Status of

Indigenous Women

Facing Multiple Discrimination

During COVID-19 Pandemic in Asia

Pragyaa Rai and Richa Pradhan
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Researchers:
Pragyaa Rai and Richa Pradhan, Asia Indigenous People’s Pact (AIPP) and Network of Indigenous Women in Asia (NIWA)

Overall Guidance:
Ingo Ritz, Director, GCAP and Kyerewa Asamoah Sekpey, Leave No Woman Behind Project Coordinator, GCAP

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Coordination:
Pradeep Baisakh, GCAP

Editing:
Pradeep Baisakh, George Gelber and Sylvia Beales

Designing:
Rajesh Singh
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Executive Summary

There are approximately 410 million Indigenous People in the world, about 5% of the global population. There are 260 million Indigenous People in Asia, with 2000 distinct civilizations and languages. The majority of Indigenous Peoples in Asia have experienced historical suppression, marginalization and socio-economic and political discrimination and do not have legal or constitutional recognition. Indigenous Peoples make up a disproportionate share of the poorest sectors of the population and of the work force of the informal economy. Existing policies restrict their access to social protection benefits and deny them full and effective participation in society. Their rights as Indigenous Peoples are repeatedly violated and there is no legal recognition of their collectivism, self-governance, identity and culture. Incursions into their lands in most Asian nations in the name of ‘development’ have expelled them from their ancestral lands and territories and deprived them of their resources.

The onset of COVID-19 has reinforced the existing inequalities and marginalization of indigenous communities, with most negative impacts felt by Indigenous Women and Girls, persons with disabilities and older people. The main underlying causes are their disadvantaged position in the labour market, high rates of poverty, limited access to infrastructure and public services including water and sanitation, and their enhanced vulnerability to climate change.
The vulnerability of Indigenous communities to COVID-19 has been exacerbated by their limited access to health services and information regarding the virus and relief packages. It has been further aggravated by restrictions on mobility, lack of transportation and testing services and failure to provide information in native languages. Indigenous Women migrant workers have fared worst of all, losing their jobs and, according to some reports, experiencing violence and torture. Indigenous Women and Children in some Asian countries could not access social protection assistance and relief packages because they did not have the required legal documentation.

Despite the spread of the virus, development projects and military operations have continued in the Philippines, Myanmar, India and Bangladesh, with severe negative consequences for Indigenous communities, especially Indigenous Women who are the most vulnerable and at risk. Land grabbing of indigenous territories by development projects increased during lockdown. Human rights of indigenous leaders and women were violated through red tagging, vilification, illegal arrest, detention, killings and sexual assaults. Attacks by state forces on indigenous human rights defenders, among whom there are many Indigenous Women, have escalated during lockdowns.

Cases of gender-based violence against Indigenous Women have almost doubled during the lockdown period. There have been many incidents of harassment, charges, arrest and sexual violence on Indigenous Women, especially in militarized regions. Northeast Indian women in particular have experienced ethnicity-based discrimination and stigmatisation during Covid-19 because they have central Asian features. Indigenous Women with disabilities also faced the additional risk of abuse and violence from their own family members and caretakers during the lockdowns and shutdowns.

Official COVID-19 containment and humanitarian packages across Asia excluded Indigenous People in general and had a particularly harsh impact on indigenous persons with disabilities. News and public health related bulletins were not made available in indigenous languages which limited their access to information on the virus.

Lockdown measures and restrictive policies have had a negative impact on indigenous communities’ livelihood options and food security. Restrictions have prevented Indigenous Women in Asia from gathering traditional medicines and foods. The deployment of military personnel in the indigenous territories has prevented them from harvesting food crops and, even when they have had something to sell, they have had to throw it away because there are no buyers for their produce.

Government and development partners should address these gaps by adopting inclusive recovery policies and programmes that prioritise the needs of Indigenous Women and Indigenous persons with disabilities. Disaggregated data should be gathered and made publicly available to permit monitoring of access to basic health services and recovery packages. Indigenous Women’s knowledge of herbal remedies and traditional foodstuffs should be valued and encouraged to create their livelihood opportunities. In conflict zones and militarized regions special priority attention should be given to the health and needs of Indigenous Women and persons with disability.

