

Women environmental human rights defenders in Nepal and the Philippines

Unpacking the (mal)development–disaster risk
relationship through lived experiences

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Summary

Women environmental human rights defenders (WEHRDs) is a broad term encompassing many realities, from isolated rural women protecting their environment from threats because their livelihoods depend on natural resources, to women consciously organizing for socio-environmental justice and holding duty-bearers accountable for the protections of their environmental and human rights. This study unpacks the relations between maldevelopment and disaster risks through the lived experiences of WEHRDs. It shows how inadequate development planning can magnify the vulnerability of marginalized groups and increase their exposure to hazards, therefore creating higher disaster risks. These experiences of vulnerability can trigger social movements and diverse forms of mobilization in which WEHRDs demonstrate their concerns. With a deep dive into the strategies used by WEHRDs at multiple scales, the study suggests that their knowledge, skills and activism have the potential to break the relationship between maldevelopment and disasters.

The aim of this report is to inform integrated development and disaster risk reduction (DRR) policies and programming that respect and protect environmental and human rights, while actively trying to address the root causes of vulnerability to maldevelopment and disaster risk.

With a geographic focus on Nepal and the Philippines, this study is informed by 42 key informant interviews (KIIs) and focus group discussions (FGDs) conducted between 2019 and 2021 with a total of 58 respondents across the two countries. The sample includes organizations and individuals that explicitly identify as WEHRDs, but also civil society organizations (CSOs) and national institutions working broadly on issues of gender equality, Indigenous peoples' rights, environmental issues and human rights.

The first chapters of this report are the introduction (Chapter 1), background and key concepts (Chapter 2) and methodology of the study (Chapter 3). Chapters 4 to 7 present the key findings of the study, organized under four main themes.

Chapter 4 unpacks how underlying gender and social norms play out in development planning. Starting by unpacking the drivers of marginalization in decision-making and the barriers to securing land tenure, this chapter shows how policies risk overlooking the views and needs of marginalized groups, particularly in free, prior and informed consent (FPIC) procedures in the context of development intervention planning.

Chapter 5 shows the impacts of maldevelopment on socio-economic vulnerabilities and exposure to hazards. Analysing WEHRDs' experiences with what they consider "development aggressions", this chapter provides concrete examples of where interventions framed as development were experienced as a disaster by communities bearing the socio-environmental costs without reaping the benefits of development. In such cases, loss of access to and control over natural resources, loss of livelihoods, (forced) displacements and a sense of loss of identity can become triggers for individual and community mobilizations to defend environmental and human rights.

Chapter 6 takes a deep dive into the strategies used by WEHRDs at multiple scales, from reactive, grassroots mobilizations against direct threats, to long-term, coordinated efforts to prevent disasters by trying to address the structural drivers of maldevelopment and disaster risks.

Chapter 7 explores some of the main challenges hampering WEHRDs' mobilizations against maldevelopment. Those include hostility against environmental human rights defenders – which significantly varies in intensity between the Philippines and Nepal. It also considers the impacts of the fragmentation of defenders' movements on their visibility, access to funding and potential to address structural causes of environmental and human rights violations.

Chapter 8 concludes the report with a summary of key findings and recommendations emerging from the study.

The following is a summary of the recommendations for both countries, and these could also be relevant to other contexts.

Recommendations for policymakers at the national scale:

- 1. Align national legislation with international human rights frameworks¹ and ensure compliance with these frameworks to prevent discrimination against marginalized groups.** This entails repealing discriminatory laws and ensuring equal rights for all segments of society in order to address the structural drivers of vulnerability to disasters and maldevelopment.
- 2. Ensure the accountability of State and private-sector actors with national human rights and environmental regulations, especially when planning and implementing infrastructure development and climate mitigation initiatives.** This includes systematizing transparent and participatory FPIC processes, ensuring the meaningful participation of women and marginalized groups and securing civic space for civil society to operate freely.
- 3. Investigate the role of the policy and legal systems in ensuring citizen safety when exercising their human and environmental rights, particularly for women and marginalized groups, and full legal remedies in the case of violations.** National human rights institutions are essential actors to leverage in implementing this recommendation, which will ensure the safeguarding of human and environmental rights and ensure access to justice.
- 4. Foster a multi-stakeholder, gender-responsive and proactive approach to DRR at all levels, allowing for the meaningful participation of marginalized groups.** This includes gender-balanced and socially diverse representation that goes beyond attendance or consultation and entails rethinking design processes and proactively making spaces where the voices of marginalized groups can be heard and have an equitable chance to influence decisions. This should result in more contextualized, inclusive, holistic and efficient approaches to DRR.
- 5. Incorporate the lessons learned from the pandemic into ongoing and future DRR efforts.** This includes a redistribution of care and domestic work, plus engaging with WEHRD networks to reach out to the most marginalized people.

Recommendations for donors and development organizations (including UN agencies and international NGOs)

- 1. Invest in environmental human rights defenders' organizations, leveraging their capacities through democracy-related and gender-equality programmes, but also providing them with the support required to document environmental and human rights issues at the grassroots level, including violence.** This can encompass programmes on citizen science, grassroots communication and connecting defenders with national and international watchdogs. As a result, defenders would have better resources to document their strengths and struggles, and the institutional power of development actors can contribute to reducing the risks they face and facilitate allyship with national policymakers.

¹ Such as the Universal Declaration on Human Rights; the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the Convention on the Elimination of All Forms of Discrimination against Women; the International Convention on the Elimination of All Forms of Racial Discrimination; the International Convention against Torture and other Cruel, Inhuman or Degrading Treatment and Punishment; the International Convention for the Protection of All Persons from Enforced Disappearances; and other relevant human rights treaties.

2. **Investigate the outcomes of development and climate interventions through research, monitoring and evaluation, including in terms of gender equality, socio-economic costs and benefits, disaster risk reduction/increase and violence against defenders, including WEHRDs.** This would provide solid evidence from past experiences that can inform future development and disaster planning, including through good practices that can be replicated.

Recommendations for defenders' organizations:

1. Continue efforts to **enable better access to information, education, legal protection and capacity building** of WEHRDs so they can effectively protect themselves, their communities and their natural resources.
2. **Facilitate inclusive decision-making and co-ownership of projects and programmes implemented with communities by ensuring representation and meaningful participation of all groups and giving them the space to set their own goals and strategies to achieve their goals.** This entails using an intersectional gender lens in project activities, not just focusing on the most active and vocal individuals in communities, or on women as a homogeneous group, but also on Indigenous women, poor women, Dalit women, LGBTQ+, youth and older women. It also entails seeking the participation of men as allies in activities promoting gender equality. This point is key to enable agency and empowerment of marginalized groups.
3. **Document the best practices of WEHRDs** who contribute to environmental protection, resilience and DRR, **as well as their successful mobilizations** in the context of environmental conflicts. This can be supported by research organizations, and it would contribute to giving WEHRDs the credit they deserve.
4. **Build synergies between environmental activists, feminist movements, Indigenous organizations, human rights organizations and other organizations advocating for marginalized groups' rights.** The sharing of experiences, knowledge and resources can help build solidarity between isolated groups while leveraging their potential.

Abbreviations and acronyms

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CSO	Civil society organization
DRR	Disaster risk reduction
FGD	Focus group discussion
KII	Key informant interview
FPIC	Free, prior and informed consent
NCIP	National Commission on Indigenous Peoples (in the Philippines)
NGO	Non-governmental organization
WEHRDs	Women environmental human rights defenders

1. Introduction

The UN Environment Programme considers **environmental defenders** to be “anyone (including groups of people and women human rights defenders) who is defending environmental rights, including constitutional rights to a clean and healthy environment, when the exercise of those rights is being threatened”. The UN Environment Programme further recognizes that “many environmental defenders engage in their activities through sheer necessity; a number of them do not even see or regard themselves as environmental or human rights defenders” (UN Environment Programme, 2018, p. 2). Their contribution to the protection of vital ecosystems has been acknowledged by the UN General Assembly’s Human Rights Council in its Recommendation 40/11, which also recognizes the barriers environmental defenders face because they **actively challenge the unequal power structures underlying environmental destruction** (UN Human Rights Council, 2019, p. 40/11). Indeed, throughout the world, environmental defenders face discrimination and violence: 1733 land and environmental defenders were killed between 2012 and 2021, including 270 in the Philippines (Global Witness, 2022, p. 17). Discrimination and all types of violence are not only human rights issues, but also diminish the potential for achieving the Sustainable Development Goals (Knox, 2017; UN Environment Programme, 2018). Women and Indigenous defenders face additional layers of discrimination as they are already marginalized in society and tend to be more reliant on their natural environment for their livelihoods (UN Human Rights Council, 2019, p. 40/11).

In recent years, the international community has paid more attention to environmental human rights and to those defending these rights. In 2018, 25 countries in Latin America and the Caribbean adopted the Escazu agreement, which is the first international treaty to include provisions on the rights of environmental human rights defenders (UN Economic Commission for Latin America and the Caribbean, 2018). On 28 July 2022, the UN General Assembly passed resolution A/76/L.75 recognizing the right to a clean, healthy and sustainable environment as a human right (UN General Assembly, 2022). While these measures are promising, they also manifest the increasing need to establish legal obligations to defend these rights, individuals, communities and organizations.

Political ecology scholars have also contributed to putting environmental human rights defenders on the agenda, often focusing on global patterns of repression, violence and the need for protection (Butt et al., 2019; Ghazoul & Kleinschroth, 2018; Le Billon & Lujala, 2020; Menton & Billon, 2021; Menton & Gilbert, 2021; Middeldorp & Le Billon, 2019; Scheidel et al., 2020), including *women* environmental human rights defenders (WEHRDs) more specifically (Tran, 2021, 2022; Tran et al., 2020). The common denominator of this scholarship is the centrality of power relations underlying environmental and human rights violations. On the one hand, there are individuals and communities relying on their environment for their survival, who mostly belonging to socially marginalized groups. On the other hand, states, businesses and sometimes development actors are either overlooking or taking advantage of these people’s vulnerability to seize natural resources, often accompanied by intended or unintended human rights violations. Scheidel and colleagues found that most environmental conflicts are driven by the mining and energy sectors, biomass and land uses, water management (such as dams) and agribusiness (2020, p. 5). Such activities are often framed as *development projects* (Satiroglu & Choi, 2015).

This means environmental conflicts, associated with environmental destruction and human rights violations, are perpetuated in the name of development. More precisely, development that prioritizes economic growth rather than well-being, sustainability and social equity. In this report, such approaches are called *maldevelopment*, which “betrays the goal of improving human lives, to instead make weaker social groups worse off” (Amin, 1990 as cited in Russo Lopes et al., 2021). The focus on economic growth in dominant development models, rather than on addressing social vulnerabilities and structural inequalities, has also been identified as a driver of systemic disaster risk (including climate change and biodiversity loss) in the Global Assessment Report on Disaster Risk Reduction (UN Office for Disaster Risk Reduction, 2022, p. 8). Similarly, Thomalla

and colleagues investigated the complex relationships between development and disaster risks, pointing out that current development patterns result in uneven distribution of disaster risks, and calling for a transformation of this relationship between development and disasters (Thomalla et al., 2018).

This study is the first of its kind leveraging the lived experiences of WEHRDs to unpack the relationships between (mal)development and disasters. The purpose of this report is to better understand the root causes of vulnerability to disasters, and to what extent WEHRDs' experiences, including mobilizations and long-term activism strategies, contribute to breaking the relationship between maldevelopment and disaster risk. By focusing on the experiences of the most vulnerable, but arguably also the most resilient, this report aims to inform integrated sustainable and just development and DRR planning and programming that puts environmental and human rights at its core.

In order to do so, this study seeks to answer the following questions:

1. How do gender and social inequalities play out in development planning?
2. What are the impacts of maldevelopment on socio-economic vulnerabilities and exposure to hazards?
3. What are the strategies led by WEHRDs, and to what extent do these address the relationship between maldevelopment and disaster?
4. What are the main barriers faced by WEHRDs, and how can these be addressed?

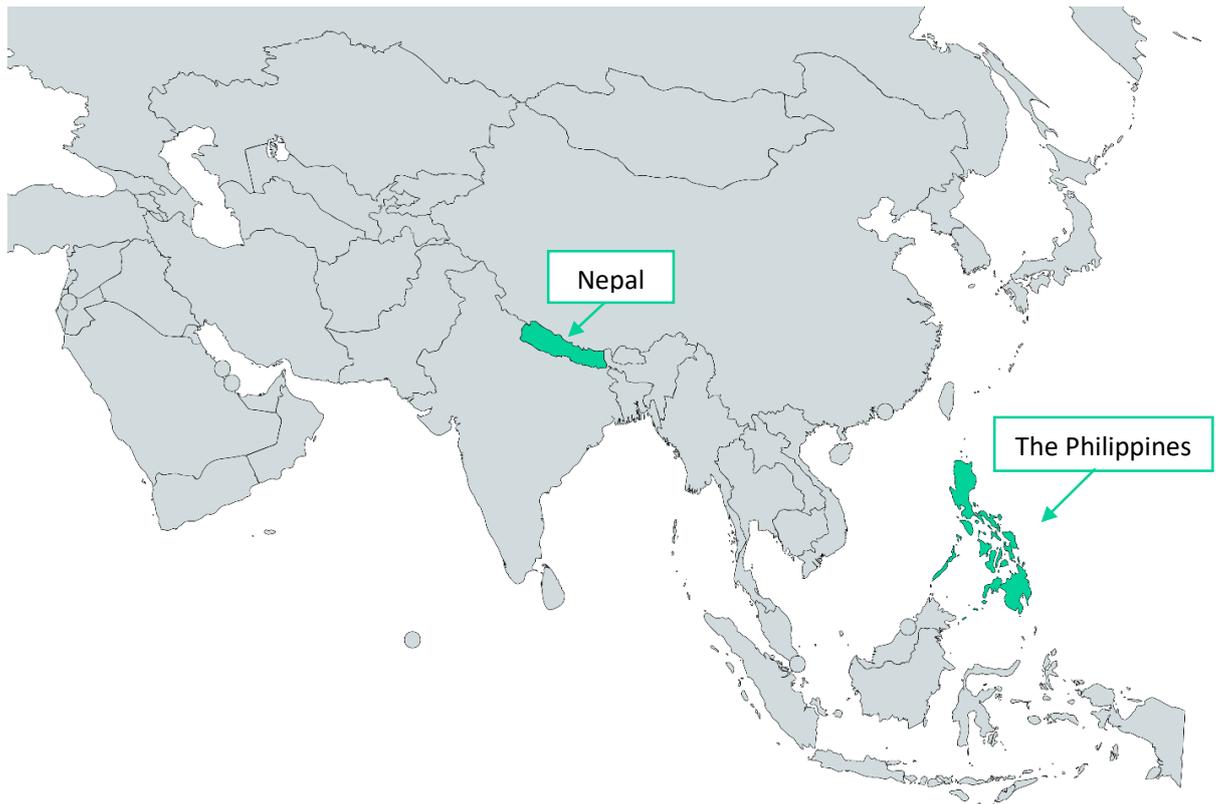
This report presents the results of a study conducted in the Philippines and in Nepal between 2019 and 2021. It is informed by primary data collected through interviews, focus group discussions (FGDs) and meetings with 58 key informants based in the two countries. These key informants were representatives from 33 civil society and national institutions working on issues of gender equality, Indigenous peoples' rights, environmental rights and human rights. Following this introduction, Chapter 2 presents the background to and key concepts of this study and Chapter 3 outlines the methodology. The findings of the study are presented in Chapters 4–7, each of which answers one of the research questions, following the same order as presented above. Finally, Chapter 8 concludes the report with a summary of key findings and recommendations for national policymakers, donors and development organizations, and defenders' organizations to amplify the work done by WEHRDs through integrated, just and sustainable development and DRR planning and programming.

