



# Climate Change and Indigenous Peoples' Rights in Nepal and Bangladesh

Insights from Indigenous communities



**INDIGENOUS  
NAVIGATOR**

Data by and for Indigenous Peoples

## Climate Change and Indigenous Peoples' Rights in Nepal and Bangladesh: Insights from Indigenous communities

This publication was produced by the Danish Institute for Human Rights (DIHR), the Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP), the Kapaeeng Foundation and the Asia Indigenous Peoples Pact (AIPP) drawing on analyses and data from the application of the Indigenous Navigator's Climate Change Module in Nepal and Bangladesh and based on the free, prior and informed consent of the respective Indigenous communities.

e-ISBN: 978-87-7570-382-1

Layout: Hedda Bank

Photos: Unsplash, Manoj Aathpahariya (p.6), Sundarban Adibasi Munda Sangstha (SAMS) and the Kapaeeng Foundation (p.10)

The Danish Institute for Human Rights Denmark's National Human Rights Institution  
Wilders Plads 8K, DK-1403 Copenhagen K Phone +45 3269 8888 [www.humanrights.dk](http://www.humanrights.dk)

Provided such reproduction is for non-commercial use, this publication, or parts of it, may be reproduced if author and source are quoted. This publication was produced with the financial support of the European Union. Its contents are the sole responsibility of the Danish Institute for Human Rights, and do not necessarily reflect the views of the European Union.

At the Danish Institute for Human Rights, we aim to make our publications as accessible as possible. We use large font size, short (hyphen-free) lines, left-aligned text and strong contrast for maximum legibility. For further information about accessibility please click [Accessibility](#) | [The Danish Institute for Human Rights](#)



DANISH  
INSTITUTE FOR  
HUMAN RIGHTS



# Executive Summary

This report summarises key findings from the 2025 pilot of the Indigenous Navigator Climate Change Module in Nepal and Bangladesh, implemented by the Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP) in Nepal and the Kapaeeng Foundation in Bangladesh, in collaboration with the Gurung Indigenous community of Taal, Nepal and the Munda Indigenous community of Shyamnagar, Bangladesh. Combining national assessments with Indigenous-led community data, the pilot examines how climate change and climate change measures affect Indigenous Peoples' rights across the Module's nine rights domains. The findings highlight gaps between States' Indigenous human rights obligations and current climate governance in both countries.

## Findings

### **Structural gaps between climate governance and Indigenous Peoples' rights**

Neither Nepal nor Bangladesh recognises Indigenous Peoples as distinct rights holders within their climate change-related laws, policies or governance structures.

### **Low implementation of Indigenous Peoples' rights in climate response across Indigenous rights domains**

National scores across all nine Indigenous Navigator Climate Change domains fall within low implementation thresholds, indicating gaps between States' Indigenous human rights obligations and their climate governance frameworks.

### **Indigenous community-level climate impacts not reflected in national climate frameworks**

The Gurung community in Nepal faced flooding, landslides, shifting water sources and farmland damage, while the Munda community in Bangladesh faces salinity intrusion, cyclones, tidal surges and loss of traditional crops. These impacts disrupt livelihoods and cultural practices yet remain largely unaddressed in national climate frameworks.

### **Climate change-related risks to fundamental rights and lack of protection for Indigenous Peoples human rights defenders**

Indigenous Peoples face heightened risks when raising concerns about climate change-related measures and projects, yet neither country has legal frameworks specifically recognising the role of Human Rights Defenders, including Indigenous Peoples Human Rights Defenders.

### **Systemic exclusion from participation in climate change policy processes and access to climate information**

Indigenous Peoples face barriers to accessing climate information and participating in climate change-related processes due to language constraints, geographic remoteness, digital exclusion and inaccessible or culturally inappropriate formats.

**Weak safeguards for Indigenous lands, territories and natural resources in the context of climate change**

Climate and conservation measures often proceed without FPIC, while collective tenure remains unrecognised in both countries, heightening risks of dispossession and restricted access to natural resources as climate change impacts deepen.

**Climate finance and social protection frameworks not responsive to Indigenous Peoples' climate vulnerabilities**

Climate finance mechanisms rarely include Indigenous-specific safeguards or benefits, and social protection programmes fail to address climate change-related risks faced by Indigenous communities.

**Structural barriers to accessing justice for climate change-related harms**

Indigenous communities face financial, linguistic, geographic, procedural and structural barriers that prevent them from seeking remedy for climate change-related harms. No climate change-related Indigenous rights cases have been brought before or adjudicated by the courts in either country.

# Recommendations

## **Recognise Indigenous Peoples as rights holders in climate action**

Amend climate change-related laws, policies and plans to explicitly acknowledge Indigenous Peoples' collective rights in keeping with Indigenous human rights standards.

## **Ensure FPIC and Indigenous-specific impact assessments for climate measures**

Develop mandatory FPIC procedures for all climate-related policies and projects. Require Indigenous specific environmental, social and humanrights impact assessments for climate-related projects.

## **Protect Indigenous collective land rights in climate initiatives**

Recognize customary and collective tenure in law. Introduce safeguards against climate-related displacement and ensure mechanisms for restitution, compensation and livelihood restoration.

## **Guarantee Indigenous Peoples' meaningful participation and access to climate information**

Institutionalize participation through Indigenous representative institutions. Provide climate information in Indigenous languages and remove financial and logistical barriers to engagement.

## **Protect Indigenous cultural integrity and traditional knowledge in climate responses**

Safeguard Indigenous Peoples' cultural heritage, ceremonies and traditional knowledge from climate impacts and in climate measures and integrate Indigenous knowledge into climate adaptation and mitigation strategies.

## **Strengthen protection for Indigenous Peoples' human rights defenders in climate contexts**

Adopt HRD-specific laws and establish independent oversight and rapid response mechanisms for threats linked to defending Indigenous rights in the context of climate change.

## **Make climate finance inclusive, equitable and rights-based for Indigenous Peoples**

Include Indigenous safeguards and direct benefit-sharing in all climate finance mechanisms. Allocate dedicated funding for Indigenous-led adaptation and resilience initiatives.

## **Guarantee access to justice and remedies for climate change-related Indigenous rights violations**

Expand legal aid, establish locally appropriate grievance mechanisms, and strengthen judicial capacity to adjudicate climate-related Indigenous rights cases.

**Address climate change-related loss, damage and socioeconomic impacts on Indigenous Peoples**

Protect Indigenous food systems and traditional occupations, expand culturally appropriate disaster response, improve climate-responsive health services, and ensure safe and reliable water, sanitation and housing.

**Institutionalise Indigenous-generated climate data and monitoring**

Integrate Indigenous Navigator data into national climate reporting and support long-term Indigenous-led monitoring of the impacts of climate change and climate change measures ensuring full respect for FPIC and Indigenous data sovereignty..



# Contents

<b>Executive Summary</b>	<b>3</b>
<b>Findings</b>	<b>3</b>
<b>Recommendations</b>	<b>5</b>
<b>Contents</b>	<b>7</b>
<b>Abbreviations</b>	<b>9</b>
<b>1. Introduction</b>	<b>10</b>
<b>2. Indigenous Navigator Framework and New Climate Change Module</b>	<b>11</b>
<b>2.1 Indigenous Navigator Initiative</b>	<b>11</b>
<b>2.2 Indigenous Navigator Climate Change Module</b>	<b>11</b>
<b>3. Nepal and Bangladesh</b>	<b>13</b>
<b>3.1 Climate Change</b>	<b>13</b>
<b>3.2 Indigenous Peoples in Bangladesh and Nepal</b>	<b>13</b>
<b>4. Methodology Used</b>	<b>14</b>
<b>4.1 Training of National Indigenous organisations and Community Facilitators</b>	<b>14</b>
<b>4.2 Data Collection Methods</b>	<b>14</b>
<b>4.3 Index score of survey responses</b>	<b>16</b>
<b>5. Overall Findings</b>	<b>17</b>
<b>5.2 Comparison between National and Community Surveys in Nepal and Bangladesh</b>	<b>18</b>
<b>5.2.1 Nepal</b>	<b>18</b>
<b>5.2.2 Bangladesh</b>	<b>19</b>
<b>6. Thematic analysis by rights domain</b>	<b>21</b>
<b>6.1 Self-Determination</b>	<b>21</b>
<b>6.1.1 Recognition and Free, Prior and Informed Consent (FPIC)</b>	<b>21</b>
<b>6.1.2 Impact Assessments</b>	<b>24</b>
<b>6.1.3 Access to International Climate Finance</b>	<b>26</b>
<b>6.2 Cultural Integrity</b>	<b>27</b>
<b>6.3 Lands, Territories and Resources</b>	<b>29</b>
<b>6.3.1 Recognition and Protection</b>	<b>29</b>
<b>6.3.2 Protection against Dispossession and Access to Compensation and Redress on and Protection</b>	<b>31</b>
<b>6.3.3 Environment</b>	<b>33</b>
<b>6.4 Fundamental Rights and Freedoms</b>	<b>35</b>
<b>6.4.1 Enabling Environment for Indigenous Peoples Human Rights Defenders (IPHRDs) in the Context of Climate Change</b>	<b>36</b>
<b>6.4.2 The Right to Life and Climate-related disasters</b>	<b>38</b>