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1 Red-tagging is the malicious blacklisting of individuals or organizations critical or not fully supportive of government.
Introduction

The COVID-19 pandemic has caused havoc across the globe, taking millions of lives and depriving people of their livelihoods. In Asia, its impact on Indigenous Peoples, particularly Indigenous Women and Girls, Indigenous persons with disability and older persons has been particularly severe. COVID-19 is a greater health risk to groups who, due to marginalisation and exclusion, have limited access to health services and information. They have experienced food insecurity and have lost employment and livelihood resources during the pandemic; and their human rights have been threatened by inadequate humanitarian responses, low access to information, basic services and safety nets, insecure and poor health services, racial and gender-based discrimination, and limited participation in decision making. Indigenous Peoples are over-represented among the poorest segments of population and are disproportionately reliant on the informal economy. Despite international guidance and the UN Declaration on the Rights of Indigenous Peoples, their access to social protection is extremely limited.

The pandemic has been used as a pretext by many Asian governments for violating the rights of Indigenous Peoples to their land, territories and resources. Lockdowns imposed with restrictions on movement have facilitated and increased illegal logging and land grabbing in the indigenous territories and military operations have not been halted. The Indigenous Peoples of the Philippines, Myanmar, India and Jumma in Bangladesh have been the victims of serious human right violations during the pandemic. Reported violations include illegal searches of houses, kidnapping, arrest, detention, red tagging, vilification, killing and sexual assault. Indigenous Women specifically are at high risk simply because of their gender and because of their key roles in their families and communities. Prevented by militarisation and Covid-19 restrictions them from moving any distance from their homes, they have been unable to cultivate, gather, sell and provide food for their families.

Violence against Indigenous Women and Girls (VAIWG) is deeply rooted in racism, marginalization and poverty. The UN inter-agency report, ‘Breaking the Silence on VAIWG’, states “Deprivations disproportionately concentrated among Indigenous populations are often exacerbated for Indigenous Women and Girls due to societal attitudes and gendered stereotyped roles that lead to multiple discrimination that consequently increase their vulnerability to gender-based violence.” COVID-19 has exacerbated this situation and heightened risk and vulnerability to different forms of violence including trafficking. The Kapaeeng Foundation’s assessment in Bangladesh documents the rise in violence against Indigenous Women during the pandemic. In Nepal, ‘Worec Nepal’ reported that cases of gender-based violence doubled during lockdown. The United Nations Office on Drugs and Crimes (UNODC) reported in May 2020 that economic downturns and the loss of livelihoods in developing countries can lead to increases in trafficking. The significant gaps in disaggregated data on violence against Indigenous Women and Girls are an additional problem and an obstacle to prevention measures and access to justice. The ever-present difficulties of Indigenous Women and Girls have increased under COVID-19, but largely go unrecorded because they are not tracked by “Violence Against Women and Girls prevention, response and monitoring mechanisms”.
Gender Equality, is at its best, a concept of mixed opinions. There is no consensus on the evidence that could confirm (or not) that “Gender Equality” recognizes all women of diversity in Asia.

There are estimated to be 410 million Indigenous Peoples globally, constituting approximately 5% of the world’s population. In Asia, it is estimated that the 260 million Indigenous Peoples representing 2,000 distinct civilizations and languages account for three-quarters of world’s total. While they represent distinct and diverse cultures, their common features are historical subjugation and assimilation, marginalization, economic, cultural, social and political discrimination in relation to the majority population. In many countries of Asia Indigenous Peoples have not yet received legal or constitutional recognition. This has prevented them from attaining basic rights and services. Even where there has been legal recognition, their full enjoyment of rights as Indigenous Peoples is still in doubt.

Human right violations of Indigenous Peoples in Asia are rampant, affecting their collective rights over land and resources, the right to free prior informed consent and equal participation and representation in decision making. These violations stem from the non-recognition of their collective rights which has facilitated forced removal from ancestral lands, displacement and militarization.

Large scale development projects and state policies which prioritise the national economy above all else destroy and dispossess Indigenous Peoples from their ancestral lands. For example, the mineral rich indigenous northern Cordillera region in the Philippines is overrun by mining operations which are accompanied by massive human right violations, including torture, arbitrary arrest, detention, extrajudicial killing and sexual violence and abuse of Indigenous Women.