2. Background and key concepts

2.1 National contexts

This report focuses on Nepal and the Philippines, with the aim to understand national settings in both countries but also different local experiences through the insights of grassroots and local stakeholders. Map 1 shows the geographic locations of the two focus countries.

Map 1: Focus countries



Physical exposure and anthropogenic drivers of disaster risk

Nepal and the Philippines are both highly vulnerable to disasters. Nepal ranked 11th in the Global Risk Index in 2018, and 80% of the population is estimated to be exposed to hazards such as earthquakes, floods, landslides, extreme temperatures and glacier lake outburst floods (UN Office for Disaster Risk Reduction, 2019a). The Philippines ranked fourth in the Global Risk Index, and 60% of the population is estimated to be exposed to multiple hazards including earthquakes, volcanic eruptions, typhoons, landslides, floods and sea level rise (UN Office for Disaster Risk Reduction, 2019b).

Both countries rely on their natural resources for their economic development, while at the local level, communities often depend on them for their survival. However, the **overexploitation of natural resources contributes to environmental and climate change, resulting in increased risks of disaster.** Forests represent 40% of land in Nepal and 20% in the Philippines, but in both countries they are targeted for timber production, agriculture and natural resources extraction, making deforestation a pressing issue, as it increases soil erosion and risks of floods and landslides (Food and Agriculture Organization of the United Nations, 2010; Sheeran, 2006; World Bank Group, 2019). Similarly, mining and quarrying are important economic sectors, especially in the Philippines, but these activities contribute to environmental degradation through soil and water pollution, while also increasing risks of earthquakes and landslides (Holden, 2015;

Paudel et al., 2003). At the same time, rapid urban and industrial development in both countries is modifying natural environments and sometimes results in loss of traditional livelihoods and the displacement of local communities (World Bank Group, 2019). This profoundly impacts local communities' environment and contributes to their vulnerability to disasters.

Gendered and social vulnerabilities

In addition to physical exposure to hazards and anthropogenic environmental change, gender and social inequalities within the Nepali and Filipino societies also contribute to vulnerability in the face of disasters.

In terms of **gender inequalities**, the World Economic Gender Gap Report ranks Nepal 106th and the Philippines 17th out of 156 countries on its index² (World Economic Forum, 2021). The indicators and some selected sub-indicators used in this index are presented in Table 1.

Table 1: Gender gap indicators in Nepal and the Philippines in 2021 (World Economic Forum 2021)

	Nepal	Philippines
Health and survival	0.965 (rank 113/156)	0.979 (rank 34/156)
Healthy life expectancy (years)	62.1 women 60.6 men	63.9 women 60.1 men
Economic participation and opportunity	0.630 (rank 107/156)	0.795 (rank 18/156)
Share of women as legislators, senior officials and managers ³	13.2%	50.5%
Educational attainment	0.630 (rank 134/156)	0.999 (rank 39/156)
Literacy	59.7% women 78.6% men	98.2% women 98.1% men
Political empowerment (rank)	0.241 (rank 61/156)	0.362 (rank 33/156)
Share of women in parliament	32.7%	28% women
Share of women in ministerial positions	13.6%	13% women

As the data in Table 1 shows, there are important differences between the two countries. For instance, in Nepal, the literacy rate remains low and the gender gap is important. The consequences of unequal access to education are particularly visible as women in Nepal are much less likely than Filipina women to access positions of power in the workplace. In turn, the share of women who are legislators, senior officials and managers in the Philippines is slightly higher than for men, showing that they face fewer barriers than Nepali women to access these positions of power in the workplace and public sphere. Yet in both countries, women's level of political empowerment is still much lower than men's, as both countries range around 30% of women parliamentarians and only around 13% of women in ministerial positions. This shows structural gender inequalities in both countries.

In terms of ethnicity, **both Nepal and the Philippines have a relatively high proportion of Indigenous peoples**. Although official figures are rare and contested, estimates range between 36% and 50% of the total population in Nepal (International Work Group for Indigenous

2 The Global Gender Gap index examines the gap between men and women across four categories: (a) economic participation and opportunity; (b) educational attainment; (c) health and survival; and (d) political empowerment. A value of 1 in these indicators suggests that there is no gender gap (i.e. gender equality).

3 Ratio of women to men employed in senior roles, defined by the International Labour Organization as those who plan, direct, coordinate and evaluate the overall activities of enterprises, governments and other organizations, or of organizational units within them, and formulate and review their policies, laws, rules and regulations.

Affairs, 2022), and 10% to 20% in the Philippines (International Work Group for Indigenous Affairs, 2020). Yet, marginalization of and discrimination against Indigenous peoples are still common, particularly in relation to land rights. In both countries, Indigenous communities have their own customary land systems, based on ancestral occupation of land and use of natural resources, sometimes nomadic, with the use of communal land such as forests and pastureland for cattle. However, they do not necessarily have legal recognition over it (Berger, 2019; Hagen & Minter, 2020).

- **In Nepal**, following the abolition of the Rana regime and the establishment of the democratic system, a series of laws between 1957 and 1974 delegatized collective and customary land systems in a process of privatization and nationalization of natural resources (Chhatkuli et al., 2019). This directly clashes with the Indigenous values of communal resources and largely impacted their livelihoods and identities (Maharjan, 2016). The most recent update of the National Land Policy (2019) incorporates the protection of and easy access to community land used by Indigenous peoples, but Nepal still does not explicitly address issues of ownership over ancestral and communal land (United States Agency for International Development, 2017).
 - The Nepali law also does not align with the international frameworks mentioning Indigenous peoples' right to FPIC, which is a mechanism meant to protect Indigenous peoples' access to and control of resources (Sherpa & Rai, 2013).
- **In the Philippines**, customary land is recognized by several key frameworks such as the Constitution, the Public Land Act (1936) and various laws on fisheries, agrarian reforms, forestry, protected areas and mining (Deutsche Gesellschaft für Internationale Zusammenarbeit & Asian NGO Coalition for Agrarian Reform and Rural Development, 2014). In addition, the Indigenous Peoples Rights Act (1997) is one of the leading policies among Asian countries, formally recognizing the right to ancestral domains and land “which covers not only the physical environment but the total environment including the spiritual and cultural bonds” (Deutsche Gesellschaft für Internationale Zusammenarbeit & Asian NGO Coalition for Agrarian Reform and Rural Development, 2014). However, the implementation of this act has been hindered by conflicting boundaries and overlapping agency mandates, for instance with the Forestry Code that uses specific classifications to make forest public land in order to facilitate the establishment of protected areas and national parks (Deutsche Gesellschaft für Internationale Zusammenarbeit & Asian NGO Coalition for Agrarian Reform and Rural Development, 2014). Furthermore, the recognition of customary lands is not necessarily coupled with legal land titles, which puts Indigenous peoples' tenant rights in a fragile state (Deutsche Gesellschaft für Internationale Zusammenarbeit & Asian NGO Coalition for Agrarian Reform and Rural Development, 2014).
 - The Indigenous Peoples Rights Act in the Philippines also recognizes the right to FPIC, which is there defined as the “consensus of all members of the Indigenous peoples groups to be determined in accordance with their customary laws and practices, free from any external manipulation, interference or coercion”.

Despite variations in national legislations, this shows that both in Nepal and the Philippines, Indigenous peoples face structural challenges to secure their land.

Nepal has an additional layer of social stratification in the caste system, unlike the Philippines. The Nepali caste system stems from the Hindu social order and divides people into the “pure” and the “impure” based on their birth, with the term Dalit referring to a common status of “untouchable” (Pyakurel, 2011). This social order places Indigenous peoples into the lower hierarchy of the caste system, despite this social stratification being unknown in their traditional cultures (Sherpa & Rai, 2013). Although the caste system was officially abolished in 1963, intersecting discrimination still occurs based on this hierarchy. Dalit people are particularly vulnerable to landlessness, forced labour and low salaries, while the barriers they face in accessing education limit their opportunities to seek better livelihoods than the ones traditionally

assigned to them, such as waste pickers or physical labourers (Bishwakarma, 2017; Karki & Bohara, 2014; Subedi, 2010). Affirmative action measures and social change have contributed to weakening the determinisms imposed by the caste system, but those belonging to lower castes, and women especially, continue to face systemic discrimination and barriers to participating in decision-making (Panta & Resurrección, 2014; Pyakurel, 2011; Subedi, 2010).

2.2 Key concepts

Concepts around WEHRDs

This study focuses on “**environmental human rights defenders**”, which encompasses many realities varying across geographies and political contexts, social classes and languages (Martinez-Alier, 2003; UN Environment Programme, 2018; Verweijen et al., 2021). Environmental human rights defenders are often qualified as such by external actors (including media, civil society and academics), while they would not necessarily call themselves that (Verweijen et al., 2021). For instance, Martinez-Alier (2003) notes the difference between environmentalism of the poor – where environmental protection by poor people, mainly in rural areas, is a necessity to safeguard the natural resources on which their livelihoods are dependent – and environmentalism of the rich – where people who have their primary needs covered engage in ecological action in a more conscious and sometimes professional way. This means that resource-dependent people and communities defending the environment, even if environmental issues are secondary to social and economic concerns, can be considered environmental defenders (Ghazoul & Kleinschroth, 2018). In this report, we consider WEHRDs to be anyone identifying as women (individuals and groups) who act in a personal or professional capacity to defend environmental and human rights when the exercise of these rights is being threatened (UN Environment Programme, 2018). The two findings chapters (Chapters 4 and 5) focus on people *before* they become environmental human rights defenders, looking at how experiences of vulnerability to disasters and exposure to maldevelopment drive environmental and social activism.

Intersectionality is an essential concept in this study, as the focus is on *women* environmental human rights defenders, but we do not consider women as a homogeneous group. Using an intersectional lens entails unpacking power relations shaped by social determinants such as gender, taking into account the ways they intersect with other categorizations such as class, race, ethnicity, poverty, (dis)ability, sexuality and age, creating multiple forms of disadvantage and marginalization (Crenshaw, 1989). In this study, intersectionality is particularly important to understand how social determinants such as gender, Indigeneity and poverty intersect in shaping vulnerability to disasters (see Chapter 4).

The concept of **political intersectionality** (Cho et al., 2013) underlines the need to analyse social movements that aim to challenge the systemic forces that determine people’s life chances (such as access to education and resources) according to their multiple and intersecting identities (gender, ethnicity, class, caste etc.), which leads to fluid modes of resistance. These types of resistance go beyond the fight for one singular cause, such as women’s rights, Indigenous rights or environmental rights, to bridge overlapping causes instead (e.g. capitalist and patriarchal systems). By moving beyond an analysis that is focused on singular social identities or singular causes for resistance, this study pays attention to the role of environmental factors in shaping other traditional causes of resistance and how these different social demands collide around environmental concerns in the contexts of disasters and climate change (see Chapter 6).

Concepts around maldevelopment

By focusing on WEHRDs, this study entails a questioning of development interventions that threaten environmental and human rights, therefore triggering mobilizations by defenders. The concept of **development** has been widely criticized by scholars (see for example Blomström & Hettne, 1984; Escobar, 1987a; Kapoor, 2002; Sen, 1988). In short, development taken in its most mainstream approach has its roots in the colonial exploitation of people and natural resources in

the Global South by nations in the Global North. The capitalist development that was achieved through these means in the Global North set standards in terms of economic production, socio-political structures and culture that were then established as international development goals. This is problematic as it reinforces power imbalances between those setting goals based on their own conception of development and those considered as beneficiaries or implementers of development objectives that they did not set for themselves. However, “developed” nations have benefitted from the exploitation of natural resources that have become scarcer and created environmental challenges, while also having grave impacts on the colonized nations’ economies and socio-political systems, all of which makes these development standards difficult to achieve. In this report, development interventions that build on these conceptions will be referred to as “**maldevelopment**”, which “betrays the goal of improving human lives, to instead make weaker social groups worse off” (Amin, 1990 as cited in Russo Lopes et al., 2021). The processes leading to maldevelopment instead of development are unpacked in Chapter 4.

One important procedure that has been adopted to mitigate maldevelopment is the principle of **FPIC**, recognized in the UN Declaration on the Rights of Indigenous Peoples (UN General Assembly, 2007). Article 10 of the Declaration states that “Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the Indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return” (UN General Assembly, 2007, p. 10). However, this principle and implementation gaps have been widely criticized in academic literature, as FPIC procedures are consultative processes rather than decision-making platforms. This means affected communities have limited space to influence final outcomes, while powerful proponents of development projects can easily direct the procedures to serve their position (Deutsche Gesellschaft für Internationale Zusammenarbeit & Asian NGO Coalition for Agrarian Reform and Rural Development, 2014; Drbohlav & Hejkrlik, 2017; Hagen & Minter, 2020; Shatkin, 2000; Sherpa & Rai, 2013). Chapter 2 explores gaps in FPIC processes in Nepal and the Philippines.

Land grabs and green grabs can be considered symptoms of maldevelopment, and they are often the consequences of absent or poorly implemented FPIC procedures. Borras and colleagues define land grabs as “the capturing of control of relatively vast tracts of land and other natural resources through a variety of mechanisms and forms that involve large-scale capital that often shifts resources use orientation into extractive character, whether for international or domestic purposes, as capital’s response to the convergence of food, energy and financial crisis, climate change mitigation imperatives, and the demands for resources from newer hubs of global capital” (Borras Jr et al., 2012, p. 851). Along the same lines, the appropriation of land and natural resources for environmental ends, such as the establishment of protected areas and national parks, is referred to as “green grabs” (Fairhead et al., 2012). Green grabs in the context of top-down conservation interventions are often associated with “**fortress conservation**” models (Brockington, 2002; Hulme & Adams, 2000). This approach aims to limit deforestation and help biodiversity conservation with the assumption that nature protection requires strictly regulating human presence, overlooking the ties that Indigenous peoples have with nature and how conservation is already embedded with their livelihoods (Stevens, 2013). The impacts of land and green grabs on local communities are explored in Chapter 5.