<b>6.5</b>	<b>Participation in Public Life</b>	<b>39</b>
	6.5.1 Right to Information in climate change context	39
	6.5.2 Right to participate in climate change decision-making	41
<b>6.6</b>	<b>Legal Protection, Access to Justice, and Remedies</b>	<b>43</b>
<b>6.7</b>	<b>General Economic and Social Development</b>	<b>45</b>
	6.7.1 Right to Development	45
	6.7.2 Right to Food	47
	6.7.3 Rights to Social Security, Housing and Water and Sanitation	49
<b>6.8</b>	<b>Health</b>	<b>52</b>
<b>6.9</b>	<b>Employment and Occupation</b>	<b>53</b>
<b>7.</b>	<b>Recommendations</b>	<b>56</b>
<b>8.</b>	<b>Conclusions</b>	<b>59</b>
	<b>Appendix 1: Indicators and questions used for index calculations</b>	<b>60</b>
	<b>Endnotes</b>	<b>70</b>

# Abbreviations

ADB	Asian Development Bank
BIPF	Bangladesh Indigenous Peoples Forum
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CHT	Chittagong Hill Tracts
COP	Conference of Parties
DRR	Disaster Risk Reduction
EIA	Environmental Impact Assessment
FPIC	Free, Prior and Informed Consent
FY	Fiscal Year
GCF	Green Climate Fund
HRD	Human Rights Defender
HRIA	Human Rights Impact Assessment
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
IEE	Initial Environmental Examination
ILO 169	Indigenous and Tribal Peoples Convention, 1989 (No. 169)
IMF	International Monetary Fund
IPHRD	Indigenous People Human Rights Defender
LAHURNIP	Lawyers' Association for Human Rights of Nepalese Indigenous Peoples
LAPA	Local Adaptation Plan of Action
LCIPP	Local Communities and Indigenous Peoples Platform.
NAP	National Adaptation Plan
NDC	Nationally Determined Contribution
OHCHR	Office of the High Commission for Human Rights
SIA	Social Impact Assessment
UNDRIP	UN Declaration on the Right of Indigenous Peoples
UNFCCC	United Nations Framework Convention on Climate Change

# 1. Introduction

This report presents findings from the piloting of the new Indigenous Navigator Climate Change surveys carried out between April and September 2025 in Nepal and Bangladesh. The piloting was undertaken by the Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP) and the Kapaeeng Foundation, who accompanied Indigenous communities in the two countries. The Indigenous communities involved in the pilot provided their free, prior and informed consent (FPIC) for data about their situation to be collected and also published. The report builds on the analysis carried out of the data with Indigenous communities by both LAHURNIP and the Kapaeeng Foundation.<sup>1</sup>

The data provide early insights into how national climate frameworks address Indigenous Peoples' rights and how climate change and climate change measures affect these communities



## 2. Indigenous Navigator Framework and New Climate Change Module

### 2.1 Indigenous Navigator Initiative

The Indigenous Navigator is a global initiative designed by and for Indigenous Peoples to monitor the recognition and implementation of their rights. The Initiative generates data that is vital for informing political decisions, while at the same time accompanying Indigenous communities in awareness of their rights and fostering community engagement and participation in decision-making on their own self-determined development.

The framework focuses on crucial areas impacting Indigenous Peoples' lives, including self-determination and autonomy, cultural integrity, lands, territories, and resources, health, education and economic and social development.

Human rights-based indicators have been identified for each of these areas and translated into questionnaires and guidance to facilitate data collection at both national and community levels. These indicators are developed following the methodology for the development of human rights indicators from the Office of the High Commissioner for Human Rights (OHCHR).<sup>2</sup>

As Indigenous organisations have played a central role in the Indigenous Navigator's conceptualisation, development and implementation, the Indigenous Navigator is rooted in Indigenous Peoples' perspectives and needs.

Data using the Indigenous Navigator has already been collected in 30 countries across the world.

### 2.2 Indigenous Navigator Climate Change Module

Indigenous Peoples' continued engagement with the United Nations Framework Convention on Climate Change (UNFCCC), including through direct participation at the UN Global Climate Summit, COP, and through the Local Communities and Indigenous Peoples Platform (LCIPP), has led to a call for community-based monitoring tools that capture the impacts of climate change and climate change measures in Indigenous communities.

However, there remains a critical absence of locally generated and systematized data by Indigenous Peoples themselves on the extent of the impacts, abuses and violations they experience in the context of climate change and on their important contributions, as custodians of lands, forests and natural resources, to the protection and sustainable management of these resources.

To address this gap, to accompany Indigenous Peoples in their efforts to document these abuses and violations, and to influence the implementation of climate change-related policies and plans, the Indigenous Navigator Initiative has developed a new Climate Change Module.

The surveys in the Module use the existing Indigenous Navigator methodology, as described above, but include linkages to key climate and environmental instruments and their relation to UNDRIP and binding human rights instruments

They aim to facilitate community-based data collection and analyses on the degree to which national frameworks are in place to ensure that the rights of Indigenous Peoples are respected in climate change response measures and to document Indigenous Peoples' own experiences of the impacts of climate change and current climate change measures on their rights.



## 3. Nepal and Bangladesh

This section provides general contextual information on Nepal and Bangladesh, including information on documented climate change impacts and the status of Indigenous Peoples in the two countries.

### 3.1 Climate Change

Nepal and Bangladesh lie within one of the most climate-vulnerable regions globally.<sup>3</sup>

Nepal is already experiencing significant climate change-induced loss and damage from both extreme events, such as floods, landslides, glacial lake outburst floods, droughts, wildfires and heatwaves; and slow-onset events, including increasing temperature, glacier melting and biodiversity loss.<sup>4</sup> The country's predominantly mountainous terrain further amplifies its vulnerability, exposing it to heightened risk of natural disasters.<sup>5</sup>

Bangladesh, in contrast, is a low-lying deltaic nation situated in the Ganga-Brahmaputra-Meghna basin. It is often cited as one of the most vulnerable countries to climate change.<sup>6</sup> The country is already witnessing severe climate change-related impacts, including extreme temperature, erratic rainfall, flood and drought, more intense tropical cyclones, sea-level rise, seasonal variation, riverbank erosion, salinity intrusion, and ocean acidification.<sup>7</sup> A particularly serious threat is sea level rise, since around 28% of the country's total population lives in the coastal areas of the country.<sup>8</sup>

Both Nepal and Bangladesh have been parties to the Paris Agreement since 2016<sup>9</sup> and have developed National Adaptation Plans (NAP) as well as National Determined Contributions (NDC). Bangladesh's NAP spans from 2023 to 2025<sup>10</sup> while Nepal's NAP<sup>11</sup> covers the period from 2021 to 2050. Both nations have updated their climate commitments over time, culminating in their respective adoptions of NDC version 3.0 in 2025.

### 3.2 Indigenous Peoples in Bangladesh and Nepal

Indigenous Peoples constitute a significant proportion of Nepal's population, comprising approximately 35%, or about 10.2 million people,<sup>12</sup> distributed across the country's mountains, hills, and plains. Nepal officially recognizes 60<sup>13</sup> Indigenous Nationalities, while an additional 22 groups claim Indigenous status without formal state recognition.

The Gurung are one of the officially recognized Indigenous Peoples, with a total population estimated at 543,790<sup>14</sup>, making them the 6th largest Indigenous Nationality and the 12th largest group overall among Nepal's caste and ethnic categories.

Bangladesh's Indigenous population is officially estimated at 1,650,478 people, or roughly 1% of the national population.<sup>15</sup> However, Indigenous organisations contest this figure. Various groups estimate their population to be 1.7–3.7 million (1.2–2.5%)<sup>16</sup>, while the Bangladesh Indigenous Peoples Forum (BIPF) reports more than 4 million Indigenous Peoples.<sup>17</sup> In the southwestern coastal region, the Munda population in Shyamnagar sub-district (Satkhira District) is estimated at 3,179 people.<sup>18</sup>

## 4. Methodology Used

This section will focus on describing the methodology used to apply the Indigenous Navigator Climate Change surveys in both Nepal and Bangladesh.

### 4.1 Training of National Indigenous organisations and Community Facilitators

To initiate the process and ensure that the Indigenous Navigator Climate Change surveys reflected the priorities of national partners and Indigenous communities in both Nepal and Bangladesh, a three-day workshop was held in Kathmandu, Nepal.