The ILO’s 2019 report states that Indigenous Peoples are treated unequally despite legal recognition of their rights with regard to employment. Indigenous People are more likely to have a job in the informal economy than non-indigenous people (86.3 per cent compared with 66.3 per cent) while Indigenous Women are 25.6 per cent more likely to

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2 https://asiancenturyinstitute.com/society/804-asia-s-indigenous-peoples
be working in the informal economy than non-indigenous women.\textsuperscript{3} Indigenous Peoples’ access to social protection is limited.\textsuperscript{4} As the ILO points out, “Indigenous peoples’ knowledge, perspectives and contributions are crucial for responding not only to the immediate health and humanitarian emergency, but even more so for building resilience and durably securing sustainable development that leaves no one behind.” \textsuperscript{5} There is a complete lack of or limited access to quality education in indigenous communities.\textsuperscript{6} A UNESCO study indicates that Indigenous Peoples still face more obstacles to complete primary education and are less likely to achieve higher education than the non-indigenous population.\textsuperscript{7}

While gender-based discrimination is a global phenomenon, Indigenous Women are disproportionately affected and face multiple layers of discrimination. Discrimination can be categorized as physical, sexual, financial and psychological, but Indigenous Women suffer the same experience in different ways. Almost invariably Indigenous Women’s experiences are sidelined, silenced, go unseen or are treated differently to those of non-indigenous women. Violence against Indigenous Women is not merely an expression of gender-based discrimination within Indigenous and non-Indigenous groups and communities but is a manifestation of ongoing colonization and militarism, racism, social exclusion, and poverty-generating economic and development policies. COVID-19 has added to pre-existing levels of abuse against Indigenous Women and has heightened vulnerability and the risk of violence and trafficking.

\textsuperscript{3} ILO, 2019. Implementing the ILO Indigenous and Tribal Peoples Convention No. 169: Towards an inclusive, sustainable and just future.
\textsuperscript{6} ILO, 2019. Implementing the ILO Indigenous and Tribal Peoples Convention No. 169: Towards an inclusive, sustainable and just future.
\textsuperscript{7} UNESCO, 2019. Indigenous Peoples’ Rights to Education.
Multi-faceted impacts of COVID-19 on Indigenous Women

Indigenous communities have unique cultures, forms of social organization, livelihood strategies, practices, notions of poverty and wellbeing, values, and beliefs. While the discrimination faced by Indigenous Women in Asia is manifested at an individual, inter-personal level, its main driver is the underlying structural discrimination by virtue of being indigenous.

The harsh socioeconomic impact of the COVID-19 pandemic on Indigenous Peoples across the world has further exacerbated the existing inequalities and discrimination faced by Indigenous Women within and outside their communities. The main underlying causes are their disadvantaged position in the labour market, high levels of poverty, limited access to infrastructure and public services, including water and sanitation, and enhanced vulnerability to climate change.\(^8\) Hunger has been a common experience of

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Indigenous Women, persons with disabilities and older persons during the pandemic. Pre-existing socioeconomic, health and environmental vulnerabilities have exacerbated risk, intensified stigma and discrimination and generated violence.

### Alleged starvation death during the lockdown

Dukhi Jani, a 46-year woman belonging to the Kandha indigenous community, was an inhabitant of Kalimba Village, Odisha, India. She was dependent on non-timber forest products for her livelihood and her access to food grain distribution from the public distribution system was irregular. She was a single woman who had been abandoned by her husband but she was denied social protection assistance to which in India, as a single woman living in poverty, she should have been entitled. She was denied an Annapurna card and social security pension despite her numerous approaches to the local administration. According to a news report and the fact-finding report by Right to Food Campaign of Odisha Khadya Adhikar Abhiyan, she died from starvation and hunger on 24 June 2020.

Indigenous Women migrant workers have fared very badly under Covid-19, especially with regard to employment. There are reports that some domestic workers have been tortured by the house owners, themselves experiencing economic hardship.

In Thailand, according to the Indigenous Women’s Network Thailand, men are given preference over women in applying for work. After failing to find work, Indigenous Women are forced to walk back home, risking harassment, death, and threats from security forces.