Concepts around disasters

This study draws attention to WEHRDs’ perceptions of disasters to make linkages between maldevelopment and disaster risk. It builds on the work of Thomalla and colleagues (2018), who noted that inadequate development negatively impacts on vulnerability and capacities, sometimes also creating or unfairly distributing disaster risks among populations. Such linkages are unpacked in Chapter 5 of this report.

The UN Office for Disaster Risk Reduction defines **disaster** as “a serious disruption of the functioning of a community or a society at any scale due to hazardous events interacting with

conditions of exposure, vulnerability and capacity, leading to one or more of the following: human, material, economic and environmental losses and impacts” (UN Office for Disaster Risk Reduction & UN General Assembly, 2016, p. 13/41). In academic scholarship and policy spheres, understandings of disasters – and therefore approaches taken to reduce disaster risk – revolve around two paradigms, the first focusing on hazards, the second on vulnerability.

On the one hand, behavioural geography movement is focused on hazards, where **disasters are understood as the result of extreme and rare natural hazards**, such as floods, droughts and earthquakes (Burton, 1993; Kates, 1971).

On the other hand, political ecology framings consider **vulnerability as the key factor that turns hazards into disasters**. Vulnerability is here understood as the result of underlying socio-economic inequalities making some more vulnerable due to marginalization, lack of access to resources and protection (Hewitt, 2019). In this line of thought, **vulnerability** is not simply the direct outcome of exposure to hazards, but instead is embedded in power dynamics that manifest in the social, economic, political, institutional and environmental conditions of particular contexts (Eriksen & O'Brien, 2007; Kelly & Adger, 2000; O'Brien et al., 2007; Ribot, 2014). This study unpacks the social determinants of vulnerability in Chapters 4 and 5.

Although social scientists favour vulnerability framings, **policymakers tend to favour the hazards paradigm** (Gaillard, 2010). This depoliticized framing of disasters shapes the way in which DRR policies and programmes are designed and implemented, and it tends to privilege top-down decisions guided by technical knowledge. In other words, mainstream DRR approaches focus on addressing the symptoms rather than the root causes of vulnerability to disasters (Gaillard, 2010; Ramalho, 2020).

The concept of resilience is also closely related to disasters and DRR planning. The IPCC defines **resilience** as “the ability of a social or ecological system to absorb disturbances while retaining the same basic structure and ways of functioning, the capacity of self-organization, and the capacity to adapt to stress or change” (IPCC, 2012, p. 563). While this concept has gained great academic and policy momentum in the context of environmental and climate change, it has been criticized by scholars for aiming to maintain the functioning of an existing system in the face of external shocks, without simultaneously questioning the existence of social divisions and inequalities that are embedded in that very system (MacKinnon & Derickson, 2013). For communities, and the households and individuals within them, to become more resilient to external shocks (such as climate change, natural hazards or pandemics), they will not only need to have greater preparedness and adaptive capacities: societies will need to transform the underlying drivers that perpetuate inequalities and create vulnerability. Examples of such approaches led by WEHRDs are provided in Chapter 6 of this report.

3. Methods

3.1 Sampling strategy

The geographical scope of this report has been guided by the Building Resilience through Inclusive and Climate-adaptive Disaster Risk Reduction programme, which focuses on Nepal and the Philippines. This qualitative study sought the insights of respondents working in these two countries, prioritizing national organizations and networks, Nepali/Filipino organizations working at the subnational level in their respective countries and national branches of regional/international networks.

Taking into account the fact that most environmental human rights defenders (individuals or organizations and networks) do not necessarily identify as such, the sampling for this study focused on organizations working broadly on human rights, women's rights, Indigenous rights, environmental issues and DRR (as well as crosscutting issues) in Nepal or the Philippines. The sample was informed by a stakeholder mapping conducted by the author, and by a snowball strategy whereby respondents were asked to recommend people and organizations who could be included in this research.

A total of 33 organizations were consulted, represented by 58 people (39 women and 19 men). Table 2 presents the gender identity of respondents and types of organizations consulted, disaggregated by country.

Table 2: Gen ticipants and focus areas of the organizations consulted, by country.

	Nepal	Philippines	Total
People consulted (gender identity)	28	30	58
Men	11	8	19
Women	17	22	39
Organizations consulted (primary focus area)⁴	15	18	33
Indigenous peoples	4	6	10
Gender/women's rights	6	8	14
Human rights (broadly)	4	2	6
Environment and/or DRR	6	7	13

3.2 Data collection

Respondents' insights were collected through a total of 42 key informant interviews (KIIs), FGDs and informal meetings, all conducted in English. The qualitative data collected to inform this study was gathered through three distinct rounds between 2019 and 2021. The methods consisted mostly of semi-structured KIIs and FGDs. KIIs were the default method proposed to respondents, but in cases where individuals themselves suggested inviting colleagues from their organizations or from like-minded organizations, FGDs were then organized, using the same guidelines as the ones developed for KIIs. Table 3 summarizes the focus, methods and sample size of the three rounds of data collection.

The first round of data collection took place in the Philippines in 2019. Between 25 and 29 November 2019 the research team conducted semi-structured KIIs and FGDs with key networks of women's organizations, environmental activists and Indigenous peoples in Quezon city. From 3 to 5 December, local officials and experts were also met during a field visit in the Benguet

⁴ Most organizations work at the intersection of these themes, so some are counted twice or more (e.g., organizations focusing on Indigenous women's rights).

province⁵ and their insights were collected in fieldwork notes. A total of 17 KIIs, FGDs and meetings were conducted during this first round.

The second round of data collection focused on Nepal and was conducted between July and December 2020. Because of travel restrictions, data collection was done online, with key individuals and organizations working on issues of Indigenous rights, women’s rights, human rights and DRR in Nepal. The KIIs/FGDs guides used for this second round were similar to the ones used in Quezon city during the first round. A total of 10 semi-structured interviews and FGDs were conducted during this second round.

The third round of data collection was conducted online between August and September 2021, and this focused on both Nepal and the Philippines. During this round, contacts collected through snowball sampling from the two previous rounds were interviewed to complement existing data sets, and previously interviewed contacts were invited for follow-up interviews. The follow-up interviews aimed to assess the evolution of WEHRDs’ work during the Covid-19 pandemic and the related challenges they faced in their respective countries. A total of 15 online KIIs and FGDs were conducted during the third round.

Table 3: Timeline, scope and methods of the three rounds of data collection.

	Round 1	Round 2	Round 3
Year	2019	2020	2021
Geographic scope	Philippines (nationally and provincial focus on Benguet)	Nepal (nationally)	Philippines and Nepal (both nationally)
Methods	In person: <ul style="list-style-type: none"> • KIIs • FGDs • Meetings with provincial officials and DRR practitioners 	Online: <ul style="list-style-type: none"> • KIIs • FGDs 	Online: <ul style="list-style-type: none"> • Interviews • FGDs • Follow-up KIIs and FGDs
Total KIIs, FGDs and meetings conducted	17	10	15

3.3 Data analysis and limitations

All primary data collected was coded inductively using the Delve software. The structure of the findings presented in this report follows the key themes that emerged from the KIIs. Insights related to the Covid-19 pandemic are presented in thematic boxes under each of the related findings chapters.

Because of the sensitivity of the themes discussed in this report – particularly around human rights violations and criticism of development – specific examples provided during the interviews were crosschecked with secondary data from academic and grey literature. In such cases, references to secondary data are included as footnotes in the findings sections.

The differences in the respondent samples between the two focus countries may be a limitation of this study. Indeed, more organizations explicitly identify as environmental defenders in the Philippines as compared with Nepal. Similarly, in the Philippines, the author came across more women-led organizations than in Nepal, including in women-focused organizations. Even in cases where men and women from the same organization in Nepal were interviewed as part of FGDs, men tended to be more vocal than women. These differences may have had an impact on the information shared by respondents and therefore on the data analysis (e.g., undermining

⁵ This first round was initially meant to be a scoping phase to inform fieldwork to be conducted in the Benguet province in 2020. Because of the Covid-19 pandemic, no fieldwork was done in either of the countries, and fieldwork was replaced by rounds 2 and 3 of online data collection (with no particular geographical scope beyond the national scale).

women's visibility in environmental movements in Nepal). However, this difference can also be a manifestation of different socio-cultural contexts between the two countries, which translate into different ways of participating in the public sphere and mobilizing for socio-environmental justice. Nevertheless, the research team actively tried to address these issues to mitigate risks of bias. For instance, in situations where women were not speaking as much as their male counterparts, the interviewer asked targeted questions to each respondent and offered opportunities to provide additional information by email after the interview. Similarly, during the third round of data collection, the authors tried to address the difference in samples by seeking to include more women-led organizations in Nepal and more men in the Philippines.

3.4 Ethics

All participants were informed of the objectives of the research, gave explicit oral consent to their data being collected and used and were offered a choice of levels of anonymity with the possibility to withdraw from the study at any time. The list of organizations consulted is presented in Annex 1. The quotes and information disclosed by key informants have been anonymized and referenced using only the country and chronological order of the interviews (e.g., "Philippines 1" refers to the first key informant interviewed in the Philippines). Annex 2 provides more information about the type of organization referenced and the date and format of the data collection. However, in Chapter 6 showcasing good practices led by defenders, organizations are sometimes named as they explicitly consented to this to increase the visibility of their work. In such cases, organizations are named and sometimes quoted, but they are not referenced using the system presented above to protect their anonymity in relation to other statements shared in this report.

Triangulation of the data was done through an online validation workshop held on 4 February 2022. All key informants received the draft report prior to the workshop so they could review their contributions and the overall contents of the report. Feedback was collected through breakout group discussions and by email, and this has been incorporated into the final report. These additional inputs collected during the validation workshop are referenced as "inputs from validation workshop".

4. Findings on the impacts of gender and social inequalities on development planning

4.1 Underlying drivers of inadequate development planning

This section provides some background information that is important for understanding how development planning that does not reflect the needs and rights of marginalized groups can fail to improve their conditions.

Gender and social roles and norms contributing to marginalization

In Nepal and the Philippines, gender and social norms are deeply embedded in society, and visible through stereotypes and discrimination, but also particular roles that come with knowledge and skills that are important for the functioning of households, communities and society.

In both countries, respondents stressed the role that **women** play in rural communities as traditional knowledge holders when it comes to food systems, health and natural resources. This holds particularly true in poor communities where they rely on environmental sustainability for farming, fishing and gardening (input from validation workshop). Similarly, respondents noted the importance of care and domestic work in ensuring the well-being of all household members, yet such tasks are heavily undervalued. Indeed, persistent patriarchal norms continue assigning women to care and domestic work, while men are expected to be the breadwinners of the household – a role that is more valued in society (Nepal 1, 2, 8; Philippines 4, 9, 16). In practice, women also take on productive work, which adds to their reproductive work and limits their time for other activities such as leisure and participation in the public sphere (Nepal 8; Philippines 6).

Respondents in both countries highlighted how Covid-19 worsened women's care and domestic work. From ensuring food security in times of shortages and restricted travel, to taking charge of home-schooling, women's domestic responsibilities significantly increased and therefore considerably increased their time poverty (Nepal 3, 8, 9; Philippines 6, 15, 18, 19, 22, 23).

Indigenous peoples in both countries play an essential role in environmental conservation and sustainability. Respondents stressed how the environment is considered central in Indigenous cultures, not only because they rely on it for their survival, but also because they attribute an intrinsic value to nature, therefore requiring care and protection (Nepal 3, 6; Philippines 2, 8). This close connection to the natural environment, as well as ancestral bonds with their land, contributes to the development of empirical knowledge and practices that ensure the sustainability of Indigenous livelihoods and the protection of Indigenous communities against environmental change. This entails, for example, planting trees on slopes to prevent landslides (Nepal 3) or modifications of food systems to adapt to climate change impacts (Philippines 5). But respondents also observed that **Indigenous peoples** in both countries continue to face discrimination and marginalization (Nepal 3, 4, 12, 17; Philippines 2, 8, 16, 21). For instance, in both countries education systems focus on teaching the history, cultures and languages of the dominant groups (Nepal 5, 15; Philippines 8, 21). This creates difficulties for young Indigenous people who only speak the language of their communities, and it fosters their assimilation into the dominant culture rather than allowing them to perpetuate their traditional knowledge and cultures. At the same time, education systems inadvertently contribute to discrimination as non-Indigenous peoples remain mostly ignorant to the wealth of culture that their countries have to offer, including in terms of sustainable management of natural resources (Nepal 5, 10; Philippines 7).

During the pandemic, Indigenous peoples have been using their traditional practices to protect themselves against Covid-19.

A respondent in the Philippines cited the example of an Indigenous community in the Calamian Islands that revitalized their traditional food system to ensure their self-subsistence as they could not access markets (Philippines 18). In Nepal, several communities such as the Gurung and the Newar remembered the way their ancestors dealt with pandemics in the past and took the initiative to isolate themselves from the rest of the world, blocking road access and establishing their own quarantine areas for those returning to the community (Nepal 12, 18). This was made possible by strong local institutions ensuring their capacity to be self-sufficient, and by maintaining physical distancing, rather than social distancing, as “Indigenous individuals protect the community and the community protects them: this is the source of their resilience” (Nepal 12).

In Nepal, the caste system is an additional layer of social stratification that does not exist in the Philippines. **Dalit people** are overrepresented in the service sector, making them essential to the normal functioning of society (Nepal 7). Despite the official abolishment of the caste system, Dalit people continue to face discrimination and marginalization based on beliefs that they are inferior to people born into other castes (Nepal 7).

Barriers to diverse leadership in the public sphere

Despite the respective strengths of women, Indigenous peoples and Dalits, the lack of recognition for their contributions to society, as well as the discrimination and inequalities they face in their daily lives, impact their participation and leadership in the public sphere.

Key informants in both countries noted how **family pressures and responsibilities can be barriers to the participation of women in the public sphere**. Respondents in Nepal observed that women engaging in community action or in politics are often blamed for “abandoning their families” and “misbehaving” (Nepal 8, 9). Similarly, in the Philippines, a woman working with community organizations noted that sometimes “men don’t let their wives join [civil society and political] organizations, or women have to ask for permission beforehand” (Philippines 10), which can dissuade women from voicing their needs and opinions in the public sphere. Even when overcoming these barriers, women’s participation in the public sphere tends to be undervalued. In the Philippines, an interviewee noted that “men tend to say that women ‘just’ sit in [community] meetings, but in reality, men only occupy positions of power while women are the most active ones” (Philippines 23). In Nepal, respondents observed that women with leadership potential often do not get the same opportunities and support as their male counterparts, which discourages them from taking risks by voicing controversial opinions and raising their voices at all levels of governance (Nepal 8, 9).

The barriers faced by women trying to take part in the public sphere are even higher when women combine other socially disadvantaged identities such as Indigeneity or belonging to lower castes. In Nepal, for instance, affirmative action measures have benefitted Dalit men, but it is still particularly challenging for Dalit women to participate in decision-making (Nepal 7). In both countries, respondents observed that when Indigenous women emerge as leaders in environmental conflicts, the media tend to portray them as nurturers, protectors of their families and their communities, which frames their leadership as self-sacrifice rather than as legitimate leaders (Nepal 3; Philippines 5, 10).