The workshop brought together Indigenous organisations and community representatives from both countries to jointly review, discuss, and adjust the draft Indigenous Navigator Climate Change surveys. In addition to the in-person training, national facilitators in Nepal and Bangladesh also relied on video tutorials developed by the Indigenous Navigator consortium, which supported them in applying the surveys within their respective communities.

### 4.2 Data Collection Methods

The Indigenous Navigator Climate Change surveys were piloted through both national and community-level assessments in Nepal and Bangladesh.

National surveys in both countries were desk-based analyses. In Nepal, it covered the period 2020–2024 and, in Bangladesh, 2021-2025. The national surveys focused on legislation, policies, and measures related to climate change and the extent to which Indigenous Peoples' rights are recognized within these frameworks. As such, these surveys were based on an expert analysis of these frameworks and administrative data.

In contrast, community surveys were applied through Indigenous-led participatory methodologies.<sup>19</sup>

In Nepal, the community survey was conducted in Taal village, Nasho Rural Municipality, located on the Marsyangdi River at an altitude of about 1,700 meters. The village is home primarily to the Gurung community. In the application of the surveys, focus group discussions, a community assembly, and consultations with local authorities were the methods used. A separate focus group discussion with Indigenous women explored gender-specific concerns, and individual interviews were held with key stakeholders, including local leaders, a representation from NEFIN (Nepal Federation of Indigenous Nationalities), and a schoolteacher to generate background information to further inform the analysis.

In Bangladesh, the community survey process took place in Shyamnagar, Satkhira District, a coastal area highly exposed to cyclones, salinity intrusion, and tidal surges. The region is home to the Munda people, with approximately 3,000 living in Shyamnagar. The survey covered Munda households from the following villages: Datinakhali Mundapara, Burigoalini Mundapara, Uttar Kadamtola, Jelekhali Mundapara, Shrifalkati Mundapara, Dhumghat Mundapara, Taranipur Mundapara, and Vetkhali Mundapara. The process focused on villages with significant Munda populations and was based on a focus group discussion with individuals of diverse ages and genders. Prior to group discussions, participants were introduced to climate change concepts and national policies. Data was cross-checked with community leaders.

In line with FPIC as articulated in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), LAHURNIP and the Kapaeeng Foundation conducted consultations with the participating communities before initiating the surveys. These consultations ensured that community members received clear and accessible information regarding the objectives, scope and methods of data collection, as well as the intended use of the data, including for reports. Communities provided their voluntary and informed consent in advance, and this FPIC process was formally documented by both partners.

Below is a comparative overview of the methods used in the community data collection processes in both Nepal and Bangladesh. (Table 1)

**Table 1 Comparative overview of the two community survey processes**

Aspect	Nepal	Bangladesh
Target communities	Gurung Indigenous community	Munda Indigenous community
Geographic focus	Mountain village (riverine, mid-hill region)	Coastal villages in a cyclone-prone area
Primary data collection method	Focus group discussions, community meetings with local authorities, separate focus group with Indigenous women	Focus group discussion
Number of participants	36 participants	25 participants
Participant composition	Women, youth, community leaders, local government representatives, schoolteachers and others.	Mixed ages and genders
Preparatory activities	Consultation with community leaders was conducted to understand the situation of Taal village, including its society, culture, and past incidents.	Introduction to climate change concepts and national policies
Information for context and background	Interviews with local leaders, NEFIN representative, and a schoolteacher	
Validation and cross-checking	Findings cross-checked with community leaders	Findings cross-checked with community leaders

### 4.3 Index score of survey responses

In this study, the four surveys are compared by presenting index scores side by side across the nine domains of the Indigenous Navigator's Climate Change Module. Each index score provides a simplified, standardized (0–100) measure based on selected survey questions, with higher values indicating stronger alignment with international Indigenous human rights standards.

Indicator-level scores reflect the numeric value of each response, converted to a 0–100 scale. Domain-level scores are calculated as the (weighted<sup>20</sup>) average of all indicators within that domain, offering an aggregated picture that enables comparison across domains, surveys, and countries.

To guide interpretation, scores below 33 indicate low implementation, scores between 33 and 66 medium implementation, and scores above 66 high implementation. These thresholds are analytical tools only and do not represent legal cut off values.

As the indices summarize only part of the available data and cannot capture contextual nuance, they must be interpreted alongside qualitative findings, as done in this study.



## 5. Overall Findings

The Paris Agreement calls on State Parties to address climate change in a manner that “respects, promotes and considers” their human rights obligations, including the rights of Indigenous Peoples.<sup>21</sup> This obligation is not aspirational but forms part of the interpretative framework that guides States’ climate responses under international law.<sup>22</sup>

Nepal has ratified the Indigenous and Tribal Peoples Convention, 1989 (ILO 169), a binding international instrument specifically addressing the rights of Indigenous Peoples.

Both Nepal and Bangladesh have also ratified most of the core international human rights treaties, including the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). As State parties to these binding instruments, Nepal and Bangladesh are therefore required to ensure that their climate change-related laws, policies, and measures comply with the international standards set out in these treaties.

The Indigenous Navigator Climate Change Module offers a structured, rights-based approach to assessing how well Indigenous Peoples’ human rights appear to be respected, protected, and implemented in climate action. Using indicators anchored from UNDRIP and grounded in binding treaty obligations, including those mentioned above, it evaluates State action across nine key domains. The scores presented below give an early snapshot of how Nepal and Bangladesh’s climate responses relate to international Indigenous Peoples’ human rights standards, highlighting areas where national implementation may align or diverge from these standards.

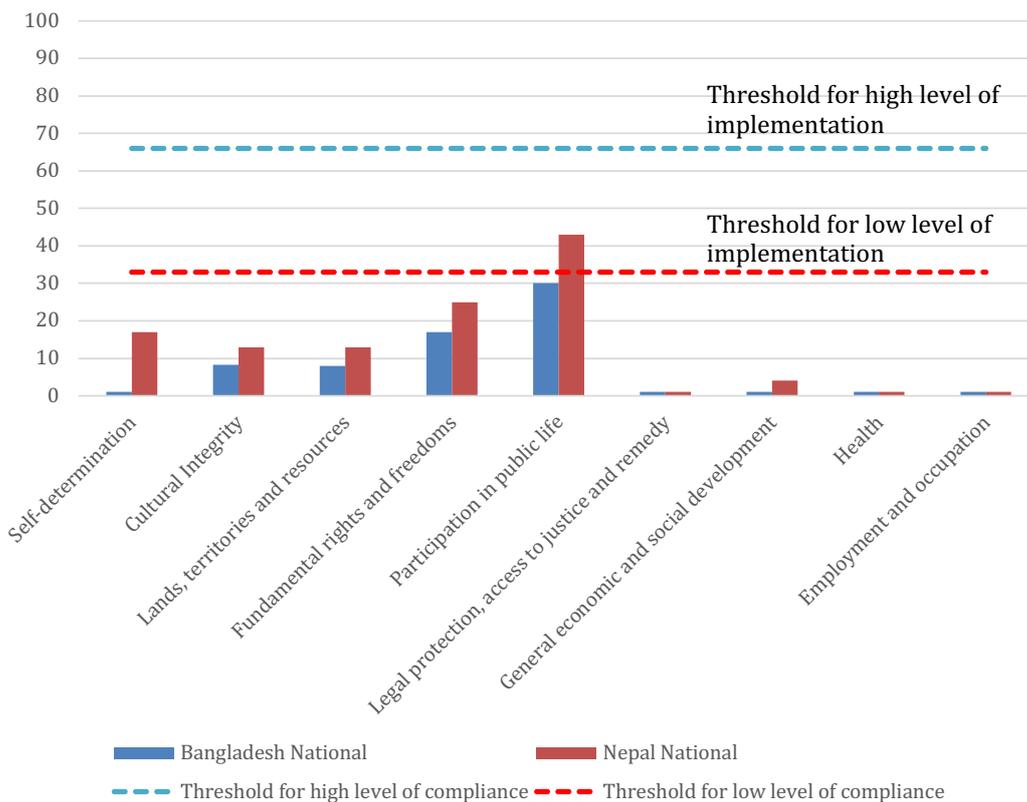
### 5.1 Implementation of Indigenous Peoples’ Rights in Climate Action in Nepal and Bangladesh (national survey)

Figure 1 presents the national level results for Bangladesh and Nepal across the nine domains. A consistent pattern emerges. Neither State achieves a high level of implementation in any domain. This seems to suggest gaps in the alignment of national laws and policies with the requirements needed to safeguard Indigenous Peoples’ rights in climate action.

Nepal scores moderately higher than Bangladesh in several domains which may reflect Nepal’s constitutional and statutory recognition of Indigenous groups (though not their collective rights) and their ratification of ILO 169.

However, almost all scores remain well below the minimum threshold for high implementation. Crucially, legal protection, access to justice and remedies, health, and employment remain exceptionally low, indicating an almost complete absence of Indigenous-specific protections and judicial remedies in these important domains in the context of climate change.

