



## Regional Conference Highlighting the Voices of Indigenous Women and Youth for a Just and Sustainable Energy Transition

20-22 September 2024 | Bangkok, Thailand

<https://rightenergypartnership.org/just-transition-2024/>

### Declaration of Regional Conference Highlighting the Voices of Indigenous Women and Youth for a Just and Sustainable Energy Transition

*We, the thirty Indigenous women and youth and other Indigenous Peoples' representatives from diverse Indigenous Peoples and nations of Bangladesh, Cambodia, India, Indonesia, Malaysia, Myanmar, Nepal, the Philippines and Thailand convened to call attention to the experiences of Indigenous women and youth and their recommendations for a just and sustainable energy transition. Below we underscore key points of discussions at the conference:*

We, as Indigenous Peoples, reaffirm our intrinsic relationship, with our lands, territories and resources, which transcend ownership over them and underscore our status as stewards of Mother Earth – based on sustainable natural resources management for present and future generations.

We recognize and support the need to immediately transition from fossil fuels to renewable energy as critical in addressing the climate crisis. However, the current energy transition very often negatively impacts us and the environment, including and particularly Indigenous women and youth. We are disproportionately facing high repercussions of the climate crisis although we have the least carbon footprint to contribute to the crisis. On the other hand, many energy transition initiatives – usually imposed on us in the name of climate solutions and benefit from climate financing and carbon offsets – are also causing us harm.

We are aware that an estimate of more than 50% of the world's transition or critical minerals are in our territories and a large percentage of renewable energy potential is also located on Indigenous Peoples' lands and territories. Countries in the Asia region account for significant proportions of critical minerals, while our States are strongly pushing for the shift toward renewable energy. The growing demand for mining of transition minerals driven by market incentives and the aggressive pursuit of renewable energy development poses a grave threat worsening the environmental destruction detrimental to us, as well as other communities.

In Asia – home to two-thirds of the world's Indigenous Peoples, most States do not ensure legal recognition of Indigenous Peoples and their rights as guaranteed in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), or effective implementation of those rights even in the countries that recognize them. Those include our right to Free, Prior and Informed Consent (FPIC), which comprises our right to withhold or withdraw consent, for any project affecting our lands, territories and resources. Further, the General Recommendation no. 39 of the Committee on Elimination of Discrimination against Women (CEDAW) has guaranteed the rights of Indigenous women and girls, including to require their FPIC “before authorizing economic



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development, extractive and climate change mitigation and adaptation projects on their lands and territories and affecting their natural resources.”

We are alarmed by the grave consequences of mining and renewable energy projects in our territories without our FPIC, violating our rights to self-determination and to our lands, territories, and resources. In the context of those projects, Indigenous Peoples are frequently being subjected to, among other impacts, dispossession of lands and resources and involuntary displacement, loss of livelihoods and food and water insecurity, loss of cultures and traditions, disintegration of communities, and exacerbation of conflicts, including through manipulation of FPIC. Those impacts are particularly severe for Indigenous women and youth, such as insecurity due to in-migration of outsiders and militarization threatening our survival, additional challenges to feed the family due to loss of livelihoods, as well as physical and mental health impacts. Indigenous youth are also forced to migrate from their communities for economic opportunities and facing challenges to access education.

Indigenous women have accordingly taken on the roles of frontline defenders, leaders, mediators, educators, protectors, peacebuilders and providers for families when their communities are impacted by harmful projects. Indigenous youth have also carried on the struggles of their elders to safeguard their lands, territories and resources, and the environment.

We are however increasingly experiencing criminalization, reprisals and even terrorist tagging against Indigenous human rights defenders, including women and youth defenders, and entire communities when we speak out against violations of our rights. Indigenous women and youth and other at-risk groups face suppression of their voices, and are subjected to violence and abuse as they defend and exercise their rights. Those include gender-based and sexual violence against women by State and other non-State security personnel, including during our public actions.

Indigenous women and youth are rights holders and equal partners in energy transition. We have the right to legal recognition and development of our lands and resources in line with our self-determination. Accordingly, we are implementing our own solutions for renewable energy based on environmental conservation, community ownership and control, economic empowerment and technology development. However, we face challenges in lack of resources, favorable policies, and technology transfer. Promoting renewable energy initiatives led by Indigenous Peoples, particularly women and youth, is vital for our self-determined development and sustainable future for all.

In above context, we put forth our following demands in this Declaration:





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### To States

- Legally recognize Indigenous Peoples and their rights, ensuring effective implementation thereof as guaranteed in the UN Declaration on the Rights of Indigenous Peoples, among other international laws as well as the rights of indigenous women and girls as per the CEDAW General Recommendation No. 39 including in the context of energy transition projects.
- Special attention must be given to the rights of Indigenous women and girls, as stipulated in the CEDAW General Recommendation no. 39, particularly in the context of energy transition initiatives. States to comply to Para 61(d) of General Recommendation 39.
- Immediately stop criminalization, reprisals, and suppression of Indigenous human rights defenders, with a particular focus on protecting Indigenous women and youth leaders, and members of Indigenous communities who are targeted. Advance legal reforms, ensure access to justice, and create safe spaces for indigenous women and youth to advocate for their rights without fear of violence or retribution.
- Accelerate divestment from fossil fuels and redirect investment to support Indigenous Peoples- and women-led renewable energy initiatives in line with their right to self-determined development.
- Uphold FPIC processes of Indigenous Peoples, particularly of Indigenous women and youth, throughout the management of energy transition initiatives, such as during feasibility studies and environmental, social, cultural and human rights impact assessments, before approval of energy transition initiatives affecting them and in line with their customary laws and practices
- Require businesses to undertake mandatory human rights due diligence for their operations, including to obtain FPIC of Indigenous Peoples, particularly of Indigenous women and youth, with respect to the UN Guiding Principles on Business and Human Rights (UNGPs).
- Guarantee that energy transition initiatives fully respect the rights of Indigenous Peoples, including Indigenous women and youth, specifically in the context of nature-based solutions to address climate crisis.
- Ensure meaningful consultation and participation and decision-making roles of Indigenous Peoples, including women and youth, in development, implementation and monitoring of standards and guidance for respect of human rights in business contexts, including by



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multilateral institutions, development banks, business associations and in multistakeholder initiatives.

- Prohibit mining and renewable energy projects in culturally significant heritage sites, biosphere reserves and other critical areas of Indigenous Peoples as determined by them in line with their FPIC
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- Provide direct, flexible, adequate and sustained funding and capacity building and technology transfer to enable Indigenous Peoples, particularly women and youth, to lead and implement their own renewable energy solutions.
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- Ensure effective, accessible, culturally appropriate, and gender-responsive access to remedy for Indigenous communities, particularly women and youth, affected by energy transition initiatives in line with their own aspirations of remedy and with respect to customary laws and practices, with mechanisms designed to address specific challenges faced by women and youth in seeking remedy.

### To Businesses

- Respect the rights of Indigenous Peoples, particularly of Indigenous women and youth, in line with the UNDRIP and the CEDAW with specific reference to the General Recommendation no. 39 regardless of State recognition of those rights.
- Acknowledge Indigenous Peoples, particularly Indigenous women and youth, as rights holders and equal partners, rather than as mere stakeholders in design and implementation of energy transition initiatives, including for environment protection and cultural preservation.
- Ensure equitable benefit-sharing mechanisms for all energy transition initiatives, with a strong emphasis on respecting the rights of Indigenous Peoples, particularly Indigenous women and youth, ensuring their right to FPIC is upheld throughout every stage.
- Adopt and enforce zero tolerance policies for criminalization and reprisals against Indigenous human rights defenders, including women and youth defenders, and community leaders and members throughout their value chains.
- Ensure effective, accessible, culturally appropriate, and gender-responsive grievance mechanisms for affected Indigenous communities, particularly women and youth, for access to remedy in line with their own aspirations and with respect to customary laws and practices of the communities.



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- Require meaningful consultation and participation and decision-making roles of Indigenous Peoples, particularly women and youth, in development and functioning of multi-stakeholder certification mechanisms.

### To Investors and Financiers and Development Banks

- Ensure preventive measures by developing and implementing social safeguards in line with the UN Declaration on the Rights of Indigenous and the CEDAW General Recommendation no. 39, including to make their financing and provision of other technical and financial services to governments and businesses conditional on obtaining FPIC of Indigenous Peoples, including women and youth.
- Leverage governments and businesses to align energy transition initiatives with the rights of Indigenous Peoples, particularly of women and youth, such as through necessary and policy legal reforms effective mechanisms for access to remedy for affected communities.
- Recognize and support Indigenous Peoples' organizations and enterprises as viable partners for renewable energy projects and provide them direct, adequate and flexible funding for Indigenous Peoples- and women-led projects.
- Develop or enhance mechanisms and products that specifically cater to the needs of Indigenous Peoples, particularly women and youth, to ensure accessible and affordable finance to design and implement renewable energy initiatives in line with their communities' needs and priorities.
- Provide effective, accessible, culturally appropriate, and gender-responsive grievance or accountability mechanisms for Indigenous communities, particularly women and youth, affected by their investments/financing for access to remedy in line with the communities' own aspirations and with respect to their customary laws.

### To UN entities and other Multilateral Institutions

- Support for legal and policy implementation and reforms with States and businesses for recognition and respect of the rights of Indigenous Peoples, including of Indigenous women and youth
- Assist in advocacy for Indigenous Peoples' rights including FPIC, particularly of women and youth, in the context of energy transition and environmental protection.



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- Partner with Indigenous Peoples' organizations, particularly those of women and youth, for their capacity building of and solidarity, including for defenders' protection.
- Facilitate access to direct financing for Indigenous Peoples- and women-led renewable energy projects, including for capacity building and technology transfer.
- Convene multi-stakeholder dialogues to catalyze collective action to uphold Indigenous youth and women's rights.

We, Indigenous women and youth and other Indigenous Peoples' representatives participating in the Conference, stand united in our commitment to advancing our rights in the transition to renewable energy. Through our steadfast advocacy and collective efforts, we aspire to create a future where Indigenous Peoples' rights and dignity are upheld, environmental integrity is preserved, global solidarity is strengthened and all peoples can thrive in harmony with the natural world.