Because of the barriers that women in all their diversity face in meaningfully contributing to decision-making, respondents observed that laws and policies tend to be blind to their specific needs, trapping them in their marginalization (Nepal 7; Philippines 9).

Barriers in securing land tenure

The limitations that marginalized groups face in securing land tenure are an example of how their marginalization from decision-making leads to policies and laws that do not adequately reflect their views and needs, but rather perpetuate inequalities. Issues around land tenure are important to understand in the context of land-based development interventions.

In Nepal and in the Philippines, access to and control over land is strongly determined by social identities and status. Respondents from both countries shared that **women often have less control over land** due to patriarchal inheritance practices, where men in the family are considered as better suited to protect the land and family capital (Nepal 9; Philippines 4). In Nepal, **Dalit people are more likely to not have formal land titles, especially Dalit women**, who also face patriarchal barriers in addition to discrimination based on caste (Nepal 7). In the Philippines, respondents also stressed that **farmer women** face more challenges to secure their land, partially because of the inadequate implementation of agrarian reforms (Philippines 10). This lack of secure land tenure negatively impacts their resilience capacity, making it harder for them to access disaster responses and to rebuild their livelihoods.

Indigenous peoples face particular challenges to formally secure land tenure due to clashes between their cultural approach to land as a communal resource and land policies based on capitalistic notions of land as private property (Nepal 12). While Indigenous peoples in Nepal and the Philippines have been occupying the same land for generations, their customary land systems are inadequately recognized, making them officially landless. In the Philippines, for example, ancestral domains are recognized by law, but loosely defined based on “occupation of land”, which is open to interpretation and does not offer the same type of security as other types of land rights (Philippines 7). Moreover, provisions on “vested rights” (contracts and titles, for example, that cover ancestral domains prior to an award of formal title to an Indigenous community) pose a challenge that prevents Indigenous peoples from claiming their ancestral domains and reinforces their historical marginalization (input from validation workshop). In Nepal, respondents also pointed at administrative challenges that restrict formal land ownership. As a respondent noted, “it is too difficult for Indigenous peoples to navigate the bureaucracy to change the status of their land. But this shouldn’t be their responsibility. It has been their land for generations, why should they prove that *their* land is not public land?” (Nepal 13). This statement illustrates the ways in which the daily challenges experienced by marginalized groups (such as access to education, recognition for their relationship with their environment or participating in decision-making) translate into challenges to secure access and control over their resources. In turn, landless people are particularly vulnerable to land grabs and green grabs when development interventions take place on the land they occupy.

4.2 FPIC procedures: protection or façade?

The right to FPIC is recognized by international frameworks that apply both in Nepal and the Philippines. It aims to protect people’s and communities’ rights when development interventions are affecting their resources. Respondents in both countries observed gaps and limitations, which are presented in this section.

Lack of transparency and access to information

FPIC procedures entail providing transparent information to affected communities prior to seeking their consent for a development intervention to take place. However, respondents in Nepal and the Philippines noted that the information provided to communities is often not provided in formats that are accessible to them. For instance, **language** is a critical barrier when information is shared in a language that is not spoken by everyone in the community. This is often the case for Indigenous peoples who do not speak the main official language in which the information is provided, while translation of this information is sometimes lacking (Nepal 4, 8; Philippines 5, 8).

In Nepal, key informants cited the example of the hydropower project in Tanahu, an area where the literacy rate is low, for which the information was provided in English and Nepali and published online, while most of the community does not have access to the Internet (Nepal 17). Another respondent in Nepal summarized the situation as “Indigenous peoples do not understand what is going to happen to them, what is being implemented on their land until it is too late for them to react” (Nepal 4). This illustrates a loophole in the FPIC process, as **technically the information is available but not accessible and comprehensive**, so affected communities have little to no means of holding the Government accountable without speaking the national language (Nepal 8).

Power dynamics affecting the procedures

FPIC procedures can be counterproductive if duty-bearers misuse their power at the expense of local communities. In the Philippines, for instance, the monitoring of FPIC procedures is the responsibility of the National Commission on Indigenous Peoples (NCIP), but interviews with Indigenous organizations suggest a deep lack of trust in this institution. Firstly, respondents observed that members of the NCIP are political leaders among the elites, while they would be more trustworthy if members were selected by Indigenous peoples themselves (Philippines 18). Secondly, the organizations consulted have witnessed cases where the NCIP fails to inform and protect Indigenous peoples (Philippines 6, 8), and one respondent stated that “the NCIP is facilitating the entrance of harmful development projects in communities” (Philippines 8).⁶

These power imbalances between local communities and proponents of development projects mean that consent can be bought.

In the Philippines, a respondent stated that “the NCIP promises money to the leaders so they pass the FPIC process without consulting with the community” (Philippines 8). This “divide and rule” strategy appears to be common in both countries: buying the consent of leaders not only brings conflict to the community but also facilitates the encroachment of Indigenous land without general consent. The example of the Tanahu hydropower project in Nepal⁷ particularly illustrates this. Respondents mentioned that two Indigenous communities were originally opposed to the project, but “one of the leaders was promised a good job in the company and the opposition got weaker” (Nepal 17). At the same time, affected communities sought the support of NGOs to file complaints to the international finance institutions leading the project,⁸ outlining irregularities in the FPIC procedure, “but our complaints were not eligible so we had to start again and in the meantime the project continued to affect Indigenous peoples” (Nepal 17). This also points to the fact that the procedures in place for affected communities to defend their rights are not mindful of their situation (e.g., language barriers, lack of legal training).

Lack of diverse and meaningful participation

One of the well-known weaknesses of FPIC procedures is that they **remain a consultative process rather than a space for affected communities to participate in the development of the project**. Decisions about changes in land use are usually made in a top-down manner, where consultations with affected communities come at a later stage, meaning they have little power to alter the plans already made by State or corporate investors (Philippines 4). Even when consultation processes are organized, the representation and meaningful participation of all community members is often not ensured. For instance, in Nepal, an organization highlighted that FPIC consultations are usually attended by the “head of the household, and in most cases this is a man. But even when the men of the house work abroad, women were not invited” (Nepal 17).

6 Issues concerning the NCIP have also been documented by Global Witness, including bribes received from companies, conducting consultations with Indigenous peoples who do not have the authority to represent the community, providing partial or false information to communities and other fraudulent actions (Global Witness, 2019).

7 More information about the Tanahu hydropower project: https://accountabilityproject.org/wp-content/uploads/2019/07/Infographic_Nepal.pdf

8 Official description of the Tanahu hydropower project: <https://www.adb.org/projects/43281-013/main>

A respondent in the Philippines summarized the gaps in the FPIC process: “FPIC is a right, people have it, it is part of our Constitution and recognized in other laws, but the Government is in charge of implementing it. There is a gap between consent and consultation. In most cases, FPIC is not free, certainly not informed – or they [affected communities] get misleading information, and it often does not happen prior to the aggressions on ancestral domains. Anyway, communities do not have the proper resources to influence this type of decision. **It’s about coping, not consenting**” (Philippines 19).

In the Philippines, respondents observed that the **Covid-19 pandemic facilitated the development of projects on Indigenous land without holding preliminary consultations**, using social distancing as a reason to impose projects upon communities, or holding them online and taking advantage of the poor connectivity to reduce their participation (Philippines 18, 21, 23).

In Nepal, even when communities physically isolated themselves from the outside threat of the virus, some respondents observed that “contractors attacked the barricades they made to self-isolate and encroached their land for infrastructure development” (Nepal 12).

In both countries, respondents mentioned how **land encroachment increased during the Covid-19 pandemic**, without the consent of local communities and taking advantage of the Covid-19 restrictions so that people could not mobilize. For instance, the construction of the first tunnel in the Philippines in Mindanao was fast-tracked during the pandemic (Philippines 21), and so was a highway linking Kathmandu to Terai in Nepal (Nepal 11, 14).

Conclusion of Chapter 4

This chapter shows how constructed gender and social norms, relations and responsibilities play out in development planning processes. Using an intersectional lens to unpack challenges in securing critical assets such as land tenure and barriers that hamper meaningful participation in decision-making, this chapter outlines some of the drivers of vulnerability to maldevelopment. Respondents observed how groups usually considered as vulnerable are also essential to sustainability and community resilience but are undervalued in society. Such persistent biases and barriers translate into systemic discrimination, whereby laws and policies inadvertently reinforce inequalities because marginalized groups are unable to influence decisions that affect them. This is particularly visible in FPIC procedures, which appear to be inadequately implemented in both Nepal and the Philippines. From loopholes around the ways to provide information to affected communities, to corruption, bribery and limited space to meaningfully influence final outcomes of the procedures, FPIC processes seem to offer limited protection to marginalized groups against interventions that will affect them. Considering all of the above issues, it is likely that development interventions will not benefit marginalized groups and may fall under the definition of maldevelopment instead.

5. Findings on the linkages between maldevelopment and disaster risk

5.1 Experiences of maldevelopment

Development or maldevelopment?

Across all types of organizations interviewed in both Nepal and the Philippines, respondents often adopted critical stances against development, using expressions such as “**development aggressions**”, “harmful development practices” or “top-down development”. They also asked “what kind of development?” or “development for whom?”. Others stated “we are losing our land in the name of development” and “we don’t want *their* development”. Such statements show a **gap between what respondents expect from development and the negative impacts of development interventions that they experience**. For instance, a respondent from an Indigenous organization noticed the gap between the development standards being promoted and the idea of development that Indigenous peoples aspire to. Referring to a recent national assessment of different Indigenous groups’ levels of development, she found that “there is nothing to be proud of when you are part of their ‘most developed Indigenous group’, because to them, the developed ones are the ones that adapted to modern society. But actually, those living far away and considered ‘least developed’ are the only ones able to exercise their right to self-determination and self-development” (Nepal 15). Another respondent also noted that “development planning is decided internationally or nationally and imposed on the communities, so communities don’t believe in development because development is what pushes them into poverty” (Nepal 12).

It is therefore maldevelopment that respondents from both countries denounce – development interventions that do not reflect their aspirations, violate their rights and leave them worse off. Many examples were used to describe interventions framed as development that should benefit the country as a whole (such as airports, roads, energy projects, protected areas), but that were imposed in a top-down manner upon communities, requiring them to give up their land, livelihoods and communities (Nepal 6, 5; Philippines 1).

Displacement and violence

Displacements and violence were commonly associated with maldevelopment, hence the qualification of “development aggression”. A respondent in the Philippines observed that “before starting new mining activities, the military come to remove Indigenous peoples from their land” (Philippines 8). In Nepal, the Chitwan National Park was mentioned by several respondents as an example of violent eviction of local communities from their land, entailing burning down houses and fields and assaulting villagers (Nepal 3, 11, 12).⁹ An interviewee noted that “national parks are essential in Nepal and there could be more, because when there are no parks there is deforestation. But **our parks were created from a very top-down approach, overlooking the Indigenous peoples who have been there and treating them as savages** instead of allowing them to access their land and recognizing their conservation knowledge” (Nepal 9). Even if more participatory approaches to forest conservation have been developed in the past decades, such as community-forestry, Indigenous movements note that “community-forestry is framed as a success story in international development, but systematically overlooks issues of land grabs of ancestral lands” (Nepal 15).

This type of violence is not only a one-off event associated with forced displacements, but also continues affecting populations who try to access resources that were previously theirs. Respondents in Nepal shared their concerns about regular violence and human rights violations in and around the Chitwan National Park. While fences have been erected to prevent communities from entering the park premises, local and Indigenous peoples still rely on natural resources for

⁹ See also (McLean, 1999; McLean & Straede, 2003).

their survival, but extracting those from what was previously their land became illegal. Those who enter the park premises without paying tourist fees risk fines, jail and violence (Nepal 3, 4, 13).¹⁰ The means in place to enforce these regulations are found to be disproportionate by respondents, as they entail armed park rangers who can arrest anyone suspected of illegal activities without a warrant (Nepal 6, 12).¹¹ Respondents shared several examples that they heard of where park rangers abused their power, beating up, torturing and killing Indigenous peoples who were just trying to gather wild vegetables and fish in the river to ensure their survival (Nepal 6, 11, 12, 15).¹² Similar issues can be found in the Philippines, where agribusinesses, mining sites and other infrastructure on ancestral land tend to be guarded by militaries, who do not let Indigenous communities access the forests to hunt and gather food, sometimes leading to conflicts and disproportionate violence (Philippines 8, 21).

In the context of Covid-19, lockdowns and travel restrictions had significant impacts on maldevelopment-affected Indigenous communities, who struggled to maintain their food security in both countries. As they are too poor to buy food at markets, the forest is often their source of subsistence, but because these forests are not considered their land, they were accused of violating lockdown measures, exposing themselves to fines and violence (Nepal 18; Philippines 18, 20).

5.2 Increased exposure to hazards

Maldevelopment amplifying hazards

Interventions framed as development sometimes ignore or underestimate the impacts of such projects on disaster risk. While environmental impact assessments are required before large scale interventions, environmental organizations noted that irregularities in these assessments are not uncommon, therefore facilitating projects that can cause harm to the environment and increase hazards (Nepal 9, Philippines 7). In Nepal, key informants shared the example of the Melamchi water supply project¹³ to illustrate how **development interventions can amplify existing hazard risks**. The project started in the early 2000s and is supported by the Asia Development Bank. Respondents reported that the project was initiated without the consent of local Indigenous communities, their land was grabbed and the communities were forcibly displaced (Nepal 11, 12, 15). Indigenous lawyers' organizations that have been supporting local communities from the beginning noted that the project was poorly designed, without the consultation of Indigenous communities who could have helped engineers as they know the river and the land better than anyone (Nepal 12). The same organization also mentioned filing a complaint to the Ministry of Energy, explicitly saying that "the project will bring disaster to the communities, but they did not listen" (Nepal 12). Their prediction proved to be true, as in June and July 2021 heavy monsoon rains combined with erosion caused by the project led to severe flooding, killing and injuring several people, submerging the houses of surrounding communities, destroying agricultural land and damaging infrastructure (Nepal 4, 6, 9).¹⁴

Similarly, in the Philippines, respondents gave examples of the environmental impacts of mining that has contributed to increased disaster risk (Philippines 2, 11). In 2018, heavy rainfall associated with typhon Ompong in the Benguet province caused deadly landslides on an abandoned mining site. Environmental organizations stressed the role that mining plays in amplifying disaster risk, as deforestation facilitates flooding and landslides (Philippines 7). While considered abandoned, the mining site in Ompong was in fact still exploited by small-scale miners, mainly Indigenous

¹⁰ See also (Dhakal et al., 2011; LAHURNIP & NIWF, 2020)

¹¹ See also (Gurung, 2019; Warren & Baker, 2019)

¹² See also (Human Rights Watch, 2020; Jana, 2007; Kathmandu Post, 2020a; UN Office of the High Commissioner for Human Rights, 2010)

¹³ See official project description at <https://www.adb.org/projects/31624-023/main>

¹⁴ See also (International Centre for Integrated Mountain Development, 2021; Upadhya, 2021)

peoples. Indeed, a local official recognized that “the end of official activities doesn’t mean the end of all mining activities, just lesser security because there are no rules anymore” (Philippines 11). This disaster particularly affected small-scale miners who were deriving their livelihoods from this site as they did not have any other livelihood opportunity after the official closure: many of them lost their lives and assets (Philippines 2, 6, 12). In this context, Indigenous peoples were the first affected, not only by extractive practices encroaching on their land, but also by the disasters resulting from them.