**Figure 1: National survey results (Index score within rights domains)**



**Note:** Index scores range from 0 to 100 and reflect the level of recognition and implementation of Indigenous Peoples’ rights in relation to climate change. Dashed lines indicate interpretative thresholds: scores below 33 reflect a low level of implementation, scores 33–66 a medium level, and scores above 66 a high level of implementation.

## 5.2 Comparison between National and Community Surveys in Nepal and Bangladesh

Figures 2 and 3 provide an overview for each of the two countries of the differences in the national and community scores for each domain. These figures highlight where national climate governance aligns with, or departs from, the lived realities of the Gurung and Munda communities in Nepal and Bangladesh respectively.

### 5.2.1 Nepal

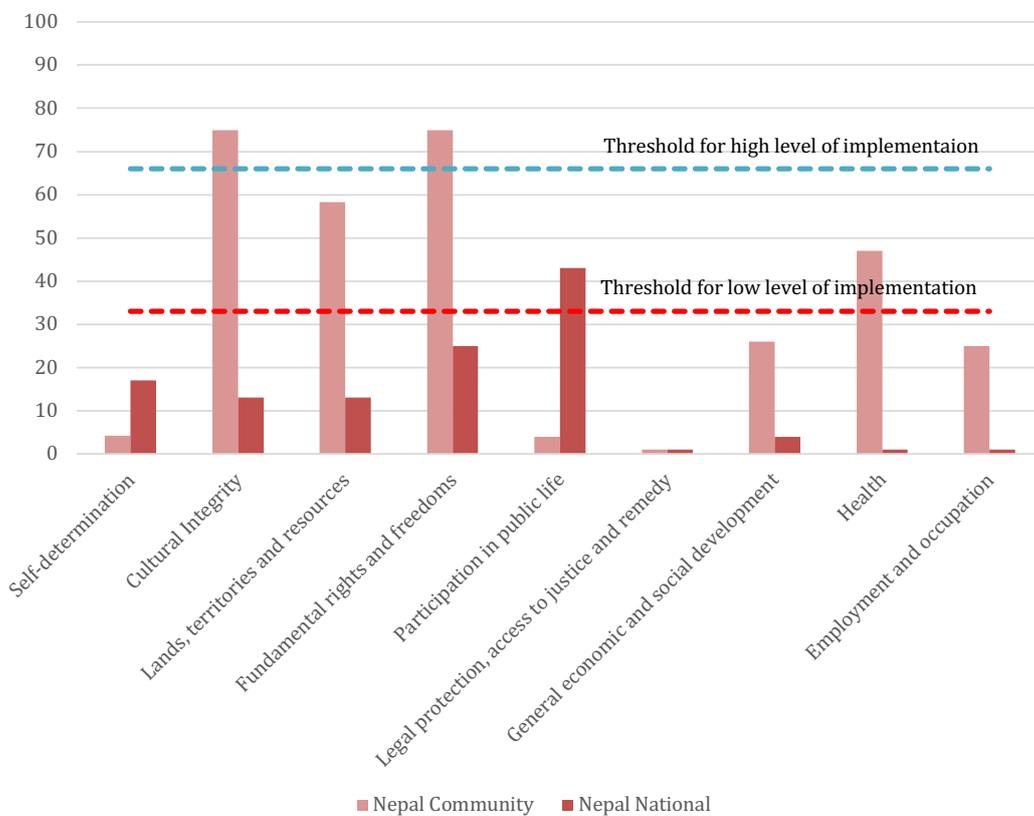
Figure 2 below provides the overall national and community-level scores for the Indigenous Navigator Climate Change survey in Nepal. The analysis shows that across several thematic domains, the Gurung community in Taal Village reports higher levels of implementation of their rights than those reflected in Nepal’s national level results. This divergence is particularly apparent in the domains of lands, territories and resources, and cultural integrity, where the community’s scores fall within or close to the “low implementation” threshold, yet remain significantly higher than the corresponding national scores. This indicates that the Gurung in Taal experience comparatively better, though still limited, implementation of rights in these domains relative to national averages.

A close analysis of the survey data suggests that this gap does not necessarily reflect stronger protection but may instead relate to the Taal Village’s specific exposure profile.

Unlike many Indigenous communities in Nepal, the Gurung of Taal have not been involved in conflicts related to major hydropower, conservation, or linear infrastructure developments. By contrast, communities such as the Tharu, Chepang, Bote, and Kumal have faced conservation-related enforcement pressures, while Indigenous groups in Nawalparasi, Lamjung, and Shankharapur have experienced significant impacts from hydropower projects.

These latter documented infringements<sup>23</sup> depress Nepal’s national-level Indigenous Navigator results because they reflect systemic non-compliance with UNDRIP and ILO 169 across multiple regions of the country.

**Figure 2: National vs. community survey results in Nepal (Index score within rights domains)**



**Note:** Index scores range from 0 to 100 and reflect the level of recognition and implementation of Indigenous Peoples’ rights in relation to climate change. Dashed lines indicate interpretative thresholds: scores below 33 reflect a low level of implementation, scores 33–66 a medium level, and scores above 66 a high level of implementation.

### 5.2.2 Bangladesh

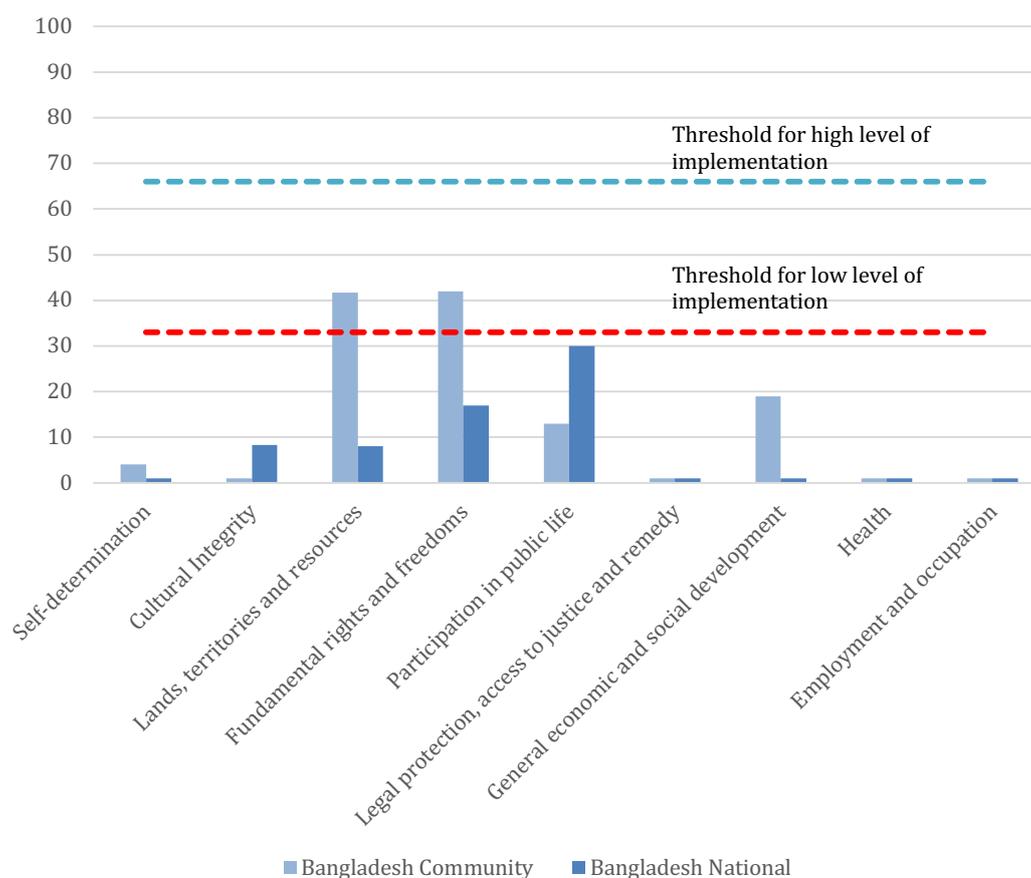
Figure 3 below presents the national and community level results of the Indigenous Navigator Climate Change survey in Bangladesh, revealing consistently low implementation across all rights domains. Neither the national assessment nor the Munda community assessment reaches the threshold for high levels of implementation in any domain, underscoring structural gaps in the protection of Indigenous Peoples’ rights, also in the context of climate change.

The Munda community records comparatively higher scores in lands, territories and resources, in fundamental rights and freedoms and in general economic and social rights, but these remain well below minimum implementation.

Community results fall below national level scores on participation in public life. This divergence highlights exclusion from national policymaking. While some engagement may occur at local administrative levels, national climate, development and environmental policies do not recognise Indigenous Peoples as rights holders, leaving no channels for meaningful participation through Indigenous institutions.

