrictions on movement, poor transportation, and closing down of markets, indigenous Nagaland women are now suffering terribly as many families depend solely on selling their agriculture products.

Free, Prior, and Informed Consent (FPIC) and Protection of Indigenous Peoples’ Land and Resources

Indigenous Peoples’ rights to FPIC have long been violated and manipulated that only served the interest of big business corporations and the state. Sabokahan reports that the **Philippine** government continues to facilitate the operation and entry of large-scale mining in the country despite the lockdown. On April 6, approximately 100 Philippine National Police in full riot gear dispersed 29 indigenous land defenders in Barangay Didipio, Nueva Vizcaya. The land defenders had formed a human barricade against Oceanagold, an Australian-Canadian mining company, whose operations have affected access to clean water for 80 percent of the villagers.⁴

NIWF echoes this by noting how indigenous peoples in **Nepal** are displaced due to “aggressive development” such as hydropower, road expansion, land filling, airports, dams, and parks taking over their ancestral lands and territories. Sabokahan further tags a Philippine government recommendation to convert ancestral lands to vegetable and high value crop farms as “another excuse to grab our ancestral lands amidst a global pandemic.” They also denounce the passing of the Anti-Terror Bill in the Philippine Congress amid the pandemic, a piece of legislation that will grant the government broad powers to suppress and criminalise dissent, and legitimise attacks against indigenous and environmental rights defenders, among others.

Military and Security Threats

Through Sabokahan, Lumad women in the **Philippines** have also reported that their communities remain heavily militarised and targeted by military operations despite the

⁴ <https://globalvoices.org/2020/04/10/philippine-police-dismantle-anti-mining-barricade-amid-covid-19-lockdown/>



pandemic, which makes it difficult for the community members to return to their village. According to data collected by the community, between 19th March – 13th April 2020 there were 13 military attacks conducted by the Armed Forces of the Philippines (AFP) claiming to defend themselves from New People’s Army (NPA) rebels in the Pantaron Mountain Range. Yet the attacks were on Lumad civilians. Further, between 24th and 29th March 2020, 20 rockets and more than 10 artillery rounds were fired, and two bombs dropped into Lumad areas in Pantaron. A separate attack on 11 May 2020 involved 10 missiles deployed from an FA-50 jet and 10 rockets fired from two Huey military helicopters targeting the Lumad group in Sitio Tapayanon.⁵ The red-tagging⁶ experienced by many Lumads has worsened during the Covid-19 pandemic. Sabokahan reports that soldiers go to Lumad communities interrogating individuals and looking for supposed NPA members without observing social distancing or wearing masks. Once, they even entered a quarantine facility to interrogate indigenous youth about topics unrelated to public health.⁷

Similar to the Lumad, Karen indigenous communities in Northern **Thailand** living between state borders are denied government subsidies due to their statelessness. Government aid is provided only to Thai citizens. This is exacerbated with the current conflict⁸ in the Thailand-Myanmar border.

Health Impacts of the Covid-19 Pandemic

Indigenous communities have a long history of marginalisation, displacement and deprivation of their rights. They are characterized by poverty, illiteracy, poor access to education and health facilities and policy disparities. The Covid-19 crisis devastates their lives in many different ways. While none of the organisations reported an actual case of Covid-19 having been documented in their communities, nearly all indicate severe health impacts and risks on indigenous women caused by the pandemic.

Indigenous women and their communities have long been denied access to quality health care and social services, making them highly vulnerable to the disease. As the nature of the pandemic has compelled governments to implement extraordinary public health measures, however, none has been addressed specifically towards the needs of the indigenous communities, the organisations report. In the **Philippines**, “there have been no measures taken to provide health care and other forms of urgent assistance to indigenous communities,” notes SABOKAHAN, an observation echoed by NIWF and Sangsan in **Nepal** and **Thailand**, respectively. Supplies essential to one’s protection against the virus, including surgical masks, gloves, alcohol and hand sanitizers hardly reach indigenous communities.

⁵ Sabokahan Tomo Kamalitan, 2020: <https://www.instagram.com/p/CBday12AN72/?igshid=13yhy56l13f67>

⁶ Harassment or persecution of a person because of “known or suspected communist sympathies”

⁷ According to Sabokahan, on 10th May 2020, ten Lumad school students were rounded up by the local government and brought to a facility where they were subjected to psychological torture by the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC). The NTF-ELCAC took their photos without consent and forced them to sing the national anthem and write the names of national heroes, and accused the students of being communist rebels. On 16th May 2020, the COVID-19 Provincial Inter-Agency Task Force (PIATF) showed up at the same school and forced 35 students to undergo a 14-day quarantine in a local municipality without consent from them or their parents.

