

ASIA CLEAN ENERGY FORUM 2026  
9 June 2026 | ADB Headquarters, Manila

# Ensuring Equity and Justice in Energy Policy Frameworks

---



Prabindra Shakya  
Convenor, Asia Indigenous Peoples Network on Extractive Industries and Energy  
[www.aipnee.org](http://www.aipnee.org)

# Asia Indigenous Peoples Network on Extractive Industries and Energy (AIPNEE)



**10**

Countries/territories  
across Asia where we work with Indigenous  
defenders



**30+**

Indigenous  
communities supported or worked with



**10+**

Years of  
advocacy

AIPNEE is a regional platform supporting Indigenous human rights defenders across Asia working with or supporting communities affected by extractive and energy projects, particularly for international advocacy of their rights, including to their lands, territories and resources and to self-determination.

# Energy Transitions Can Reproduce Inequality



When human rights, meaningful engagement, and traditional knowledge are overlooked, so-called "clean" energy projects replicate the same structural inequalities as fossil fuels.

## Land Dispossession

Renewable energy projects; copper mining, hydro, solar-often occupy Indigenous territories without consent.

## Criminalisation

Defenders speaking up against projects face SLAPPs, arrests, and harassment across the region.

## Greenwashing

Business association and multistakeholder schemes claim sustainability while obscuring rights violations on the ground.

# Community Experiences Across Asia

## ID Indonesia

### Cek Bocek Community & PT AMNT

Cek Bocek Indigenous community engaging structured dialogue under The Copper Mark grievance mechanism over impacts of copper mining operations.

## IN India (Assam)

### Adivasi Families & Oil Projects

Adivasi communities in Assam face displacement and lack of FPIC from solar and exploration impacting their ancestral lands and livelihoods.

## PH Philippines

### Indigenous Peoples & Mining

Mining operations, including for transition minerals such as nickel, in ancestral domains being undertaken without genuine FPIC, with defenders facing criminalisation, terrorist-tagging, and harassment.

## NP Nepal

### Hydropower & Land Rights

Hydropower expansion being pursued at aggressive scale displaces communities from riverine territories, undermining customary land rights and access to water.



## Central Principle

---

## Free, Prior and Informed Consent (FPIC)

The non-negotiable right of Indigenous Peoples to give or withhold consent before any project affecting their territories.

## What FPIC Means in Practice

**FREE** — No coercion, manipulation, or undue pressure from governments or companies.

**PRIOR** — Consent must be sought before project approval, design, or construction begins.

**INFORMED** — Full, accessible disclosure of risks, impacts, and alternatives in local languages.

**CONSENT** — Communities retain the right to say YES, YES with conditions or NO - and that must be respected.

# Integrating Equity & Justice into Policy Design



## Community-Led Decision Making

Energy project planning must include Indigenous and frontline communities as decision-makers, not mere consultees or stakeholders.



## Customary Land Rights Recognition

Legal recognition of customary tenure as a prerequisite for energy project permitting.



## Inclusive Governance Mechanisms

Multi-stakeholder grievance mechanisms with independent oversight and binding outcomes.



## Public-Community-Private Partnership (PCPP)

Beyond PPP: center communities as right-holder and beneficiaries of energy infrastructure.



## Defender Protection

Explicit anti-SLAPP and defender protection measures written into energy sector regulations.



## Indigenous Knowledge Integration

Indigenous ecological knowledge formally integrated into energy transition planning and design.

# Progress Made — And What Still Needs to Change

## ✓ PROGRESS

Some states increasingly referencing FPIC in national energy and corporate accountability plans

Multi-stakeholder grievance mechanisms providing new accountability channels

Growing international recognition of just transition obligations to Indigenous Peoples

Corporate accountability frameworks creating new leverage points.

## ✗ GAPS THAT REMAIN

FPIC remains aspirational - rarely legally enforceable at project level

Grievance mechanisms lack binding outcomes accountability and community control

Just transition frameworks exclude or marginalise Indigenous Peoples

Defenders continue to face criminalisation, surveillance and violence

# Actionable Insights for Policymakers & Practitioners

**01** **Enshrine FPIC in Law**  
Codify FPIC as a legally binding standard in national energy legislation and regional energy policy frameworks.

**02** **Mandatory Human Rights Due Diligence**  
Require companies to conduct and publicly disclose HRDD assessments before and during energy projects on Indigenous territories.