In those Asian countries where Indigenous Peoples are not recognised, it is difficult or impossible for them to obtain essential documents. In Thailand, many Indigenous people, mainly women and children, do not possess the required identification documents owing to the failure of government to extend documentation services to the indigenous population who consequently are denied access to basic government services and relief programmes.

In the Philippines, some Indigenous Women and young mothers were denied local relief initiative packages because they were not included on the census list.

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10. Information provided by Inter State Adivasi Women Network (ISAWN), India.

Section 3

Land grabbing during the pandemic

The UN has highlighted the rise in maternal mortality and morbidity, increases in adolescent pregnancies, HIV and sexually transmitted diseases in women during COVID-19. However, incidence of these conditions among Indigenous Women and Indigenous persons with disabilities are not documented because data are not disaggregated for Indigenous persons.

Indigenous communities are physically remote and isolated and have limited access to health services and resources - problems that were compounded during lockdown by mobility restrictions, lack of transportation, inadequate information and testing services, discrimination and language barriers. An extreme example is the death of two pregnant Indigenous Women during lockdown in Chittagong Hill Track, Bangladesh, caused by the lack of access to emergency health services, difficulties with transportation and prolonged interrogation by security personnel.

Indigenous Women, who engage in rotational farming, shifting cultivation and food security, were locked down during the pandemic and unable to work. In contrast, work on development projects in ancestral Indigenous lands continued apace, violating Indigenous Peoples’ rights to land and self-determination. The Indigenous Women’s

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Network of the Philippines (BAI) has published a special report highlighting how the government has prioritized economic development, approving a number of mega projects in Indigenous People’s ancestral lands during COVID-19 pandemic. Armed conflicts in some Asian nations have continued even during the pandemic, preventing Indigenous Women from accessing resources essential for their livelihood and culture. In north-east India, the Indian armed forces used the practice of shifting cultivation fields of Indigenous Peoples as a bargaining tool in ceasefire negotiations with the Naga armed resistance group.

In the Bandarban Hill district of Chittagong Hill Tracts in Bangladesh 5000 acres of the Jumma Community’s rubber plantation was burned down by a land grabber during lockdown. In Indonesia’s Northern Sumatra province, according to local people, a palm oil company has illegally cleared land inside a mangrove forest.

Indigenous Women attacked in Bangladesh by some perpetrators in 2020.
Source-AIPP newsletter November 2020


Increased gender-based violence during the pandemic

Gender-based violence against Indigenous Women has been reported by most Indigenous Women’s organisations, networks and representatives. Cases of sexual assault, rape, domestic violence and stigmatization have almost doubled during the lockdown period. Despite COVID-19 and lockdowns, development aggression has continued in many parts of Asia, increasing harassment, charges and detentions in indigenous communities. There have been several reports of abuses by the military in the Chittagong Hill Tracts, Bangladesh, where 34 individuals have been arbitrarily detained and harassed and 17 people have been physically tortured. Three Jhum cultivators were killed and a pregnant Jumma woman died as a result of intensive interrogation. The military in the Chittagong Hill Tracts shot and killed a Jumma woman and injured her child, a crime which the army sought to justify by claiming this was part of an anti-terrorist operation.15

There have been many reports that Indigenous Women from northeast India have been harassed, attacked and abused in other parts of India with names like “Chinky Chinese” and “Coronavirus” due to their central Asian features.16 17 18

Indigenous Women with disabilities confined by social isolation restrictions were at risk of abuse and violence from family members or care takers.19 Access to justice was severely constrained under COVID-19 travel restrictions.20 In Nepal, the rape of a ten-year-old indigenous girl with a disability by 54-year-old man was reported to the authorities but no action was taken. Similarly, in Nepal, another girl, eight years old, was raped during lockdown but her injuries were attributed to her falling from a tree.21 These reports illustrate how far Indigenous Women in Asia have to go to before Agenda 2030 target 5.2 “End all violence against and exploitation of women and girls” becomes a reality for them.
Section 5

Lack of access to information due to language

Indigenous communities, especially women and persons with disabilities, had no access to information and appropriate communication during the pandemic. News and public information from the governments were published and broadcast only in official languages. No provision was made for information in indigenous and sign languages. Illiterate Indigenous Women and Indigenous persons with disabilities who have less access to technology were not well informed about travel protocols, safety measures, relief packages and disease symptoms. As a result, they were most at risk of food shortage, economic hardship and inability to obtain personal protective equipment.