Relocations to hazard-prone areas

Respondents observed that relocation in the context of development interventions is often conditioned to formal land ownership, while landless people are left on their own after being evicted (Nepal 6; Philippines 4, 7). In such cases, landless people often relocate in areas close to their initial settlements in order to limit disruptions in their daily life activities. In the Philippines, for example, Indigenous communities whose land has been grabbed for mining activities have relocated in the surroundings of mining sites, as shown in the Ompong case, **exposing them to higher risks** of landslides and floods, but also land and water pollution caused by mining activities, affecting their health (Philippines 2, 6). In Nepal, landless people evicted from the surroundings of the Chitwan National Park informally resettled on hillsides or on the nearby Rapti riverbank, exposing them to risks of floods and landslides (Nepal 4, 6). This also created a vicious circle where many landless households had to resettle several times, first after the establishment of the park, but also after being affected by disasters, which considerably increased their vulnerability as each relocation caused loss of livelihoods, goods, social ties and knowledge of the place they were occupying (Nepal 3, 6).

5.3 Increased vulnerability

Loss of livelihoods and uneven share of socio-economic benefits of development interventions

One of the main impacts of maldevelopment on affected communities is the loss of their livelihoods, which pushes them into poverty and increases their vulnerability. While development interventions are often presented to local communities as livelihood opportunities, respondents noted that the socio-economic gains of such interventions usually do not benefit affected communities. In the Philippines, for example, the first large-scale mining activities were established during the colonial era, encroaching Indigenous land to extract resources that profited the country to some extent, but primarily benefitted colonial powers and multinational companies (Philippines 2, 8). New mining infrastructure is still being developed today, and while this usually faces a strong civil society backlash, **not all communities agree on how to react to the promise of development, employment and modernization.** A Filipino Indigenous organization highlighted that FPIC processes always focus on the economic benefits of mining, but not how it affects the land and the communities: “mining destroys their land and people become dependent on the mining activities as there are no other livelihood opportunities around” (Philippines 6). This can lead to tensions within communities, and NGOs and CSOs supporting them mentioned how this is challenging to them “as we respect their right to self-determination, but their decisions are made on misleading information and build on systemic discriminations that make their everyday lives already so precarious. So they think mining can be a solution” (Philippines 7). However, after renouncing traditional resource-dependent livelihoods, the choices left for affected communities are usually concentrated around low-paying, dangerous and precarious jobs. Organizations working with Indigenous communities in the Philippines noted that active or abandoned open-pit mines present an opportunity for Indigenous peoples to collect small amount of minerals that can help them survive. However, these activities are considered illegal (although often tolerated) and present a high risk as these dangerous sites are left without supervision. A respondent stressed how these dangerous activities are often taken up as a last resort, observing that after deadly landslides during Ompong “right after the disaster,

Indigenous people were crawling back in the mines because they had no other options to make their living” (Philippines 6).

In Nepal, the uneven share of costs and benefits of development interventions were noted in conservation and hydropower projects. In the case of national parks, for example, local and Indigenous communities have given up their traditional livelihoods for the promise of jobs in the tourism industry. Yet respondents observed that such jobs are often given to outsiders who have proper training and can speak foreign languages, while locals are instead employed in domestic work or are considered as “folklore” to entertain tourists, and there has also been higher demand for sex work (Nepal 3, 5, 17). In the case of hydropower projects promoting “green” energy, respondents noted that electrification is mainly directed to urban areas and takes longer to reach the communities who have sacrificed their land and livelihoods to such projects (Nepal 12).

Loss of what matters the most

In both countries, respondents listed what people have lost to maldevelopment affecting them and often drew unprompted parallels with disasters. Key informants who personally experienced displacement or witnessed it in their close social networks commented that displacement is a disaster in itself, particularly when it is coerced (Nepal 12; Philippines 21). Loss of access to and control over ancestral land and natural resources are also experienced as a disaster for Indigenous communities whose entire lifestyles and cultures are intrinsically connected with the places where they have been established for generations (Nepal 3, 4, 6, 8; Philippines 1, 5, 6, 8). As summarized by an Indigenous woman in Nepal, “our people lose their traditional knowledge and practices, their livelihoods, their identity: this is the real disaster” (Nepal 15). This also highlights the impacts of displacement on what previously constituted the adaptive and resilience capacities of resource-dependent groups, including the knowledge of their environment that helps them adapt to changes, the practices developed to mitigate risks and strong community bonds that were essential for resilience.

For respondents in both countries, it appears that **personal and collective experiences of such loss caused my maldevelopment trigger a sentiment of injustice that fosters socio-environmental activism.** In the most desperate cases, people feel like “there is nothing left to lose” (Philippines 12) and try everything they can to improve their situations. In other cases, the realization of socio-environmental injustices perpetuated through maldevelopment triggered the desire for “making things change” (Philippines 10) and to “speak for the voiceless” (Nepal 15).

Conclusion of Chapter 5

This chapter unpacks the linkages between maldevelopment and disaster risk, showing how development interventions that fail to meet the expectations of marginalized groups can leave them worse off, which magnifies their vulnerability. While some of the examples shared by respondents are well known for causing environmental harm and increasing disaster risk (such as mining), other examples of initiatives that are meant to mitigate the impacts of climate change (such as clean energy production or fortress conservation) led to similar results in terms of hazard risk and socio-economic vulnerability. This suggests structural flaws in development processes that can inadvertently increase disaster risk. Building on pre-existing inequalities in terms of land rights and participation in decision-making processes, development interventions entailing land grabs, green grabs and displacements are experienced as disasters by affected communities. Local communities often face violence when trying to access natural resources around development projects, even if these are necessary for their survival. Meanwhile, livelihood opportunities provided by development interventions are precarious and sometimes reinforce exposure to hazards. All these factors contribute to increased vulnerability and loss of adaptive and resilience capacities of people already experiencing marginalization. The experience or looming threat of maldevelopment can become a trigger for mobilizations to defend basic human rights and fairer, more sustainable approaches to development.

6. Findings on WEHRDs' strategies to address the linkages between maldevelopment and disasters

6.1 Grassroot defenders' collective action

Women's participation in local environmental mobilizations

The levels and types of participation of women in local environmental mobilizations appear to be different between Nepal and the Philippines.

In the Philippines, respondents shared many examples of **successful grassroots mobilizations where people organized themselves against immediate threats to their natural resources**, highlighting the role that women played in these. For instance, many mentioned the landmark mobilization of Indigenous women from the Cordillera Administrative Region against the Chico River dam project in the 1980s. Women from the Igorot Indigenous community volunteered to confront the male engineers on the dam project site, and they adopted the strategy of topless protest, which has proven to offend and scare their opponents but also protected them from violent repression (Philippines 1, 2, 10, 16). While this way of protesting can seem unconventional, interviewees explained that Indigenous women's traditional outfit sometimes does not cover their breasts, which are considered as symbols of their role as nurturer of the community, so protesting topless was a way to stand their ground as protectors of the community (Philippines 10). In the 1990s, Indigenous women chained to each other successfully stopped an open mining site in Ucab, Itogon, Philippines (Philippines 2, 16). A respondent noted the symbolism of these mobilizations using "women's bodies against State capitalism and patriarchy" (Philippines 19). While not all environmental mobilizations are led by women, respondents noted that such efforts are driven by the community as a whole and that most people take part in them, including women (Philippines 6, 8, 19).

Still in the Philippines, **the use of violence against environmental defenders seems to be a factor in catalysing women's mobilizations**. As the previous examples show, women sometimes use patriarchal stereotypes in their favour, putting themselves on the front-line as they know their opponents will be more reluctant to be violent against them. In some cases, violence against men led women in the community to replace them when they were killed. Several interviewees mentioned an example of this situation with the TAMASCO massacre¹⁵ that took place in Mindanao in 2017 (Philippines 8, 18, 20). This extreme act of violence could have dissuaded the communities from continuing their fight, especially as the main leaders of the movement were gone, but instead the wives, daughters and sisters of the previous leaders took over the mobilization (Philippines 3, 6, 8, 19).

These examples show the diverse strategies adopted by WEHRDs in the Philippines, and how women get involved in them, as participants, human shields, natural leaders or by taking over leadership positions left by men. However, when trying to understand the reasons for WEHRDs' mobilizations in the Philippines, despite the risks taken, **many responded that "they have nothing left to lose" as their land is the source of their basic survival and attacks against their communities are already lived as attacks against themselves** (Philippines 18, 20, 21, 23, 24).

¹⁵ On 3 December 2017, eight Indigenous activists from the T'boli-Manobo S'daf Claimants Organization (TAMASCO) were killed by the military as they were defending their ancestral land against a coffee plantation project (Global Witness, 2019).

In the context of Covid-19, direct confrontations between WEHRDs and the powerful actors threatening their communities and environment have become more challenging or impossible in the Philippines. Affected communities have to comply with limitations on public gatherings, but key informants shared that the land and resources of local communities are increasingly being targeted by State and corporate interests that function in a “business as usual mode” (Philippines 22, 23, 24).

Moreover, a respondent highlighted that WEHRDs are currently overburdened, “threatened by development aggressions, exposed to environmental hazards, with Covid-19, home-schooling, finding food for the family – there is just too much happening, and they need to focus on their most basic needs” (Philippines 24).

In Nepal, and despite interviewing similar types of organizations to those in the Philippines, fewer examples of grassroots mobilizations were shared and the role of women in these remains unclear. Key informants in Nepal mentioned only one example of successful grassroots environmental mobilization. This is the Tanahu hydropower project, where different affected communities organized meetings and rallies and even rented a bus to go to Kathmandu to meet the Ministry of Energy and the National Human Rights Commission (Nepal 17). The respondents were not aware of the type of involvement that women had in this movement (Nepal 17). While this gap can be attributed to methodological limitations (see Chapter 3), it can also reveal a lack of documentation of grassroots struggles, and a disconnection between institutionalized environmental organizations and local communities (see Chapter 7).

Build coalitions to amplify marginalized voices

Beyond local-level mobilizations, marginalized groups in both countries organized themselves into coalitions to gain visibility and address common drivers of vulnerability. For instance, in Davao City, on the Filipino island of Mindanao, the United Church of Christ in the Philippines (UCCP) sanctuary is an example of **various organizations joining forces to support the cause of grassroots defenders**. Hosting up to 500 defenders, this sanctuary co-led by churches, CSOs and NGOs not only offers them safety but also “provides them with a space to collectively reflect and organize themselves around the interconnected struggles around land, culture, rights and environmental protection” (Philippines 21). One of the people involved in this initiative also highlighted that “Indigenous peoples who leave their land when it is endangered is also a proof of resistance: they are not running away from the community but running towards NGOs and the media to seek help” (Philippines 21). Several sanctuaries of this kind have been created in various locations in the Philippines to provide shelter to Indigenous peoples who have been forcibly evicted from their land, or whose life is endangered (Philippines 1, 6, 21). Moreover, organizations initially focusing on Indigenous issues shared how they eventually expanded their scope to other landless communities such as peasants in order to advocate together for land rights (Philippines 21).

In Nepal, several respondents highlighted the role of civil society collaboration in supporting communities to access socio-environmental justice. For instance, the Lawyers’ Association for the Human Rights of Nepalese Indigenous Peoples works with the Nepal Federation of Indigenous Peoples and the Nepal Indigenous Women’s Federation that are in direct contact with isolated communities to provide them with legal support. Other strategies focus on building movements based on similar challenges faced on the ground. For instance, the Community Self-Reliance Center created the National Land Rights forum in more than 60 districts in Nepal, gathering smallholder tenants, displaced and landless people, Indigenous peoples, Dalits and women. The organization aims to “generate power from the ground rather than impose action plans on them”.

The Nepal Indigenous Women's Federation emphasized the need to **build solidarity among Indigenous women**: "when marginalized women go alone to the Government they are not heard, but united they have more power. There are examples of women who created collaboratives, and went to State institutions together to demand budget to support their marginalized sisters. This money has been used to develop their skills to adapt their traditional livelihoods to the demand of the modern market, develop organic farming and share their traditional knowledge". These examples from Nepal show promising strategies that leave space for marginalized social groups to empower themselves, setting their own development goals based on their priorities and needs while building solidarity between themselves.

The Covid-19 pandemic also affected the ways in which marginalized groups organize themselves to protect their rights.

In the Philippines, an organization noted the surprisingly positive effects of the pandemic on their movement as they **increased collaboration between like-minded organizations**. First done out of necessity, for instance to share expensive licences allowing them to host online meetings, these collaborations also led to joint activities on the ground and partnerships to seek funding (Philippines 20).

However, in Nepal, **respondents shared that the Covid-19 pandemic harshly impacted their centralized mode of operation**, as travel restrictions and limited connectivity impacted their ability to conduct programmes (Nepal 15, 17).

Organizations that have **local offices mentioned that they remain particularly active on the ground**, focusing on supporting communities in dealing with the pandemic (Nepal 15, 18; Philippines 17).

6.2 NGOs and CSOs raising awareness and advocating for socio-environmental justice

Education, access to information and capacity building

In Nepal and the Philippines, respondents shared that marginalized groups often lack access to information about their environmental and human rights, which makes them more vulnerable to development aggressions (Nepal 1; Philippines 9). Against this backdrop, CSOs and NGOs often play an important role in educating vulnerable populations about their rights.

In Nepal, the Feminist Dalit Organization and the National Indigenous Women Federation both have local offices across the country that allow them to reach remote Indigenous and Dalit women. These organizations try to **make legal frameworks more comprehensible to their audiences and educate them about the national and international mechanisms that are available to help them assert their rights**. The National Indigenous Women Federation of Nepal also mentioned using printed pamphlets: "we carry them with us and distribute them wherever we go so Indigenous women know their rights". The Media Advocacy Group uses its expertise to reach out to the most isolated through community radio programmes, allowing illiterate people to have access to information wherever they are. Some of their programmes address issues of DRR, for example on the gender aspects of disasters, or by framing the Covid-19 pandemic as a disaster to challenge the common belief that it is an "act of God", but also emphasizing the gendered aspects and needs in this context.