Across several thematic areas, especially legal protection, health and employment, both national and community scores are effectively zero. The low scores at both the national and community levels indicate a complete absence of Indigenous-specific remedies, climate-responsive health measures or policies safeguarding traditional occupations. These results reaffirm a broader pattern: Bangladesh’s legal and policy framework neither acknowledges Indigenous identity nor incorporates Indigenous rights into climate-related governance.

**Figure 3: National vs. community survey results in Bangladesh (Index score with rights domains)**



**Note:** Index scores range from 0 to 100 and reflect the level of recognition and implementation of Indigenous Peoples’ rights in relation to climate change. Dashed lines indicate interpretative thresholds: scores below 33 reflect a low level of implementation, scores 33–66 a medium level, and scores above 66 a high level of implementation.

## 6. Thematic analysis by rights domain

This section provides a domain by domain analysis of the Indigenous Navigator Climate Change results for Bangladesh and Nepal, assessing the extent to which climate action in Nepal and Bangladesh aligns with the rights monitored under each thematic domain.

### 6.1 Self-Determination

National recognition of Indigenous Peoples as peoples with collective rights consistent with the standards affirmed in UNDRIP is an essential precondition for ensuring that Indigenous Peoples' rights are upheld in climate change laws, policies and measures. Such recognition gives domestic effect to the right of self determination, as also enshrined in common Article 1 of the ICCPR and ICESCR.

Where climate finance mechanisms or mitigation and adaptation measures affect Indigenous territories, States must ensure robust safeguards, including environmental and human rights impact assessments, and must uphold FPIC before approving projects that may affect Indigenous Peoples and their lands, territories and resources.

States are further required to use the maximum of available resources, including by seeking and mobilizing international climate finance, to progressively realize human rights and prioritize groups facing disproportionate risks, such as Indigenous Peoples groups facing disproportionate risks due to climate change, such as many Indigenous Peoples..

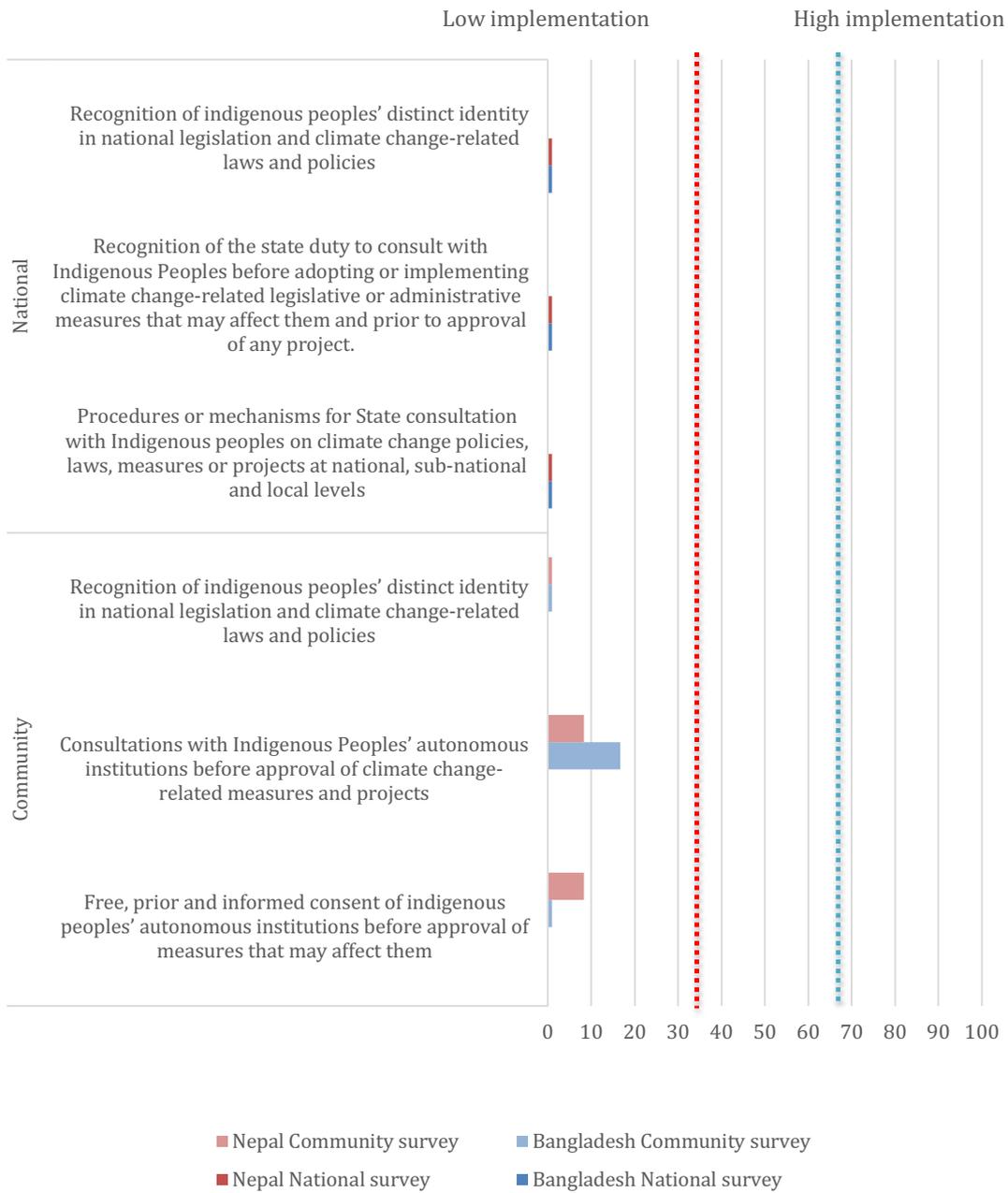
Self determination is central because climate actions directly affect Indigenous Peoples' lands, territories, resources and governance systems, over which they are entitled to freely determine their political status and pursue their economic, social and cultural development.

The following analysis provides an indication of the extent to which these obligations are being upheld in Nepal and Bangladesh, drawing on evidence generated through the Indigenous Navigator climate change national and community level surveys.

#### 6.1.1 Recognition and Free, Prior and Informed Consent (FPIC)

Nepal and Bangladesh differ significantly in the degree to which they legally recognise Indigenous Peoples and their collective rights. However, both fall short of recognising Indigenous Peoples as distinct groups with collective rights in climate change-related laws and policies, including their right to FPIC before adopting or implementing climate change-related legislative or administrative measures that may affect them (see Figure 4 displaying low implementation).

**Figure 4: National recognition of Indigenous Peoples and free, prior and informed consent (FPIC) in climate change laws, policies and projects in Bangladesh and Nepal**



**Note:** Index scores range from 0 to 100 and reflect the level of recognition and implementation of Indigenous Peoples' rights in relation to climate change. Dashed lines indicate interpretative thresholds: scores below 33 reflect a low level of implementation, scores 33–66 a medium level, and scores above 66 a high level of implementation.

## **Nepal**

In Nepal, the State formally recognises 60 Indigenous groups under the National Foundation for Development of Indigenous Nationalities Act (2002). However, while the Constitution guarantees certain cultural and political representation rights, it does not recognise Indigenous Peoples' collective rights to lands, territories or resources.

Nepal's climate policies, such as the Nationally Determined Contribution (2020), the Climate Change Policy (2019), and the National Adaptation Plans acknowledge Indigenous Peoples but mainly as vulnerable groups rather than as rights holders. These frameworks call for their participation but stop short of recognising their right to self determination, territorial governance or decision-making power in climate action. Moreover, Indigenous governance institutions are overlooked within these policies, limiting their ability to exercise customary authority and contribute meaningfully to climate planning and implementation.

Although Nepal has ratified ILO Convention No. 169, domestic law still does not operationalise FPIC, including for climate change-related measures and projects. The Constitution refers to "prior informed consent" only as a non-binding directive principle (Art. 51(g)(8)), and environmental legislation requires only general public consultation during Environmental Impact Assessments (EIA)/Initial Environmental Examinations (IEE), not consent. Nepal's 2023 FPIC Guidelines offer guidance but are non-binding and have not been integrated into climate or environmental laws. As a result, despite international commitments, Nepal's national framework does not establish a clear and enforceable duty to obtain FPIC from Indigenous Peoples, including in relation to climate change-related measures and projects.

Discussions in the Gurung community underscored how national legal gaps affect their rights. Although the Gurung are legally recognised as Indigenous Peoples, their collective rights to lands, territories, resources, and customary governance bodies are not. They reported no participation in national or federal consultations on climate change-related frameworks. In their municipality, the Nasho Rural Municipality, where Indigenous representatives form a majority, they are occasionally invited to consultations on environmental matters. However, this participation remains limited and often tokenistic and does not respect their traditional governance structures. It is because of this marginally higher level of local participation that their community scores appear higher than the national score, though still within the low-implementation range.