Lack of access to culturally sensitive communication materials/methods on the part of indigenous communities constitutes a threat to the wellbeing of Indigenous Peoples in the times of COVID-19. The “Nepal Preparedness and Response Plan (NPRN)” on COVID-19 of the government of Nepal, was published only in Nepali and English.

Indigenous peoples who do not speak any language but their own were deprived of information and access to relief, health and other emergency services. The National Indigenous Women’s Federation (NIWF) of Nepal states, “this leads to further marginalization of the Indigenous Peoples, especially Indigenous Women and Indigenous Persons with Disabilities who were already marginalized in normal situation.”
56 year old Ata Ratu, a traditional musician renowned as the “Queen of Jungga”, is a member of the Marapu indigenous community from East Sumba, Indonesia against whom there is a long history of discrimination by the state. Her response has been to use traditional poetic couplets to communicate domestic and international issues and news in local indigenous languages.

During the early stage of the COVID-19 pandemic, she composed a song titled “Mbawa Rimangu na annandumu luri mu” (Please take care of yourself) in the East Sumbanese language. The song highlighted the uncertain fate of migrant workers of the Sumba region who were prevented from travelling home by Covid-19 restrictions. She also shared health advice. Her song achieved fame on streaming websites like YouTube and has been used as a public health information bulletin by the East Sumbanese Government and has been played at markets and public areas to raise COVID-19 awareness. It has enabled the East Sumbanese Marapu community to access information on COVID-19 and issues related to the pandemic.
Section 6

Trumped-up charges against Indigenous Women's human rights

Human Right Defenders (HRDs), who are the agents of social change, are always at risk. In Asia, authoritarian rulers and populist governments have targeted human right defenders through direct action or deliberate failure to protect them from attack by the interests which they threaten. In Asia, human rights defenders are portrayed as a threat to the fundamental security of the state which deploys policies, laws, regulations and sanctions against them.22

The Business and Human Rights Resource Centre recorded 286 attacks against human rights defenders focused on business related activities from the onset of pandemic up to September 2020 – an increase of 7.5% that points to opportunistic repression perpetrated by business, governments and other actors.23 Their research from March to September 2020, shows that on average one defender was attacked every day and that almost one quarter of attacks were against women defenders. Representing more than a third of all cases, community members and Indigenous People were at highest risk.

In many Asian countries, governments have used COVID-19 as a pretext for intensifying militarization and attacks on Indigenous activities, advocates, leaders and defenders who are fighting for their rights.

Case study from the Philippines

In the Philippines, Indigenous Peoples’ Organizations leaders, mostly women, are vulnerable and are often the subjects of trumped-up charges. There have been numerous cases where state military forces have harassed, intimidated, interrogated, vilified and red-tagged Indigenous Women’s organizations and their leaders, accusing them of association with left-wing and terrorist groups.

On 13th May 2020, two Kalinga Women leaders were threatened and intimidated for posting on social media about their experiences under lockdown. Similarly, in Zambales, an Indigenous Woman leader named Lolita Legaspi was harassed and intimidated by six security personnel who showed her a picture of her son and repeatedly demanded to know if he was in New People’s Army.

In yet another incident, Marjorie Dulnuan, an Igorot leader and Chairperson of a women’s organisation, was detained and interrogated for three hours as she was on her way to support isolated family and community members, despite having a pass. The military also defaced the poster of Punganay, (Indigenous Peoples Organization in Cagayan Valley) to vilify their staff and leaders.24

The Bangladesh Indigenous Women’s Network has also documented threats, intimidation and harassment of indigenous women rights defenders by security forces during the pandemic.25

24 Information provided by Bai Indigenous Women Network
Section 7

Poverty, hunger, and exclusion—impacts of disaster and climate change

Indigenous Women, who are responsible for 70% of rotational agriculture work, are the key indigenous knowledge holders. In Asia they are prevented by COVID-19 restrictions from gathering traditional medicines and foods. The deployment of military personnel in indigenous territories has prevented them from harvesting food crops and, even when they have something to sell, they have had to throw the food away because there are no buyers for their produce.