⁸ Burma army kills villager, attacks villages, and burns down KDHW Covid-19 public health checkpoints in Karen State: <https://www.freeburmarangers.org/2020/06/03/burma-army-kills-villager-attacks-villages-burns-kdhw-covid-19-public-health-checkpoints-karen-state/?fbclid=IwAR2ubrTr4ZL99kPXZCpX5j5jOHlz9dKGU7EwPk8qmo0M5wq6ixsMxhNVKB8>



Should any community member contract a severe case of the disease, the chances of getting treatment are extremely slim: in **Nagaland (Northeast India)**, for instance, Peren district, home to Zeliangrong indigenous group, is the only district that has not received a single ventilator from the total 34 units distributed by the state.⁹ In **Samoa**, Brown Girl Woke reports that there are no ventilators in the entire island.

The lack of reported cases of Covid-19 in indigenous communities is no indication that the virus has not reached them, due to limited testing capacity in these countries. In **Nagaland** for example, as against 43 cases recorded as of 31 May 2020, the state has 745 pending samples and results take more than a week to come out.¹⁰ Besides limited testing, NIWF in **Nepal** reports poorly managed and insufficient quarantine and isolation facilities – the facilities themselves becoming outbreak hotspots – as well as an inability by the government to prevent imported coronavirus cases, increasing indigenous communities' risks to the pandemic.

Besides the actual threat of contracting the virus, the pandemic has further exposed the vulnerability of indigenous communities' health as exacerbated by poor government measures. Multiple organisations report indigenous communities running out of food, clean water, toiletries, and other basic needs due to the lockdowns, worsening the problems brought about by their already limited access to healthcare and sanitation facilities. In a Lumad evacuation centre in the **Philippines**, for instance, an infant died of pneumonia after having been born with severe cleft-lip which made feeding nearly impossible. Without adequate access to proper healthcare, the child could not be saved from its condition.

Lack of Data and Access to Information on Covid-19

Despite the urgency of having disaggregated data based on ethnicity to better analyse the impact of Covid-19 on indigenous communities, it has been flagged by all organisations in the six countries that there is no disaggregated data available. **Unavailability of disaggregated data by ethnicity and diversity of gender including non-binary and transgender** has been a longstanding issue hindering indigenous communities, particularly women in all their diversity from accessing health and other basic services. The current Covid-19 crisis exposes the failure of many States to fulfill these rights.

Information about COVID-19 and prevention measures has rarely been directly disseminated to indigenous communities. **Even if there is information available, it is often not culturally appropriate, accessible and easy to understand by indigenous peoples.** Access to information on Covid-19 is another layer of challenge to indigenous peoples. The current discriminatory and patriarchal systems hinder indigenous communities, particularly women to have adequate access to information. **Digital divide** and **internet literacy** are among the issues for most of the indigenous communities involved in this report. As reported by Sangsan, many indigenous families in Northern **Thailand** cannot afford to pay for internet access on top of their lack of internet literacy to properly find sources of information on Covid-19.

In **Nepal**, many community members **lack basic literacy skills**, hence face difficulties in accessing the provided information, as most of it is in writing. In **Samoa**, Covid-19 related

⁹ Covid-19 Dashboard, Government of Nagaland (Covid-19 data as of 28th May 2020): <https://covid19.nagaland.gov.in/>

¹⁰ NagalandExpress (2020), Nagaland continues limping on testing the samples for Covid-19; Around 90 samples tested per day for a week: <https://nagalandexpress.com/latest/nagaland-continues-limping-on-testing-the-samples-for-covid-19-around-90-samples-tested-per-day-for-a-week/>



information is available on electronic media, however, whether the information fully reached and is understood by indigenous communities is unclear.

Multidimensional Discrimination and Violence

Indigenous women, children, persons with disabilities and LGBTIQ groups are facing multidimensional discrimination including within their own community. Sangsan reported that LGBTIQ youth from many indigenous communities in **Thailand**, particularly those in landless stateless situations are highly vulnerable because of their sexual orientation. LGBTI youth in MaeSamLaep are confined in hostile environments with unsupportive family members or co-habitants. This increases their exposure to violence, as well as their anxiety and depression. Community members regard LGBTIQ people as bringing bad luck to the village and they have been previously blamed for disasters, both manmade and natural, and it is also happening in the context of Covid-19. Among indigenous groups in MaeSamLaep, Maehongson district, children have run out of milk and women are unable to afford sanitary pads due to worsened economic hardship brought about by the crisis. Isolation and spending much more time at home put indigenous children at greater risk of physical, sexual and mental abuse without any access to help during the lockdown.