**03** **Independent Grievance Mechanisms**  
Establish accessible, culturally appropriate grievance mechanisms with binding remediation powers and community oversight.

**04** **Defender Protection Measures**  
Enact anti-SLAPP legislation and safe reporting channels; end criminalization of Indigenous human rights defenders.

**05** **PCPP Model Adoption**  
Move beyond PPP frameworks to Public-Community-Private Partnerships where communities co-own and co-benefit from energy projects.

**06** **Integrate Traditional Knowledge**  
Formally incorporate Indigenous ecological knowledge in energy planning, impact assessment, and monitoring processes.

# Indigenous-led energy solutions

 **Community-based  
Renewable Energy  
Project Initiative (CbREP)  
in Nepal**

More than 250 Indigenous households provided access to stable energy over three years through micro-hydropower, support being provided for around 500 Indigenous women for low-carbon cooking stoves, and 30 Indigenous farmers' groups for solar irrigation pumps.

[www.cemsoj.net](http://www.cemsoj.net)



# Indigenous-led energy solutions

**ផ្តល់សេវាសាធារណៈសំខាន់**

គម្រោងនេះមានគោលបំណងលើកកម្ពស់គុណភាពជីវិតសម្រាប់គ្រួសារដែលរងគ្រោះ ដោយផ្តល់អគ្គិសនី និងទឹកស្អាតដល់ពួកគេ ដែលជាកត្តាសំខាន់សម្រាប់តម្រូវការ និងសុខុមាលភាពជាមូលដ្ឋាន។



**លើកកម្ពស់ការអភិវឌ្ឍប្រកបដោយចីរភាព**

តាមរយៈការប្រើប្រាស់ថាមពលពន្លឺព្រះអាទិត្យ និងការបង្កើតប្រព័ន្ធគ្រប់គ្រងទឹកតាមសហគមន៍ គម្រោងនេះស្វែងរកការបង្កើតដំណោះស្រាយប្រកបដោយនិរន្តរភាពដែលអាចផ្តល់អត្ថប្រយោជន៍ដល់សហគមន៍ក្នុងរយៈពេលវែង។



**ពង្រឹងសហគមន៍ជនជាតិដើមភាគតិចដែលរងគ្រោះ**

គម្រោងផ្តោតលើគំនិតផ្តួចផ្តើម និងការបណ្តុះបណ្តាលដឹកនាំដោយសហគមន៍ មានគោលបំណងផ្តល់សិទ្ធិអំណាចដល់គ្រួសារជនជាតិដើមភាគតិចពង្រឹង ដើម្បីកាន់កាប់ភាពជាម្ចាស់នៃការអភិវឌ្ឍរបស់ពួកគេ និងចូលរួមយ៉ាងសកម្មក្នុងដំណើរការធ្វើការសម្រេចចិត្ត។




Cambodia: Solar Powered Water Pumps for communities displaced by hydropower dam

POST-HARVEST PROCESSING EQUIPMENT & TOOLS

- Rice milling
- Sugar cane pressing (sugar, wine)
- Blacksmithing to produce basic agricultural tools
- Woodworking – Powering of electric planers used by carpenters

In addition:

- Augmented the supply of irrigation water for rice terraces



Philippines: Promoting Productive End Use of Micro hydropower

# Scaling up Indigenous-led energy solutions

## Renewable energy touted as force for sovereignty in Canada's north

Utility scale energy projects led by Indigenous Peoples in Canada backed by:

- Favorable policies
- Govt. grants

### Indigenous-Led Mining Projects Transform Canada's Resource Development Model

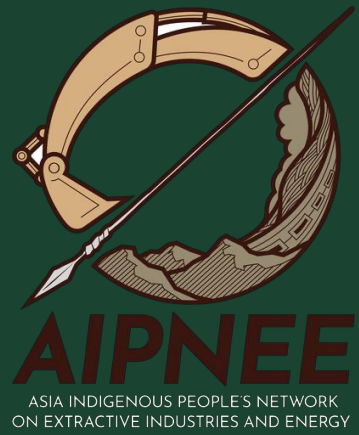
BY MUFLIH HIDAYAT ON MARCH 5, 2026



## Exploring shared prosperity:

Indigenous leadership and partnerships for a just transition





*A just energy transition*

**must be Indigenous Peoples centered and led.**

---

**Thank you**

Asia Indigenous Peoples Network on Extractive Industries and Energy (AIPNEE)

[www.aipnee.org](http://www.aipnee.org)