Other organizations in Nepal focus on transmitting local and Indigenous knowledge through approaches that build confidence and pride among commonly marginalized groups. For instance, the NGO Children and Youth First is teaching Indigenous children about environmental matters

in their own languages, encouraging them to share the knowledge and experience of their communities and using outdoor learning spaces. This type of approach encourages participation but also helps people to understand the plural nature of environmental knowledge, with their experiences contributing to more holistic approaches to environmental protection and DRR. Similarly, the Jane Goodall Institute initiated a “conservation theatre” project, collaborating with children to raise awareness about issues such as waste management, reforestation and animal conservation and emphasizing traditional knowledge and practices. This programme appeared to be particularly successful as the organizers noticed interest from the communities and strong involvement of the children, especially from girls, who were excited to participate and proved to be more confident throughout the project.

In the Philippines, CSOs and NGOs working with Indigenous women reflected on their experiences of advancing gender equality through contextually relevant and participatory approaches. For example, “gender” does not have exact translations in Indigenous languages, and organizations working with communities shared how they focus on **analysing the discrimination that women face in their everyday lives to make them understand its systemic nature and the way this intersects with their other identities** (Philippines 5, 9). They also try to **involve the whole community** in their education programmes so that men and elders, who are traditionally community leaders, can support women’s empowerment and not feel threatened by the interventions of organizations that do not belong to their communities (Philippines 5).

Other organizations in the Philippines focus on **providing Indigenous communities with the tools and resources required to support their mobilizations against environmental destruction**. For example, the Center for Environmental Concerns organizes workshops to help Indigenous peoples understand the legal framework in place so that they can identify how actions on the ground do not respect their rights. Similarly, BAI and Tebtebba, two Indigenous women’s organizations, mentioned how they support Indigenous peoples by delivering information that can support better-informed FPIC processes. Together with local communities, they map the pros and cons of projects impacting them, not only their immediate consequences but also in a strategic time frame.

The Lumad schools in the Philippines offer spaces for Indigenous peoples to learn about their culture and the laws protecting their rights and to build their capacities as defenders (Philippines 21). An interviewee mentioned how Indigenous organizations can present opportunities for women to build new skills and empower themselves: “the communities organize themselves at the grassroots level, then form regional networks which sometimes become national organizations. I didn’t learn how to speak English in school but I learnt through these organizations, they are encouraging Indigenous women to be brave and strong because no one will stand up for us if we don’t do it on our own” (Philippines 8).

In the context of the pandemic, organizations supporting WEHRDs had to adapt their strategies to reach out to communities. In both countries, organizations mentioned how they **provided isolated communities with gadgets and mobile data** to keep conducting capacity-building activities online (Nepal 12, 15; Philippines 19, 20, 23).

In addition, the Samdhana Institute in the Philippines shared one of its initiatives supporting Indigenous women and youth to **revisit their traditional knowledge of food systems** and develop **nurseries for forest restoration**.

Advocacy and lobbying

In both countries, key informants mentioned various strategies they adopted to support grassroots defenders through advocacy and lobbying.

The first strategy consists of **documenting the strengths and successes of grassroots defenders in terms of conservation and DRR practices** with the aim of enabling better recognition of their knowledge and experiences in relevant policies, which would also allow more inclusive natural resource management processes. In Nepal, the Center for Indigenous Peoples Research and Development adopted this strategy and used this evidence to amplify the voices of Indigenous peoples by lobbying policymakers for more independence for Indigenous communities instead of placing them under the authority of conservation institutions. Similarly, in the Philippines, Indigenous organizations contribute to upscaling the best practices of local communities by documenting their practices and backing up this empirical knowledge with research using scientific literature to support their findings (Philippines 2). The knowledge products resulting from this process have been used as advocacy material at the national level but have also contributed to opening doors for stronger Indigenous participation in the UNFCCC negotiations (Philippines 2, 16).

In both countries, **new networks have been created, gathering various organizations together to advocate for inclusive DRR**. In the Philippines, the Women in Emergency Network is led by the National Rural Women Coalition and works with 30 humanitarian and women's organizations in the country towards women-led and gender-responsive DRR, supporting women in emergencies, disasters and conflict situations. Their engagement with stakeholders at all levels of decision-making aims to increase women's leadership, financing and targeted humanitarian actions through training, advocacy and lobbying activities. The Women in Emergency Network efficiently bridges organizations with specific expertise and uses their respective knowledge and skillsets to train each other towards a common goal of more inclusive DRR. The Women Friendly Disaster Management Group uses a similar approach in Nepal. The group brings together NGOs and CSOs working with vulnerable groups such as Indigenous women, women with disabilities, religious minorities, Dalit women, the LGBTQ+ community and other organizations working on broader humanitarian and development issues. Together they train local communities but also decision-makers on gender-responsive DRR. Their activities include a strong focus on advocacy and lobbying targeted at national policymakers, with the example of the recent Charter of Demands that calls on the Government of Nepal to act in accordance with human rights standards in response to Covid-19 and to ensure that this disaster does not exacerbate the vulnerability of marginalized groups. One of its key successes was the Kathmandu Declaration that has been adopted by the Government and was informed by consultations with grassroots women affected by the 2015 earthquake. This declaration translated into concrete policy action, with post-disaster needs assessment progressively integrating crucial considerations for gender.

Another strategy that is particularly popular in Nepal is **using national and international frameworks and institutions to hold the State and corporations accountable**. ProPublic is a non-profit organization gathering lawyers, paralegals and activists who take cases of environmental justice to court. In such cases, they point out lack of transparency when development projects take place without FPIC or prior environmental impact assessment, referring to the Constitution and other relevant policies. The country also has a strong body of jurisprudence that is actively being used in cases of environmental conflicts (Nepal 11, 14). Key informants mentioned several successful cases where legal action led to the closure of factories that infringed environmental rights, such as marble and pulp factories (Nepal 11, 14).

The National Indigenous Women's Federation of Nepal mentioned its work using international frameworks and mechanisms to **blow the whistle on discrimination faced by Indigenous women**. This includes submissions to the Special Rapporteur on the Rights of Indigenous Peoples, the Beijing Platform for Action and the latest Sustainable Development Goals Forum. With other Indigenous and women's organizations, it also produced a shadow report to the

periodic submission by Nepal to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), methodically detailing the discrimination and human rights violations faced by Indigenous women despite Nepal being a signatory to the Convention.¹⁶

Similarly, the National Indigenous Women's Federation of Nepal worked with the Lawyers' Association for the Human Rights of Nepalese Indigenous Peoples to produce a report **documenting the human rights violations faced by environmental defenders** in Chitwan,¹⁷ which was submitted to the UN Committee on the Elimination of Racial Discrimination in 2018 and to the Special Rapporteur on the Rights of Indigenous Peoples, hoping that they would put pressure on the national Government. The Terai Human Rights Defenders Alliance also shared similar examples, as its mandate is to monitor human rights violations and then file complaints and petitions to different governance bodies, including the National Commission on Human Rights and the UN Special Rapporteur. While the results of initiatives targeted at international mechanisms remains limited (Nepal 4, 15), the Terai Human Rights Defenders Alliance shared several examples where its strategies at the national level have been successful. For instance, in July 2020, the organization filed a public interest litigation at the Supreme court following the violent eviction of Chepang Indigenous peoples from land they had occupied for more than thirty years. Thanks to the organization's efforts, the forced evictions were stopped and the National Human Rights Commission carried out an investigation.¹⁸

In the Philippines, legal action is also a strategy adopted to support defenders, but respondents seemed more pessimistic about the results they were able to achieve through these means. For instance, the Legal Rights and Natural Resources Center mentioned representing environmental defenders in court and documenting cases of human and environmental violation, "but at this stage it's mostly for history: what is happening right now needs to be recorded" (Philippines 19). Defenders' organizations are also particularly active in filing petitions to the Government, as the democratic system in the Philippines offers this opportunity as a way to put issues on the political agenda (Philippines 6, 19, 20, 23, 24). However, a respondent mentioned that organizations and individuals leading these initiatives are "extremely courageous", as they are taking risks of backlash and persecution by opposing the Government directly (Philippines 19, 24).

The pandemic had a strong impact on the work of the organizations interviewed, but all of them showed signs of rapid resilience, creatively adapting to the challenges to keep supporting their target communities. These involved shifting most of their work online, building their own staff's capacity to use IT and social media tools, but also providing tools to and building the capacities of their target communities so they could use the same channels.

In the Philippines, Lilak developed a system of **mass text messages to reach communities that do not have access to the Internet**, while several organizations mentioned Indigenous peoples walking long distances to reach locations where they could get a signal to join meetings, often with several people gathering around a single device (Philippines 20, 23, 24).

Some organizations also mentioned adopting **blended methods whenever possible**, with different small groups in communities having in-person activities and joining plenary sessions online to connect with others (Nepal 18; Philippines 22).

¹⁶ See (National Indigenous Women Federation et al., 2018)

¹⁷ See (LAHURNIP & NIWF, 2020)

¹⁸ See (Kathmandu Post 2020b)

As organizations **increased their use of social media**, respondents in both countries noted the positive impact of the pandemic as they were able to reach new people, who became more aware of the issues they cover, especially the youth (Nepal 13; Philippines 22).

Moreover, environmental defenders also found **creative ways to continue their mobilizations**, such as printing slogans on face-shields and masks while ensuring social distancing during protests and barricades in the Philippines (Philippines 22).

However, adapting to the situation still triggers many frustrations as **participation cannot be as active and inclusive as usual**, and resources are lacking to adapt to these changes. This holds particularly true in justice processes. For instance, in Nepal “what usually took 3–4 days now takes months” (Nepal 14). In the Philippines “Internet connection is a big issue, sometimes the judge cannot join and the whole case is postponed” (Philippines 19). Similarly, congressional hearings are now being held online, but “communities don’t have Internet or the signal is not stable. They call this consultation and participatory, but the most affected cannot participate and attendance is very unbalanced” (Philippines 23).

Several organizations also mentioned that this crisis highlighted the **need for more flexible and accessible funding**: activities that were planned during the pandemic could not be conducted as planned, some beneficiaries are hard to reach and the costs for this transition to online activities are high (Philippines 17, 19, 24).

Conclusion of Chapter 6

This chapter shows a variety of strategies taken up by WEHRDs to defend environmental and human rights against maldevelopment threats. The study found two main types of mobilizations: on the one hand, reactive mobilizations to protect environmental and human rights from immediate threats, and on the other hand, long-term, multi-scalar and coordinated efforts to address the root causes of socio-environmental injustice. Both of these strategies mark a shift from vulnerability to conscious mobilization that aims to reduce this vulnerability.

In the Philippines, grassroots reactive mobilizations appear to be more common – or at least more visible – than in Nepal. Within these, Filipina women demonstrate their leadership capacities and challenge gender norms within their communities. In contrast, the role of Nepali women in grassroots mobilizations remains unclear and need to be further investigated.

In both countries, marginalized groups unite along the lines of political intersectionality, as social groups join forces to address structural drivers of the crosscutting challenges they face. Beyond individual and grassroots mobilizations, CSOs and NGOs drive the long-term, multi-scalar strategies of WEHRDs. These are quite similar in Nepal and the Philippines, as they mainly revolve around (a) education, access to information and capacity building of marginalized groups so they are able to defend their environment and rights, and (b) advocacy and lobbying to hold duty-bearers accountable against existing environmental and human rights obligations, but also influence more just and sustainable laws and policies. Such activities aim to transform the root causes of vulnerability to maldevelopment and disasters. Despite the challenges posed by the Covid-19 pandemic, WEHRD organizations quickly adapted their modes of action, showing their resilience and their capacity to reach out to the most marginalized people.

7. Findings on the challenges hampering WEHRDs' mobilizations against maldevelopment

7.1 Hostility towards defenders

While civil society movements remain particularly strong in the Philippines, they are often seen as anti-government, anti-development insurgents, and part of the communist insurgency (Philippines 1, 2, 3, 4, 19, 20, 23, 24). Indeed, since December 2018, Executive Order 70 (also known as the “whole-of-nation approach”) allows arbitrary arrests and extrajudicial killings on the assumption that someone might be linked to communist movements (Philippines 4). On 3 July 2020, the principles and sanctions established in the Executive Order were adopted under Republic Act No. 11479, also known as the Anti-Terrorism Law. The loose wording used in the law allows for interpretation, leading to many organizations that openly criticize the Government, including the development projects they lead or approve, being tagged as terrorists (Philippines 1, 2, 6, 8, 10, 23, 24). This approach is a powerful tool to dissuade environmental defenders from mobilizing and keep them silent, and to paralyse the organizations that are supporting them (Philippines 1, 21, 22, 23, 24).

Organizations that are suspected of supporting insurgency have seen their bank accounts frozen and are subjected to surveillance and monitoring, which **undermines humanitarian intervention and the necessary support that NGOs and CSOs provide to defenders** (Philippines 22, 23, 24). Respondents noted that red-tagging has impacted organizations' capacity to mobilize funding, including from international donors (Philippines 23). Several organizations stressed that this law has a chilling effect on the exercise of political and civil rights, especially for grassroots defenders (Philippines 20, 21, 22, 23), but it is also used to disqualify the opposition and progressive political parties (Philippines 22, 23). The Center for Environmental Concerns observed that “this law institutionalizes an atmosphere of fear, building on the same strategy as the colonial rule” (Philippines 23). Moreover, “anything that is initiated by the civil society is now automatically considered as suspect” (Philippines 18), which also includes organizations involved in DRR, such as when the Center for Environmental Concerns provided disaster relief after Typhoon Haiyan, or when an individual woman started a community pantry movement in Manila so that people in need could access free food during the pandemic (Philippines 18, 23, 24).

This hostility against defenders is particularly visible through the high levels of violence faced by environmental and human rights defenders. Almost all respondents interviewed in the Philippines immediately mentioned killings, disappearances, threats, harassment, sexual attacks, rape and other forms of violence when asked questions about environmental defenders. The Center for Environmental Concerns shared the results of its monitoring work, highlighting that since 2016 there have been at least 157 killings of environmental defenders and at least 20 000 environmental defenders subjected to a wide range of human rights abuses.¹⁹ Despite these risks, WEHRDs in the Philippines remain particularly active in the public sphere.

In the **context of Covid-19, the Center for Environmental Concerns recorded an unprecedented increase in attacks against defenders in the Philippines**, using the health protocols for the pandemic to arrest activists and attempt to ban protests and mobilizations (Center for Environmental Concerns & Kalikasan People's Network for the Environment, 2021).

Organizations in the Philippines also stressed how grassroots defenders risk being more isolated from the support they can receive from larger organizations. With travel restrictions and limitations on social gatherings, in addition to the digital divide,

¹⁹ See (Center for Environmental Concerns & Kalikasan People's Network for the Environment, 2021).

grassroots communities are less able to report the human and environmental rights issues happening on the ground, and NGOs and CSOs have more difficulties in providing immediate support, such as in cases of illegal arrests of defenders (Philippines 19, 21, 22, 23, 24).