In **Nepal**, older persons, children and indigenous women with disabilities (IWW) face multiple layers of challenges regarding access to health services and supplies such as masks and hand sanitizers. Information provided by the government is accessible in very limited forms for IWW, for example, no information is provided in sign language for those with hearing difficulties.

In **Nagaland**, during the lockdown, many schools give out lessons to the parents and guardians mainly through Whatsapp communication. This has been a major challenge for many families who have only one smartphone with two or more children attending school, and, in some cases, parents who do not own a smartphone have had to drop their children from online schooling. Despite some schools providing options of accessing hard copies of education materials, the Covid-19 pandemic has left many indigenous children out of school. For Nagaland women, the pandemic and the resulting lockdowns have resulted in deepening the multiple burdens they have been facing, and even more so in the case of mothers. They are multitasking between caring for children, homeschooling them, managing households with little resources, catering to the demands of husbands who now work from home or have lost their jobs, and worrying about their own sources of income. They are expected to meet the various demands of the family while sacrificing their own self-needs.

III. Indigenous Women's Initiatives Amid Covid-19 Pandemic

Despite the challenges, indigenous women and their organisations have taken considerable initiative towards helping their communities deal with the hardships of the pandemic. Most of the organisations report women helping to translate and disseminate Covid-19 information in their communities. Further, indigenous women are at the core of preparation of food for quarantined community members and distributing food and relief goods for many indigenous families. Traditional knowledge and practices have also contributed in the precautionary measures taken by communities.

In **Nagaland, Northeast India**, village councils and elders including indigenous women have translated and helped disseminate information on Covid-19 in indigenous languages/dialects,



i.e. *Ao* and *Sangtam* languages. Also, many indigenous communities have built eco-friendly quarantine centres without any support from the government. This quarantine centre has been used for 14-day isolation of returnees and villagers working in the city and abroad.



Quarantine centre in Yeangmai village, Mon District

In **Thailand**, indigenous networks and supporting organisations have been translating materials on Covid-19 into indigenous languages including Karen language. Sangsan young women researchers interviewed 90 indigenous women to assess community concerns and needs, and the organisation started an online fundraising campaign to support women, children and LGBTI groups. Nearly 90 indigenous families (nearly 500 community members) were provided with food, first aid kit and hand sanitizers, masks and sanitary pads for women.

Sangsan also reached out to local government development agencies in Northern Thailand for a dialogue on the impact of Covid-19 on indigenous women, children, and LGBTIQ groups, and how the community can contribute to managing the crisis as well as on the needs for food distribution to the community. However, until this report was submitted, the organisation has received no response from the local government.

In **Nepal**, indigenous peoples and some of their traditional institutions and systems¹¹ use various forms of media (radio and television owned by indigenous peoples, and key informant/community leaders) to raise awareness on Covid-19. Indigenous leaders closed the borders of their own communities and instituted other precautionary measures including self-quarantine for newcomers.

Despite the digital divide, **Cambodia** Volunteers for Society are working together with Kouy young indigenous women in Sombo district to disseminate information about Covid-19 cases

¹¹ e.g. Bheja of Magar peoples, Tera Mukhiya system of Thakali peoples, Barghar of Tharu peoples, Guthi of Newar peoples



and precautionary measures through Facebook Messenger. This platform is also used to update key decisions from the government and important information such as when the country declared a nationwide state of emergency.

In **Samoa**, village chiefs took the initiatives to close village borders, schools and encouraged villagers to stay home. Also, indigenous families have been growing more vegetables and plants for subsistence needs as the island was closed down. Brown Girl Woke also took initiative to directly help indigenous families affected by the Covid-19 crisis.

In the **Philippines**, despite negligible government aid and meagre resources, Sabokahan and its women members have spearheaded the implementation of anti-Covid-19 protocols in the evacuation centre such as social distancing and adequate sanitation. The women have also sewn face masks, increased their urban gardening and made traditional medicines for those who are not able to access health services due to the lockdown.

IV. Conclusion

Due to multiple and intersecting discrimination, exclusion, and violence, indigenous women in Asia and the Pacific have been severely and disproportionately impacted by the Covid-19 crisis. Decades of neoliberal globalisation and privatisation of basic social services, particularly health care, have deprived indigenous communities, particularly indigenous women of their basic human rights as well as collective control over their lands and resources. This left them highly vulnerable to the effects of the current Covid-19 pandemic. The absence of any government response specifically fulfilling their rights and needs, have intensified the risks that they face and led to deeper poverty and marginalisation. State-sponsored violence and discrimination against indigenous communities, driven by militarism and fundamentalisms, have not abated, and in many cases even worsened during the pandemic. Under these conditions, women bear the heaviest burdens as they deal with the increased responsibilities of household care as well as the patriarchal impositions of society.