## **Bangladesh**

Bangladesh provides neither constitutional nor statutory recognition of Indigenous Peoples. Article 23A of the Constitution refers only to "tribes, minor races, ethnic sects and communities," while Article 7(2) defines all citizens as part of a single "Bengali nation," leaving no constitutional basis for Indigenous identity or associated collective rights.<sup>24</sup> By extension, national climate change laws and policies also omit any recognition of Indigenous Peoples and their collective rights.

While UNDRIP establishes FPIC as a minimum international standard in decisions and projects affecting Indigenous Peoples' lands, territories and resources, Bangladesh's legal system contains no provisions that recognise or operationalise FPIC. While some national climate policies mention community participation or Indigenous knowledge,

these references do not establish any right to FPIC or impose binding obligations on state authorities or private actors in this regard.<sup>25</sup>

At the community level, the Munda Indigenous People emphasized that, much like the experience of the Gurung in Nepal, they were consulted but only to some extent. However, no consultation ever took place at the national or federal levels, nor were they engaged as Indigenous Peoples prior to the approval of climate change measures and projects affecting their lands, territories and resources, as required under their right to FPIC.

As the climate crisis deepens, these structural gaps are likely to expose Indigenous Peoples in both countries to heightened risks of dispossession and exclusion, with the risks most acute in Bangladesh due to institutionalised non-recognition of Indigenous Peoples possibly most acute.

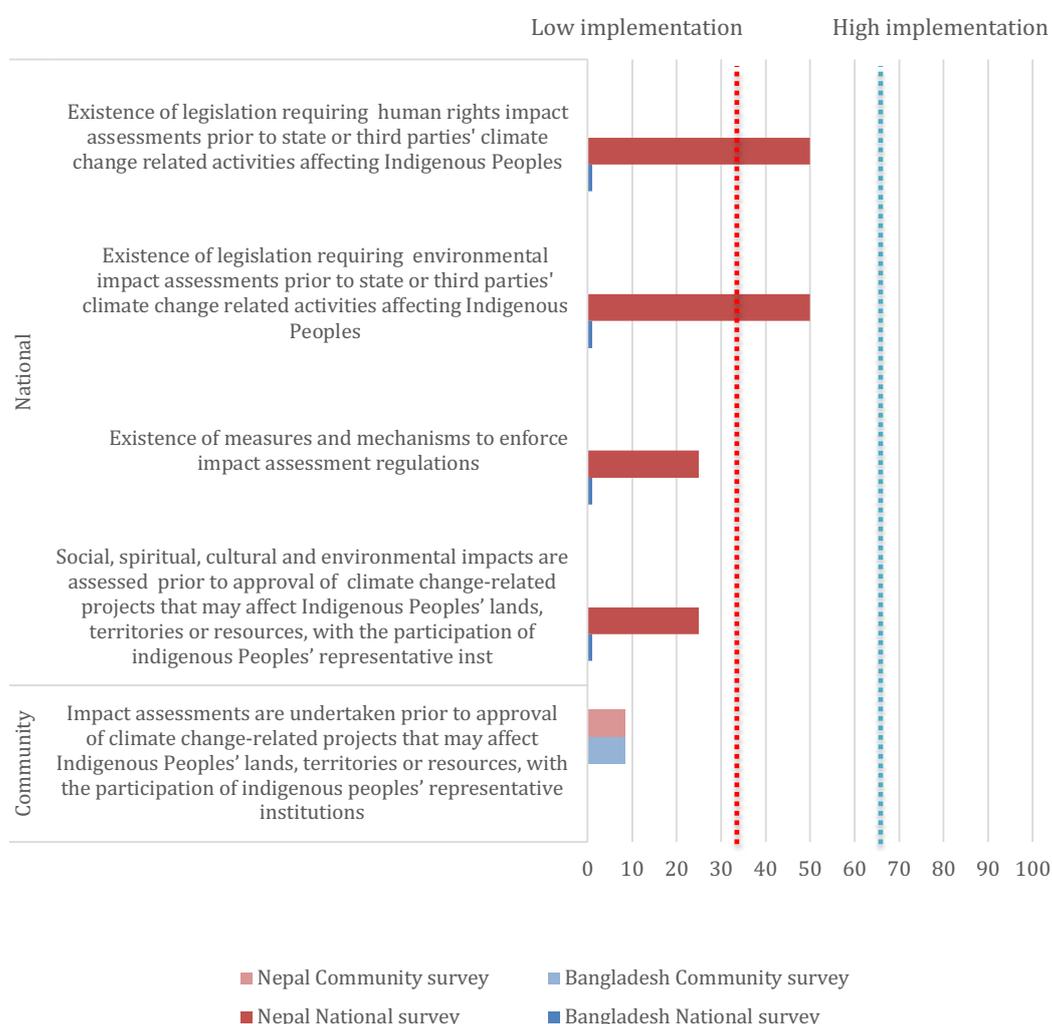
### **6.1.2 Impact Assessments**

UNDRIP affirms that States must identify and assess potential impacts on Indigenous Peoples before adopting measures or approving projects that may affect their lands, territories or resources. In the context of environmental crises, the UN Committee on Economic, Social and Cultural Rights has underscored that when an activity poses significant environmental risks affecting Covenant rights, States Parties are required to conduct environmental and human rights impact assessments as part of their core procedural obligations. These assessments must be undertaken prior to the activity, be independent, and, where Indigenous Peoples' territories are concerned, be carried out in ways that respect their cultural rights.<sup>26</sup>

Assessing Nepal and Bangladesh against this standard using data from the Indigenous Navigator Climate Change surveys reveals distinct gaps and common patterns of community-level exclusion across the two countries (see Figure 5).



**Figure 5: Legal and procedural safeguards for climate change-related impact assessments affecting Indigenous Peoples in Bangladesh and Nepal (Index score for different indicators)**



**Note:** Index scores range from 0 to 100 and reflect the level of recognition and implementation of Indigenous Peoples' rights in relation to climate change. Dashed lines indicate interpretative thresholds: scores below 33 reflect a low level of implementation, scores 33–66 a medium level, and scores above 66 a high level of implementation.

### Nepal

Nepal operates a partial and fragmented impact assessment system that provides only limited protection for Indigenous Peoples' rights. (See Figure 5)

The Environmental Protection Act 2076 (2019) and Environmental Protection Rules 2077 (2020) require EIA and IEE for certain projects. However, they do not mandate Human Rights Impact Assessments (HRIA), Social Impact Assessments (SIA), or Indigenous-specific assessments. In addition, as also shown in Figure 5, enforcement of EIAs and IEEs in Nepal remain weak due to limited capacity, irregular monitoring, and lack of independent oversight, resulting in little practical protection for Indigenous communities in this regard.

Indigenous Navigator climate change data from the Gurung community in Nasho Rural Municipality show no representation of Gurung representative institutions in national or federal climate change-related decisionmaking. Even when consultations do occur, they take place only at the implementation stage rather than during planning or approval.

### **Bangladesh**

In Bangladesh, the gap is more pronounced. (See scores in Figure 5). There is no requirement for HRIA, SIA, or Indigenous-specific assessment in climate-related activities. As a result, Indigenous communities, including the Munda, report that they are never consulted as rights holders prior to project approval and lack any mechanism to challenge harm. Although environmental review procedures exist on paper, Bangladesh has no effective monitoring, investigation, or accountability mechanisms capable of safeguarding Indigenous Peoples' rights.

Overall, neither Nepal nor Bangladesh has a rights-based, comprehensive impact assessment framework aligned with international Indigenous human rights standards. This implies that climate action likely proceeds without Indigenous participation and without adequate analysis of impacts on Indigenous communities and their lands and territories.

### **6.1.3 Access to International Climate Finance**

Both Nepal and Bangladesh have taken significant steps to mobilise climate finance through, among others, international co-operation, in keeping with their human rights obligations. However, they differ markedly in whether these funds target climate risks and impacts on Indigenous Peoples in their countries.

**Table 2 Climate Financing In Nepal and Bangladesh**

<b>Question</b>	<b>Nepal</b>	<b>Bangladesh</b>
Has the state requested funds in the last five (5) years from existing international climate financing modalities?	<b>Yes</b>	<b>Yes</b>
If yes, does the requested international financing specifically target climate risks and impacts on Indigenous Peoples?	<b>Yes</b>	<b>No</b>

### **Nepal**

Nepal has obtained significant climate finance in recent years, including from the Green Climate Fund (GCF). Some mechanisms, such as the Dedicated Grant Mechanism for Indigenous Peoples and Local Communities and selected GCF programmes, explicitly target certain climate risks faced by Indigenous Peoples. However, as revealed above, Nepal still lacks binding standards for Indigenous-led planning, FPIC, and Indigenous-specific impact assessments, making it uncertain whether its broader climate finance portfolio is implemented in a manner consistent with Indigenous Peoples' human rights..