Indigenous Peoples, who have been stewards of the forest for many generations, are now those most vulnerable to the impacts of climate change. Their food and territorial management systems are intimately connected to their collective rights over communal lands and resources. Food production systems often involve movement, nomadism and shifting cultivation, all of which have been disrupted by lockdowns together with their food and commodities value chains, tipping some communities into food insecurity. Lockdown measures coupled with restrictive state policies have eroded livelihood options, impoverishing communities and causing hunger.

In Nepal, Bote and Raji communities were prohibited from entering the forest during lockdown. The restrictions not only impaired their livelihoods which depend on access to natural resources but also undermined their cultural identity. There were forest fires in Northern Thailand during the pandemic for which the authorities blamed the traditional shifting cultivation practices of Indigenous Peoples. The government threatened to block access of Karen community to forest resources, citing the rapid drying out of the forests and climate change as additional contributory factors.

In Thailand, Indigenous Women cannot access relief provision as they live outside town and must stay home to take care of children; in Malaysia, relief packages are not reaching single mothers and single women as they can only be given to heads of households. In the Philippines, despite evident food shortages, evacuees in Haran are denied access to relief aid from local government. Indigenous Women and Indigenous persons with disabilities are those most affected because “multiple and intersecting identities of these individuals overlap, intensifying existing issues, excluding them from COVID-19 response strategies and placing them in the most vulnerable position in their nations.”

26 FAO, IWGIA and AIPP 2015, ‘Shifting Cultivation Livelihood and Food Security. New and Old Challenges for Indigenous Peoples in Asia’
Section 8

Recommendations for an inclusive recovery plan

- Adopt inclusive recovery policies and programmes which take account of the rights, needs and priorities of Indigenous Women and Girls, and Indigenous persons with disabilities.

- Support employment and income protection of Indigenous Women and create livelihood opportunities; recognise Indigenous knowledge and practices (such as non-timber forest products (NTFPs), weaving, handicrafts and so on); and promote entrepreneurship for Indigenous Women to develop their skills during the crisis and prepare them for life after it.

- Ensure the provision of social protection even when indigenous communities are denied full citizenship or legal recognition.

- Ensure free and equitable access to COVID-19 vaccines, with priority given to marginalized and vulnerable communities, including Indigenous Peoples.

- Ensure information on the vaccination process is available in local and indigenous languages.

- Ensure that awareness raising material on health and women’s rights are available to all Indigenous Women and persons with disabilities and have due regard to cultural sensitivities.

- Ensure equal access to basic health and sanitation facilities; relief materials; and recovery provisions.

- Governments should collect disaggregated data on the impact of COVID-19 on Indigenous Women and Indigenous persons with disabilities.

- Ensure the full and effective representation and participation of Indigenous Peoples, including Indigenous Women and persons with disabilities, in decision-making processes and public life.

- Protect fundamental freedoms, in accordance with national legislation and international agreements, to ensure the full realisation of SDG16 (access to ‘justice for all’, together with the promotion of ‘peaceful and inclusive societies for sustainable development’ and the building of ‘effective, accountable and inclusive institutions’ at all levels).
- Institutionalize free, prior and informed consent (FPIC) to protect the collective rights and ways of life of Indigenous Peoples and Indigenous Women and retain its applicability during the pandemic.

- Reinforce efforts to combat discrimination based on race, gender and disability by means of inclusive policies and practices and recognise the reality of intersectional discrimination.

- Forge social and gender-just responses to the pandemic, as we brace for recovery from economic crisis, power-grabs, militarization, discrimination and racism. It should be rights-based (basic human rights together with civil, legal and land rights) and comply with international human rights standards, ensuring SDG 5 implementation for all to achieve gender equality and as a crosscutting issue across all sustainable development goals.

- To achieve SDG 5 and to prevent violence against Indigenous Women and to increase access to quality response services for survivors, it is vital to work in close collaboration with government, civil society organisations, communities, and other partners.

- Prioritize and focus on providing protection of Indigenous Women and Girls, Indigenous older persons and Indigenous persons with disabilities, who are in conflict zones and militarized regions.

Raising awareness during the pandemic in Maharastra, India
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Contact Us
www.gcap.global  info@gcap.global  Global Call To Action Against Poverty  @whiteband