Nevertheless, indigenous women have taken various initiatives towards helping their communities deal with the hardships of the pandemic, and evidence suggests that indigenous traditions and practices have helped these communities to show resilience against its worst effects. Given this, states need to be held accountable for their historic neglect and violence against indigenous peoples, and institute meaningful efforts to protect their communities, particularly women, from the impacts of the Covid-19 crisis, with full respect for their rights at all times.

V. Our Demands

1. States shall ensure and respect the basic rights of indigenous peoples including to Free, Prior and Informed Consent (FPIC) and shall not implement any policy or measures as COVID-19 response without obtaining their FPIC;
2. States shall rapidly scale up necessary measures including emergency supports, particularly in providing mass testing, personal protective equipment and treatment to indigenous women in all their diversities; provide adequate goods, relief and services, including water and sanitation, health and social protection to prevent further COVID-19 spread, under special response measures specifically addressing indigenous communities' needs;



3. States shall provide and disseminate culturally appropriate information related to Covid 19 and ensure that indigenous peoples are able to freely access, obtain and fully understand the information; and report disaggregated data on the impacts of the pandemic on indigenous communities;
4. States shall urgently demilitarise indigenous communities; stop the increasing attacks on indigenous, environmental, and women human rights defenders, hold perpetrators accountable and provide access to justice and remedies;
5. States shall ensure protection of indigenous peoples lands and territories amid the pandemic and take necessary measures to support indigenous communities' existing food production and ensure food sovereignty;
6. States shall ensure meaningful and effective participation of indigenous peoples, particularly indigenous women and young people in the efforts to tackle the Covid-19 crisis and its aftermath.



Annex

Profile of Organisations:

National Indigenous Women Forum (NIWF), Nepal - The NIWF was founded in 1998 with an aim to develop an equitable and equal level platform for indigenous women and other marginalised minorities in local, regional and national levels. NIWF works at empowering and strengthening the capacity of indigenous women and enhancing their decision-making skills at economic, cultural, social and political issues. The organisation aims to look into the potential impacts of Sunkoshi High Dam Project in eastern Nepal on Majhi women's human rights.

Sabokahan Tomo Kamalitan (Unity of Lumad Women), Philippines - Sabokahan is a grassroots organisation of Lumad women that seeks to empower Lumad women through education, organising, capacity building and participation in advancing women and indigenous rights as key to overcoming barriers that preclude women from being at the front lines of the struggle for land rights, self-determination, social justice, genuine peace and development. The organisation seeks to do research on indigenous women's preservation of the natural environment in the Pantaron Mountain Range and the impact of the Pulangi Hydroelectric Dam on indigenous women in Mindanao.

Sisterhood Network, India - Sisterhood Network (SN) is a non-profit, non-sectarian, non-governmental organisation with the objective to empower women to reach their full potential through sustainable development, self-esteem and self-respect based in Nagaland, India. Through the programme, the organisation aims to better understand the land tenure system adopted by customary practices and how it can be revisited with women as key stakeholders.

Cambodian Volunteers for Society (CVS), Cambodia - CVS is a non-profit and non-political organisation established in 2005. Its mission is to mobilise youth to be agents of social change with a voluntarism spirit for the society. With its research, CVS aims to advance the participation of rural and indigenous women in the decision-making process of the Sambo hydropower project that is due to be constructed in Kratie Province, Cambodia.

Sangsan Anakot Yawachon Development Project, Thailand - an Ethnic minority and Indigenous LBT women feminist led organisation with strong commitment and passion on empower ethnic minority and/or indigenous women, girls and young LGBTQ. We work on structural change. We believed in advancing women rights, children right and SOGIESC right are the foundation of development justice. We use the theory of change, intersectionality perspective, feminist analysis, Human Right Approach, SOGIESC and gender perspective to develop our organisation's framework and strategies. We created event, organise and mobilise peoples' movement on the ground and strengthening to the nation and regional levels in order to ensure development justice is possible by and for the peoples especially women, children and young LGBTQ

Brown Girl Woke, Samoa - The Brown Girl Woke women initiative empowers young girls in primary schools in rural areas of Samoa by investing in their education, aspirations and success. The intersectionality of gender and racial equality movements formed black feminism into its own movement and cause. BGW provides opportunities for young women to discuss their opinions and share their perspectives of themselves, the world and the future with each other, emphasizing on the importance of supporting one another.