### **Bangladesh**

Bangladesh has secured substantial climate finance from the GCF, the World Bank, and the International Monetary Fund (IMF)'s Resilience and Sustainability Facility. Yet, Indigenous Navigator climate change data from the national survey indicates that these

resources do not specifically address Indigenous Peoples: project documents typically refer only to “vulnerable” or “marginalised” groups in general terms, without recognising Indigenous Peoples as distinct rights holders. As a result, no Indigenous-specific assessments, safeguards, or dedicated funding allocations are in place.

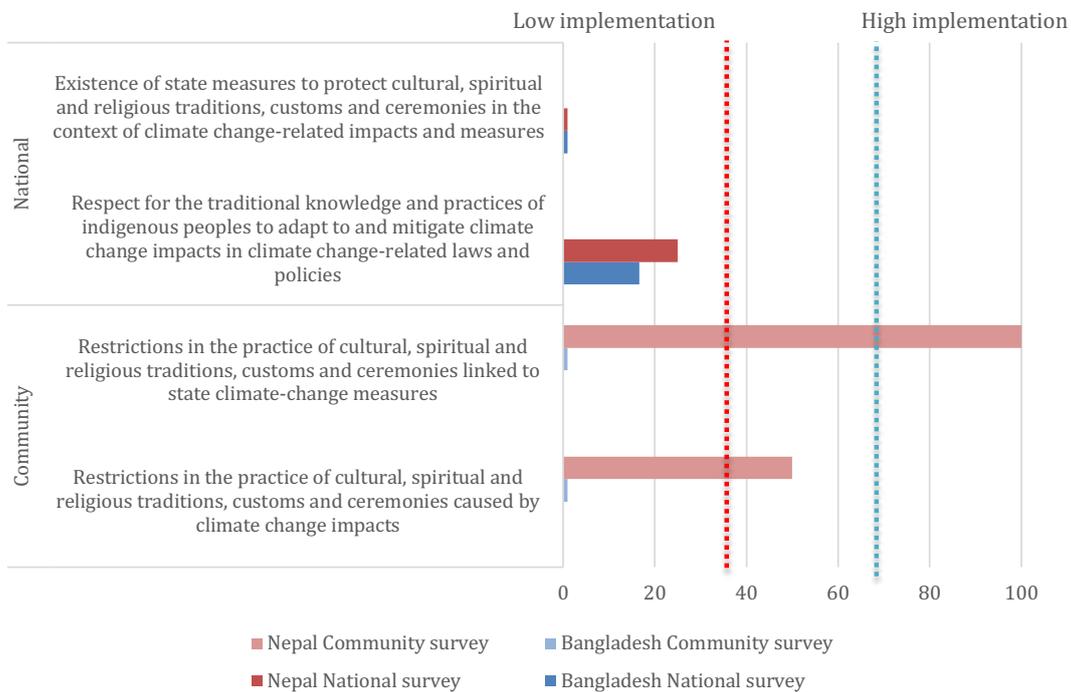
## 6.2 Cultural Integrity

UNDRIP obliges States to protect Indigenous Peoples’ cultural heritage, sacred sites, and traditional knowledge. This is further reflected in binding obligations in both the ICCPR and the ICESCR<sup>27</sup> In addition, the Paris Agreement, beyond its calls to anchor climate action in human rights and Indigenous Peoples’ rights, specifically calls for adaptation grounded in Indigenous knowledge systems.<sup>28</sup> Likewise, the Sendai Framework for Disaster Risk Reduction 2015–2030 emphasises cultural heritage and Indigenous knowledge in risk reduction. Finally, the UNFCCC Platform for Indigenous Peoples and Local Communities (LCIPP)<sup>29</sup> is specifically mandated to facilitate the integration of, among others, Indigenous knowledge systems when designing and implementing national climate change policies and actions.

However, across both Nepal and Bangladesh, Indigenous Navigator Climate Change data shows that States have taken few concrete measures in their legal, policy and planning frameworks over the past five years to protect Indigenous Peoples’ cultural, spiritual, and religious traditions in the context of climate change. (Figure 6 ) There has also been limited efforts to integrate Indigenous Peoples’ traditional knowledge and practices into climate change-related laws and policies.



**Figure 6: Comparing national commitments to respect Indigenous Peoples’ cultural integrity and heritage in relation to climate change (Index score for different indicators)**



**Note:** Index scores range from 0 to 100 and reflect the level of recognition and implementation of Indigenous Peoples’ rights in relation to climate change. Dashed lines indicate interpretative thresholds: scores below 33 reflect a low level of implementation, scores 33–66 a medium level, and scores above 66 a high level of implementation.

### Nepal

Nepal demonstrates low implementation levels in terms of having measures in place at the national level to protect the cultural, spiritual, and religious traditions, customs, and ceremonies of Indigenous Peoples in the context of climate change impacts and measures. (See Figure 6) While programmes such as Nepal’s Local Adaptation Plans of Action (LAPAs) aim to strengthen community resilience, they are said to lack meaningful consultation with Indigenous Peoples. Additionally, development projects such as hydropower plants and the establishment of protected areas, limit access to ancestral lands and sacred sites, disrupting Indigenous cultural practices.

In addition, although Nepal, at national level, has adopted several climate change-related instruments, including the NDC, the NAP 2021–2050, the National Adaptation Programme of Action 2010 (NAPA), and various disaster risk reduction (DRR) policies, none of these frameworks explicitly acknowledge Indigenous knowledge systems for adaptation or mitigation of climate change, reflecting low implementation in this regard. (See Figure 6)

The Gurung in Nasho Rural Municipality reported no direct restrictions arising from state climate change-related measures, recording thus high levels of implementation in this regard. (See Figure 6) However, climate change impacts, including landslides, drying water sources, and shifting weather patterns, are beginning to limit access to sacred sites and ritual materials, disrupting ceremonies and the transmission of cultural knowledge

to younger generations. The Gurung highlighted that Indigenous women, children and persons with disabilities are disproportionately affected. Indigenous women face reduced participation due to rising workloads and declining natural resources after disasters; Indigenous children lose safe spaces for cultural learning; and Indigenous persons with disabilities experience heightened exclusion as damaged infrastructure becomes inaccessible.

## **Bangladesh**

As in Nepal, Bangladesh has taken no meaningful national measures in the past five years to protect Indigenous Peoples' cultural, spiritual, or religious traditions in the context of climate change. (See Figure 6 displaying low implementation) Existing climate policies only partially acknowledge traditional knowledge: the NDC and NAP refer broadly to "local knowledge" but do not identify Indigenous Peoples as distinct knowledge holders or recognise the cultural foundations of their adaptive practices. Other key climate policies, including those on green energy transition, contain no such recognition. (See Figure 6 for level of implementation)

Findings from the Munda Indigenous Navigator pilot illustrate these gaps. Karam Puja, one of the community's central festivals, has ceased because the Karam tree has become nearly extinct due to cyclones, saltwater intrusion, and rising soil salinity linked to climate change. The Munda also report restricted access to the Sundarbans forest under Department of Forestry measures, preventing the practice of Bon Puja and associated rituals rooted in their forest-based cosmology. Together, these developments show a systematic lack of recognition and protection, leaving Indigenous cultural integrity increasingly vulnerable as climate impacts intensify.

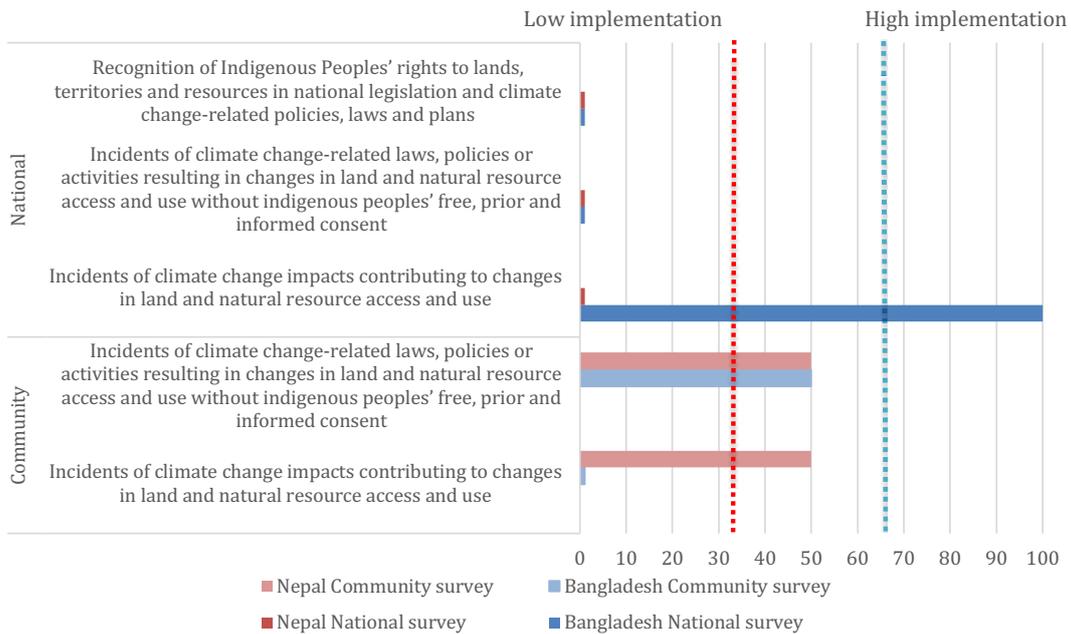
## **6.3 Lands, Territories and Resources**

### **6.3.1 Recognition and Protection**

In the context of accelerating climate change, securing Indigenous Peoples' rights to their lands, territories, and resources is essential to safeguarding their cultural survival, self-determination, and climate resilience. UNDRIP affirms Indigenous Peoples' collective rights to the lands, territories, waters, and resources they have traditionally owned or used, including establishing FPIC as a critical safeguard. General Comment No. 26 (2022) of the CESCR<sup>30</sup> reinforces this framework, noting that climate mitigation measures may intensify pressures on land when not adequately managed and that weak or nonexistent land tenure governance systems exacerbate these pressures, resulting in land disputes, conflicts, social inequality, hunger and poverty.