In Nepal, violence against environmental defenders is less common than in the Philippines but they still face hostility. For instance, an environmental activist shared that his work against powerful extractive industries or State-led development projects has had consequences for the everyday lives of his colleague and himself. They received anonymous threats to themselves and their families, forcing them to be more discreet and sometimes dissuading them from pursuing their activism (Nepal 8). Indeed, these threats are to be taken seriously, as in January 2020, a 24-year-old environmental defender was stabbed and run over by a truck on the sites near his village where he was protesting against the illegal extraction of mining resources.²⁰ This remains an isolated example of extreme violence against environmental defenders, but it is sufficient to raise the concerns of activists across the country (Nepal 5, 11).

In both countries, WEHRDs face particular challenges and an additional layer of discrimination and insecurities to their male counterparts. In the Philippines, for instance, Indigenous and women's organizations stressed that the culture of machismo that is predominant in the country strongly contributes to violence against women who raise their voices and appear as leaders. Challenging gender norms through their activism exposes WEHRDs to higher risks of sexual harassment, assault and rape (Philippines 6). Interviewees in the Philippines noted that sexual violence against women is sometimes used as reprisal against their husbands who are involved in activism, even if the woman herself is not politically involved (Philippines 10). In Nepal, "rape threats are common for women defenders who challenge the gendered norms of the society" (Nepal 8). While the risks are lower for defenders in Nepal than in the Philippines, this illustrates how gender norms are important to consider in contexts of conflicts, with women sometimes considered as collateral damage while the aim is to affect men's masculinity. Women questioning gender roles and challenging stereotypes by getting involved in environmental activism also tend to face strong social backlash in both countries. In Nepal, for example, respondents mentioned that the "moral police" is the biggest barrier to women's activism, as they have to justify themselves and sometimes lie to their male relatives to participate in community action (Nepal 8, 10). These stereotypes, and the fear of putting themselves in situations that seem inappropriate, can also be internalized, as noted by one interviewee in the Philippines who said that WEHRDs "feel resentment for not behaving accordingly [to gender roles]" (Philippines 7).

7.2 Fragmentation of defenders' movements

As illustrated through many examples in this report, "environmental defender" encompasses diverse realities and strategies on the ground that are highly dependent on local and national contexts. This results in implicit or explicit divides between different groups mobilizing for similar causes.

In the Philippines, Indigenous organizations mentioned ideological divides between defenders as a problem when it comes to joining forces to defend their common interests. This is particularly true when some groups are affiliated with political parties or willing to negotiate with the Government, which can be seen as treason by more radical Indigenous groups (Philippines 2). This also applies to international climate negotiations, where two types of participation are noticeable: "those sitting at the table and negotiating with institutions who only start recognizing our role in conservation; and those outside protesting for the system to change" (Philippines 2).

²⁰ See (Terai Human Rights Defenders Alliance, 2020).

In Nepal, defenders appear to be much more fragmented than in the Philippines. The main divide is **between rural environmental defenders and those most established in urban areas.** Several interviewees made similar statements about the common (mis)conception of environmental activism being led by elite youth in Kathmandu, protesting in the streets and being “troublemakers”, while people in rural areas are more concerned about their access to resources (Nepal 5, 6, 8, 9, 10, 11). On the one hand, what is considered as environmental mobilization is then mostly led by educated and privileged individuals, filing court cases and mobilizing the media (Nepal 8, 11). On the other hand, those mobilizing to defend their natural resources and livelihoods are not effectively considered as defenders, which also explains the lack of responses provided to questions asking for specific examples of successful grassroots defender mobilizations. While the most privileged manage to access national and international funding (Nepal 8), defenders at the local level struggle to raise awareness about the issues they face and to mobilize the resources to advance their cause.

This divide has also been noted in the case of feminist movements in Nepal. The National Indigenous Women Federation in Nepal strongly emphasized that “Indigenous women always have to lobby to be included in feminist dialogues, or we are invited as ‘marginalized, minority or vulnerable group’ – but we are not a minority! Every time we advocate for Indigenous women’s rights we are seen as separatist compared to the upper class that preaches universalism. We have our own identity but we also have rights”. The group further added that this divide leads to challenges in implementing programmes specifically for Indigenous women: “women’s organizations struggle to get funding, but when they do, it always goes to non-Indigenous women, not to the ones that are the most marginalized – international organizations and NGOs always forget about us”. Similarly, an Indigenous woman in Nepal noted that “the budget allocated to women’s issues is never properly utilized and Indigenous women always get less funding in the environmental sector” (Nepal 4). A respondent from another Indigenous organization further noted that “when organizations are working with Indigenous peoples or specifically Indigenous women, they cannot compete with more mainstream organizations because they have the capacity, they know the language to use in proposals and get the funding. We just get funding from organizations that focus on Indigenous peoples” (Nepal 17).

In addition, and in both countries, rural, grassroots WEHRDs often lack an understanding of the structural drivers of their local challenges, which diminishes the potential of their mobilizations. For instance, in an event related to this project that brought together grassroots WEHRDs from Asia, a Nepali Indigenous woman noted “we thought we were the only ones going through these challenges [land grabs, environmental degradation, lack of consultation and participation], but now we realize that women in other countries are dealing with the same issues”.²¹ Indeed, despite being actively engaged for the defence of their community’s resources and rights, environmental defenders tend to be unaware that the local challenges they are facing are related to global systems of exploitation, therefore missing opportunities to connect with similar organizations in other contexts.

Indigenous women are often not aware of the political nature of their engagement as they “just” want to protect their resources and traditional livelihoods (Philippines 6, Nepal 6). However, as stressed by one respondent, “Indigenous livelihoods are inherently conservationist, they exemplify sustainability, and understand the relationship between nature and their community in a holistic way: they are environmental defenders” (Nepal 6). This lack of consciousness and the isolation that grassroots defenders usually face in their struggles impact their capacity to constitute themselves in larger networks to tackle the local issues they are facing by also working on the structural and global systems that allow the exploitation of nature.

²¹ More details about this event co-organized by SEI: <https://www.sei.org/perspectives/women-environmental-defenders-protect-communities/>

Conclusion of Chapter 7

This chapter presents some of the main challenges faced by WEHRDs in Nepal and the Philippines. These challenges appear to be context specific. While WEHRDs in both countries tend to be seen as anti-development by governments, defenders in the Philippines face greater hostility and violence. Vague definitions used in the Anti-Terrorism Law also facilitate State repression against defenders and limits their access to funding, therefore impacting their capacity to support communities and advance socio-environmental justice. To some extent, the disproportionate violence faced by defenders illustrates the underlying power dynamics of maldevelopment, whereby marginalized groups bear the highest socio-environmental costs of interventions with limited opportunities to defend their own views and aspirations.

Another key challenge is the fragmentation of defenders' movements. This appears particularly true in Nepal where respondents noted the limited attention and support provided to organizations working at the grassroots level and to Indigenous women's organizations. Overall, these divides between different types of defenders weaken their potential to join forces and to advocate for more holistic change.

8. Conclusion and recommendations

8.1 Conclusion

This study investigated the relationship between maldevelopment and disaster risk through the lived experiences of WEHRDs in Nepal and the Philippines. These two countries offer very different contexts, yet the study shows many similarities, suggesting that the findings point at systemic issues that are likely to also be found in other developing countries. To some extent, these can be traced back to the capitalist and neo-colonial remnants in mainstream development approaches, with a tendency to prioritize economic growth at the expense of socio-environmental well-being, and to impose development interventions upon groups and communities who have historically been marginalized. Such maldevelopment practices not only fail to address the underlying gender and social inequalities that shape vulnerability to disaster, but also magnify pre-existing vulnerabilities. Indeed, the study found that WEHRDs' understanding of disaster encompasses much more than hazards. To them, land grabs and green grabs, displacement, loss of livelihoods and the subsequent feeling of loss of identity are experienced as disasters for themselves. These losses also constitute a loss of adaptive and resilience capacity. At the same time, interventions taking place on their land also risk increasing the occurrence and intensity of hazards – hazards to which local communities are particularly exposed.

The study suggests that it is the experience of persisting marginalization and vulnerability, combined with experiences or threats of maldevelopment, that triggers reactions from WEHRDs. The strategies taken up by them differ depending on contexts. In the Philippines, reactive, grassroots mobilizations are more common, and women demonstrate their agency by taking up leadership roles within these – advancing gender equality in their communities at the same time. Such mobilizations appear to be less common in Nepal, or at least less visible and documented – pointing at an important knowledge gap that should be further investigated. However, WEHRDs in both countries adopted similar long-term, multi-scalar and proactive strategies that aim to prevent maldevelopment and eventually reduce vulnerability. Through education, capacity building, enhancing access to information, transparency and accountability, WEHRDs ensure that human and environmental rights are respected, protected and fulfilled. Through advocacy and lobbying, they try to address the root causes of vulnerability to maldevelopment and disaster, therefore breaking the relationship between the two.

Yet WEHRDs in both countries continue to face important challenges that hamper the efficiency of their fight for socio-environmental justice. Hostility and violence against defenders are strong barriers, particularly in the Philippines but also a growing threat in Nepal, which can dissuade potential leaders from emerging and put existing defenders at high risk. In addition, fragmentation between defenders, particularly between rural/urban, professionals/grassroots and dominant social groups/Indigenous peoples affect the most marginalized groups' access to funding and their opportunities to get their voices heard.

This study highlights the ways in which vulnerability is not a fixed state but can become a driver for activism that goes beyond local mobilization to improve personal situations, and can actively seek better outcomes for all by trying to address negative feedback loops between maldevelopment and disaster. This celebrates the agency of defenders and the role they play in challenging gender and social norms, at the household, community and society levels, where they rise to defend environmental and human rights despite the many barriers dissuading them from raising their voices in the public sphere. It also calls for a greater recognition of WEHRDs' long-term and multi-scalar strategies, making them legitimate actors to learn from in development and disaster planning. Supporting WEHRDs is crucial not only because of their contribution to DRR, environmental sustainability and just development, but also because the human rights issues they are facing and denouncing are the manifestations of a system failure, whereby development is failing in its goal to improve human lives and instead perpetuates inequalities and environmental change. But this system can evolve, and the following recommendations aim to guide policymakers, donors and development organizations, and defenders' organizations, in supporting this transition.

8.2 Recommendations for policymakers

1. **Align national legislation with international human rights frameworks²² and ensure compliance with these frameworks to prevent discrimination against marginalized groups.** This includes repealing discriminatory laws and recognizing equal rights for all segments of society, proactively removing the barriers they experience in accessing the rights they are entitled to (e.g., education, employment, social services, participation in the public sphere, representation and meaningful participation in decision-making). It also entails the recognition of tenure rights for Indigenous peoples and lifting the conditioning of disaster relief to citizenship and formal land ownership. Implementing this recommendation would be an essential step to address the structural drivers of vulnerability to disasters and to enable marginalized groups' resilience.
 - **Nepal:** Legally recognize ancestral land and the right to FPIC to prevent vulnerable communities from losing their land.
 - **The Philippines:** Address legal loopholes in terms of land classification that do not adequately protect Indigenous peoples' customary land. It also entails a more transparent governance of the National Commission for Indigenous Peoples, to build and maintain trust between the State and Indigenous peoples.

2. **Ensure the accountability of State and private-sector actors with national human rights and environmental regulations, especially when planning and implementing infrastructure development and climate mitigation initiatives.** This includes systematizing transparent and participatory FPIC processes and ensuring the meaningful participation of women and marginalized groups in these and securing civic space for civil society to operate freely.
 - **Nepal:** Despite the FPIC principle not being recognized by national law, State and private-sector actors should systematically involve affected communities at an early stage of planning to ensure consent and plan for adequate relocation and livelihood alternatives.
 - **The Philippines:** This includes removing the barriers faced by environmental defenders in exercising their civil and political rights, by clarifying definitions of terrorist threats in the Anti-Terrorism Law. It also includes protecting defenders from threats, violence and repercussions when they oppose powerful actors to protect their environment and communities.

3. **Investigate the role of the policy and legal systems in ensuring citizen safety when exercising their human and environmental rights, particularly women and marginalized groups, and full legal remedies in case of violation.** National human rights institutions are essential actors to leverage in implementing this recommendation, which will ensure the safeguarding of human and environmental rights and assist individuals and communities to access justice.

4. **Foster a multi-stakeholder, gender-responsive and proactive approach to DRR at all levels, allowing for the meaningful participation of marginalized groups.** This includes gender-balanced representation that goes beyond attendance or consultation, which entails rethinking design processes and proactively making spaces where the voices of marginalized groups can be heard and have equitable chances to influence decisions. Along with the participation of policymakers and experts, the views and experiences of women, Indigenous peoples, Dalit people and other marginalized groups should allow for DRR policies that better leverage empirical environmental knowledge and are informed by lived experiences of vulnerability, leading to more holistic and efficient approaches to DRR.
 - **Nepal:** This can be done by mandating the representation of marginalized groups in DRR committees at all levels and encouraging civil society to get more involved in DRR efforts.

²² Such as the Universal Declaration on Human Rights; the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the Convention on the Elimination of All Forms of Discrimination against Women; the International Convention on the Elimination of All Forms of Racial Discrimination; the International Convention against Torture and other Cruel, Inhuman or Degrading Treatment and Punishment; the International Convention for the Protection of All Persons from Enforced Disappearances and other relevant human rights treaties.

- **The Philippines:** Gender-balanced representation and multi-stakeholder approaches are already institutionalized in the country's DRR frameworks, but more can be done to combine diverse empirical knowledge of the environment with technical approaches to DRR.
5. **Incorporate the lessons learned from the pandemic into ongoing and future DRR efforts.** This includes a redistribution of care and domestic work, as well as proactive measures to ensure food security in contexts where disasters and DRR measures affect mobility and connectivity. In addition, the strong involvement of WEHRD networks in reaching out to the most marginalized suggests that engaging with these networks in future DRR efforts would be a valuable strategy.
- **The Philippines:** The country already has a solid DRR framework that has not been used to its full potential during the pandemic. Recognizing pandemics as disasters can help avoid some of the pitfalls that result from ad hoc responses.

8.3 Recommendations for donors and development organizations (including UN agencies and international NGOs)

1. **Invest in environmental human rights defenders' organizations, leveraging their capacities through democracy-related and gender-equality programmes, but also providing them with the support required to document environmental and human rights issues at the grassroots level, including violence.** This can encompass programmes on citizen science and grassroots communication and connecting defenders with national and international watchdogs. As a result, defenders would have better resources to document their strengths and struggles, and the institutional power of development actors can contribute to reducing the risks they face and facilitate allyship with national policymakers.
2. **Investigate the outcomes of development and climate interventions through research, monitoring and evaluation, including in terms of gender equality, socio-economic costs and benefits, disaster risk reduction/increase and violence against defenders, including WEHRDs.** This would provide solid evidence from past experiences that can inform future development and disaster planning, including through good practices that can be replicated.

8.4 Recommendations for defenders' organizations (including environmental organizations, human rights organizations, women's organizations, Indigenous organizations and crosscutting organizations)

1. Continue efforts to **enable better access to information, education, legal protection and capacity building** of WEHRDs so they can effectively protect themselves, their communities and their natural resources. This includes education about environmental and human rights entitlements, efficient use of the mechanisms in place to protect these rights and leadership capacities to mobilize when these rights are threatened. Empowered WEHRDs can then be powerful actors in guiding State and non-State actors towards development and DRR efforts that are equitable and sustainable.
2. **Facilitate inclusive decision-making and co-ownership of projects and programmes implemented with communities by ensuring the meaningful participation of all and giving them the space to set their own goals and strategies to achieve their goals.** This entails using an intersectional gender lens in project activities, not just focusing on the most active and vocal individuals in communities, or on women as a homogeneous group, but also on Indigenous women, poor women, Dalit women, LGBTQ+ people, as well as men as allies to avoid intra-community conflicts and advance gender equality. Involving both young and older people can also bridge generational divides and help perpetuate traditional knowledge and practices that contribute to DRR. Providing scholarships can help communities acquire

diverse skillsets that reflect the aspirations and needs of their members while giving them more power to achieve change.

3. **Document the best practices of WEHRDs** who contribute to environmental protection, resilience and DRR, **as well as their successful mobilizations** in the context of environmental conflicts. These efforts can be supported by research organizations and should be translated into outputs that are accessible to marginalized groups (leaflets, radio programmes, videos translated in local languages), and can be used for different levels of advocacy (academic papers, policy briefs). This would enable a better recognition of WEHRDs' work and allow a better understanding of how mobilizations to protect environmental and human rights can be empowering for vulnerable women.
 - **Nepal:** Such efforts would allow a greater visibility of grassroots and women defenders' contributions to DRR and community-led development, as this remains an important data gap.

4. **Build synergies between environmental activists, feminist movements, Indigenous organizations, human rights organizations and other organizations advocating for marginalized groups' rights.** This can be done from the national to regional and international levels, as political intersectionality is key to tackle the systemic nature of environmental and social injustices. The sharing of experiences, knowledge and resources can help build solidarity between isolated groups while leveraging their potential. It is also crucial to ensure that the most vulnerable benefit from the support of more institutionalized organizations and avoid their further marginalization.
 - **Nepal:** Stronger collaboration between different segments of women and feminist movements can help Dalit women and Indigenous women to access more funding and to have better leverage for their advocacy. Bridging grassroots defenders with established environmental networks and human rights organizations would also give them more resources to get their voices heard and access socio-environmental justice.
 - **The Philippines:** The engagement of civil society with grassroots communities in the public sphere is already well established and powerful. As suggested by key informants, the way forward can include more inter-community exchanges between isolated groups of WEHRDs to provide them with a space to share best practices and learn from each other.

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Annex 1. List of organizations consulted in Nepal and the Philippines

<p>Amihan – The National Federation of Peasant Women (the Philippines) is a federation of peasant women organizations that carries forward the call for genuine agrarian reform, national industrialization and an end to all forms of discrimination and exploitation, in particular against women in the countryside.</p>
<p>Amnesty International Nepal (AI Nepal) is a constituent of the global community of human rights defenders with values of international solidarity, effective action for victims, global coverage, universality and indivisibility of human rights, and with impartiality and independence as the driving factors in the global movement.</p>
<p>The Asia Indigenous Women’s Network (AIWN) consists of 11 Indigenous women’s organizations and 26 Indigenous peoples’ organizations with women committees. AIWN aims to support, sustain and help consolidate the various efforts of Indigenous women in Asia to critically understand the roots of their marginalized situation and to empower themselves by becoming aware of their rights as women and as Indigenous peoples, and by developing their own organizations or structures for empowerment.</p>
<p>The Asia Pacific Network of Environmental Defenders (APNED) is a campaign network of individuals, civil society groups and peoples’ organizations in the Asia Pacific region that aims to raise awareness and build connections among affected communities and concerned institutions to promote environmental rights and protection of environment defenders across the region.</p>
<p>BAI – Indigenous Women’s Network is a progressive network of Indigenous women’s organizations working together in advancing the rights of Indigenous peoples and women in the Philippines.</p>
<p>The Center for Environmental Concerns (CEC) is an NGO representing fisherfolks, farmers, Indigenous peoples, women, urban poor and professional sectors in different ecological contexts in the Philippines. CEC closely works with communities and organizations across the country, supporting their initiatives to nurture their ecosystems, defend their common access to natural resources and improve their living and working conditions in the context of a balanced and healthy environment.</p>
<p>The Center for Indigenous Peoples Research and Development (CIPRED) is a network of NGOs in Nepal committed to promoting Indigenous peoples’ issues and concerns at community and national levels for sustainable development and environment.</p>
<p>The Center for Women’s Resources (CWR) is an NGO that aims to empower grassroots women through awareness-raising and supporting their efforts in improving their situation through structural change in the Philippines. CWR conducts participatory research and surveys on women’s conditions in the different sectors and areas.</p>
<p>Children and Youth First (CYF) is a locally founded, locally led organization working for the rights of children, women and minorities in Nepal, with focuses on giving children access to their rights and providing a peaceful environment for quality education.</p>
<p>The Commission on Human Rights, Philippines (CHR) is an independent national human rights institution established under the 1987 Philippines Constitution, aiming to seek truth in human rights issues and prevent incidence of human rights violations. The Commission is mandated to conduct investigations on human rights violations against marginalized and vulnerable sectors of the society, including environmental rights defenders.</p>
<p>The Community Empowerment and Social Justice Network (CEmSoJ) is a network of human rights and development activists. It mainly focuses on socio-economic empowerment and promotion of social justice and human rights of marginalized groups in Nepal, including Indigenous peoples, Madhesis, Dalits, persons with disabilities, rural people and urban poor, with particular focus on women, children and youth of those groups, towards a just and peaceful society.</p>
<p>Community Self Reliance Center (CSRC) is a national resource organization established in 1993 that organizes and raises consciousness among those deprived of land rights, builds public opinion in favour of progressive land reform, and conducts action research related to land and agrarian issues in Nepal.</p>
<p>Cordillera Peoples Alliance is an independent federation of mostly grassroots organizations of Indigenous peoples in the Cordillera region in the Philippines. It focuses on promotion and defence of Indigenous peoples’ rights, human rights, social justice and national freedom and democracy.</p>
<p>The Feminist Dalit Organization (FEDO) is a national-level organization dedicated to the establishment of Dalit rights and eliminating caste-based discrimination. It works at both the national as well as district level to improve access to resources, social justice and equity for women belonging to the Dalit community.</p>
<p>The Forum for Women, Law and Development (FWLD) is a non-profit, non-governmental organization established in 1995 working for the protection, promotion and enjoyment of human rights in Nepal. FWLD uses law as an instrument to ensure the rights of women, children, minorities and all other marginalized groups in order to eliminate all forms of discrimination.</p>
<p>The Indigenous Peoples’ Movement for Self-Determination and Liberation (IPMSDL) is a global network of Indigenous peoples rights activists, advocates and organizations that are committed to advancing the rights of Indigenous peoples to self-determination, land and life.</p>
<p>The Indigenous Women’s Legal Awareness Group (INWOLAG) is a non-profit, non-governmental, non-political organization promoting legal rights and awareness among the members of the Indigenous/ethnic community in Nepal. INWOLAG comprises Indigenous women legal experts and professionals who are dedicated to fight for Indigenous women’s human rights.</p>

The Jane Goodall Institute of Nepal (JGI Nepal) is a national branch of JGI, a global non-profit organization that advances Dr Jane Goodall's holistic approach and brings the power of community-centred conservation to life.

KATRIBU is a national alliance of regional and provincial Indigenous' organizations representing various Indigenous communities in the Philippines. It engages in activities that seek to deepen the awareness and understanding of youths and students on the plight of Indigenous peoples.

Lawyers' Association for the Human Rights of Nepalese Indigenous Peoples (LAHURNIP) is an organization established in 1995 by professional Indigenous lawyers with objectives of ensuring social justice through legal services such as pro bono service in collective rights cases. It has the primary objectives of promoting, protecting and defending human rights and fundamental freedoms of Indigenous peoples in Nepal.

Legal Rights and Natural Resources Center (LRC-KsK Friends of the Earth Philippines) is a non-profit, cultural, scientific and research organization established in 1987 and a member of Friends of the Earth. LRC works for the recognition and protection of the rights of Indigenous peoples as well as upland rural poor communities to land and other natural resources.

LILAK is an organization of Indigenous women leaders as well as feminists, anthropologists, human rights advocates, environmentalists and lawyers who support the struggle for Indigenous women's human rights in the Philippines. Lilak has been organizing women in many Indigenous communities and enabling Indigenous women's leadership development via mentorship programmes and political education efforts.

Liyang Network is a local to global advocacy network founded in 2019 that works to amplify the calls to action of front-line environmental and human rights defenders in Mindanao, the Philippines.

Media Advocacy Group (MAG) is an NGO established in 2008 by a group of experts in the domain of media, advocacy and management in Nepal. MAG supports endeavours in promoting and maintaining democracy and freedom. It hopes to achieve this through advocacy, capacity development and awareness-raising, via media mobilization to surface issues to broader concern.

National Indigenous Women's Federation (NIWF) is an umbrella organization of Adivasi Janajati (Indigenous Nationalities) women's organizations in Nepal. It aims to guarantee Indigenous women's collective rights and gender equality in accordance with international laws and standards such as UNDRIP and CEDAW.

Philippine Commission on Women is the national machinery for gender equality and women's empowerment. It aims to create an enabling environment for Government and other stakeholders to become more responsive in achieving gender equality and the empowerment of all women and girls.

ProPublic (Friends of the Earth Nepal) is an NGO founded by a consortium of environmental lawyers, journalists, economists, engineers, consumers and women rights activists in Nepal. It is also a local branch of Friends of the Earth. Its major areas of work include good governance, protection of natural and cultural heritage, environmental justice, pollution control and gender justice.

Sabokahan is an Indigenous women-led membership organization of Lumad women in Mindanao, Philippines. Sabokahan works for the equal respect and recognition of Indigenous women's rights, capacities and leadership in the struggle of the Indigenous peoples for the right to life, ancestral land and self-determination; and in general for the emancipation of all class, gender, race and sectors from all forms of oppression and exploitation.

The Samdhana Institute was formed in 2003 by a group of conservationists and development experts who have catalysed networks of shared knowledge and traditional wisdom. It continues to work on empowering Indigenous peoples and local communities, and women, youth and persons with different abilities, including in the Philippines.

Tebtebba (Indigenous Peoples' International Centre for Policy Research and Education) is an Indigenous peoples' organization that calls for heightened advocacy to have the rights of Indigenous peoples respected, protected and fulfilled worldwide. It also works on the elaboration and operationalization of Indigenous peoples' sustainable and self-determined development.

Terai Human Rights Defenders Alliance (THRD Alliance) is an NGO working for promotion and protection of human rights and human rights defenders in Nepal, with special focus in the Terai region. It has been working on the issues of specific human rights violations related to extrajudicial execution, illegal arrest or detention, citizenship, inclusion and discrimination in Terai. THRD also focuses on monitoring, documentation and litigation for cases of human rights violations.

The Women Friendly Disaster Management (WFDM) group is a network of women-led organizations and women's groups formed after the devastating earthquake that struck Nepal in 2015. It aims to strengthen individual, community and institutional knowledge, attitudes and practice in mainstreaming gender equality and empowerment of women in DRR and preparedness.

The Women in Emergencies Network (WENet) is a network of organizations working towards women-led and gender-responsive resilient communities claiming and defending the human rights of women and other vulnerable sectors in emergencies, such as in disasters and conflict situations.

Annex 2. List of interviews and focus group discussions conducted

Reference	Year	Format and type of organization
Nepal 1	2020	Interview with a gender and DRR network (online)
Nepal 2	2020	Interview with a media organization (online)
Nepal 3	2020	Interview with an Indigenous People's organization (online)
Nepal 4	2020	Interview with an Indigenous women's organization (online)
Nepal 5	2020	Interview with a human rights organization (online)
Nepal 6	2020	Interview with a social justice organization (online)
Nepal 7	2020	Interview with a Dalit women's organization (online)
Nepal 8	2020	Interview with an environmental organization (online)
Nepal 9	2020	Interview with an environmental organization (online)
Nepal 10	2020	Interview with a youth organization (online)
Nepal 11	2021	Interview with a human rights organization (online)
Nepal 12	2021	Interview with an Indigenous peoples' lawyers organization (online)
Nepal 13	2021	Interview with a social justice organization (online)
Nepal 14	2021	Follow-up interview with an environmental organization (online)
Nepal 15	2021	Follow-up interview with an Indigenous women's organization (online)
Nepal 16	2021	Interview with a women's organization (online)
Nepal 17	2021	Interview with an Indigenous women lawyers' association (online)
Nepal 18	2021	Follow-up interview with an Indigenous peoples' organization (online)
Philippines 1	2019	Interview with an environmental defenders' network (in person)
Philippines 2	2019	Interview with an Indigenous women's organization (in person)
Philippines 3	2019	Interview with one centre of a national human rights institution (in person)
Philippines 4	2019	Focus group with two centres of a national human rights institution (in person)
Philippines 5	2019	Interview with an Indigenous peoples' organization (in person)
Philippines 6	2019	Interview with a women's organization (in person)
Philippines 7	2019	Interview with an environmental organization (in person)
Philippines 8	2019	Interview with an Indigenous peoples' organization (in person)
Philippines 9	2019	Interview with a gender and DRR network (in person)
Philippines 10	2019	Focus group discussion with a women's organization and a peasant women's organization (in person)
Philippines 11	2019	Meeting with a provincial governor (in person)
Philippines 12	2019	Meeting with a municipality mayor (in person)
Philippines 13	2019	Conversation with a provincial DRR chief of operations (in person)
Philippines 14	2019	Conversation with a staff member from a provincial governor's office (in person)
Philippines 15	2019	Interview with a gender-mainstreaming national institution (in person)
Philippines 16	2019	Interview with an Indigenous peoples' organization (online)
Philippines 17	2020	Follow-up interview with a gender and DRR network (online)
Philippines 18	2021	Follow-up interview with an Indigenous peoples' organization (online)
Philippines 19	2021	Follow-up interview with an environmental organization (online)
Philippines 20	2021	Follow-up interview with an Indigenous women's organization (online)
Philippines 21	2021	Interview with two Indigenous peoples' organizations (online)
Philippines 22	2021	Follow-up interview with an Indigenous peoples' organization (online)
Philippines 23	2021	Follow-up interview with an environmental defenders' organization (online)
Philippines 24	2021	Follow-up focus group discussion with several centres of a national human rights institution (online)
Validation workshop	2022	Additional information shared by key informants during the validation workshop organized to triangulate the data for this report (online)

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