Drawing on Indigenous Peoples' own data from the Nepal and Bangladesh Indigenous Navigator climate change pilots, this section assesses how well both countries comply with these obligations and standards.

**Figure 7: Comparing national recognition and protection of land, territories and resources in Nepal and Bangladesh (Index score for different indicators)**



**Note:** Index scores range from 0 to 100 and reflect the level of recognition and implementation of Indigenous Peoples' rights in relation to climate change. Dashed lines indicate interpretative thresholds: scores below 33 reflect a low level of implementation, scores 33–66 a medium level, and scores above 66 a high level of implementation.

**Nepal**

Nepal's domestic legal framework continues to fall short of international standards on Indigenous Peoples' rights to their lands, territories and resources. (See Figure 7 displaying low implementation). Although Article 56(5) of the Constitution of Nepal (2015) allows for the creation of special, protected, or autonomous regions, these provisions remain unimplemented and therefore do not provide legal recognition of Indigenous Peoples' collective tenure over their lands, territories, or resources. This gap is also prevalent across Nepal's climate governance system. Across key instruments, including the Third NDC, the National Climate Change Policy (2019), the NAP (2021–2050), and the NAPA (2010), Indigenous Peoples are framed as vulnerable groups or beneficiaries rather than as rights holders with collective land entitlements. Although the Third NDC mentions Indigenous Peoples and includes FPIC language in the forestry sector, it contains no binding tenure protections. Likewise, the Disaster Risk Reduction and Management Act (2017) promote community-based preparedness but remains silent on Indigenous tenure security in protected areas, emergency response, or post-disaster reconstruction.

The impacts of this legal vacuum are visible in the Gurung community of Taal Village. Severe monsoon rains in June 2021 caused major flooding of the Marsyangdi River, displacing families and impacting longstanding use of ancestral lands. Community members said that no mechanism existed to restore land rights or recognise customary access. According to some community members, post-flood reconstruction, such as embankments and river diversion, was carried out without meaningful consultation or consent and further restricted mobility and access to forests, rivers, and pasturelands.

Climate change impacts have also altered land use patterns. Floods have degraded agricultural land, reduced soil fertility and crop yields and undermined Indigenous Peoples' farming and grazing practices.

The data from the Gurung of Taal village shows that without legal recognition of collective tenure, Indigenous communities are more vulnerable during and after disasters: they lack rights to return, are excluded from reconstruction decisions, and have no legal basis to challenge changes that limit access to essential natural resources.

### **Bangladesh**

According to the Indigenous Navigator climate change national data (Figure 7), Bangladesh's climate change-related legislation, policies and strategic plans contain **no recognition** of Indigenous Peoples' rights to their lands, territories and resources. The major national climate change instruments, including the National Climate Change Policy (2009), the NDC (2021), and the NAP (2023–2050), contain no reference to Indigenous Peoples' collective lands, territorial, or resource rights.

This omission reflects a broader national legal framework in which Bangladesh does not recognise Indigenous Peoples' collective or customary tenure systems in domestic law. The Forest Act of 1927 offers only limited space for community participation in forest management and likewise fails to acknowledge collective or customary tenure. The sole exception is the Chittagong Hill Tracts (CHT), where regional legislation provides some recognition of customary institutions and forms of collective ownership. However, Indigenous Navigator climate change data show that these guarantees are only partially implemented, resulting in weak practical protection.

There are, according to the data, no reports or incidents where climate change impacts contributed to negative changes in land and natural resource access and use for Indigenous Peoples, recording the highest score in terms of implementation. (See Figure 7).

However, both national and community-level Indigenous Navigator climate change surveys for Bangladesh report instances where climate change-related laws, policies, or measures have negatively impacted Indigenous Peoples' access to and control over land and natural resources (See Figure 7). This therefore yields a low implementation score.

Of particular concern are the impacts on the Munda Indigenous community. The expansion of crab and shrimp (gher)<sup>31</sup> cultivation, promoted as a climate adaptation response to sea level rise and salinisation, has led farmers to flood land with saline water and convert agricultural fields into permanent "gher" systems. This shift has disproportionately affected Munda lands. In addition, the creation of protected areas has further restricted the Munda's access to forests, limiting their ability to collect food, fodder, and other vital forest products

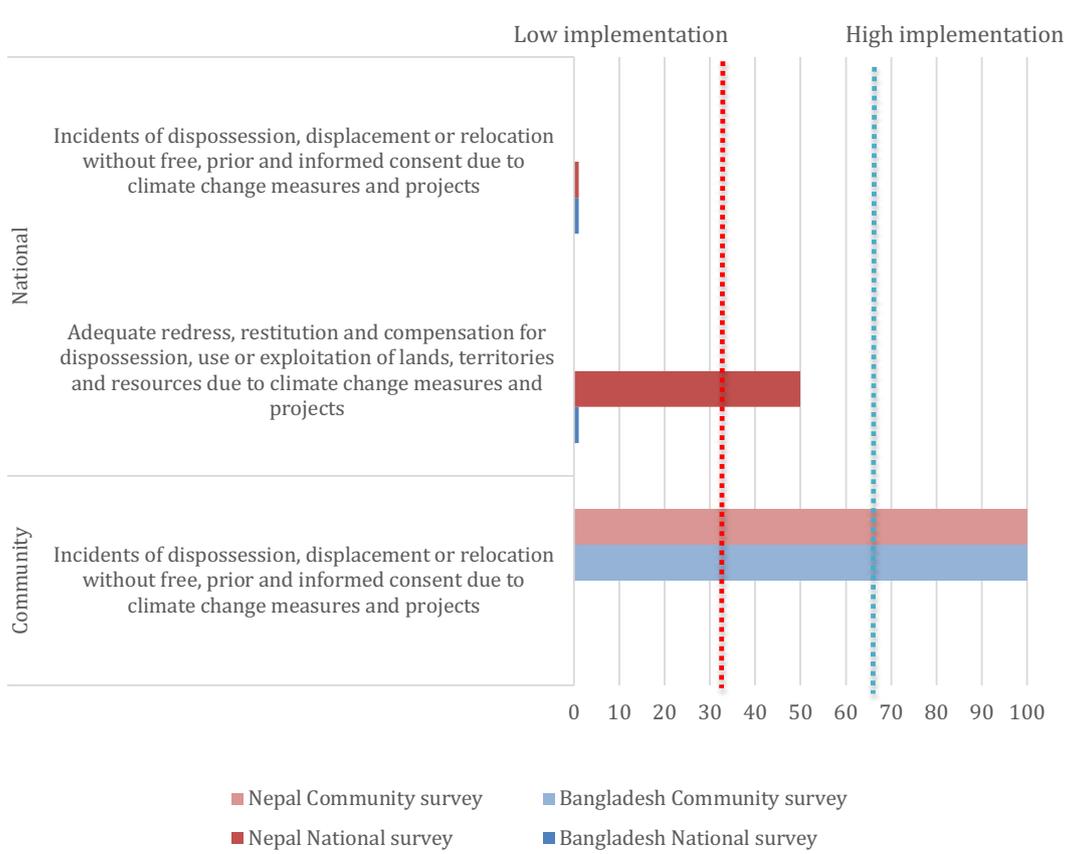
### **6.3.2 Protection against Dispossession and Access to Compensation and Redress on and Protection**

Under UNDRIP and ILO 169, Indigenous Peoples may not be forcibly removed from their lands or territories, and relocation should occur only when absolutely necessary and with their FPIC. Where relocation does take place, they must retain, where possible,

the right to return and receive adequate compensation, including lands of equal quality and legal status unless they choose an alternative arrangement. If consent cannot be obtained, relocation may proceed only as a last resort, following national procedures that ensure the effective representation of the people concerned and remain consistent with international Indigenous human rights standards.

The following section examines how the implementation of these obligations is assessed in the Indigenous Navigator Climate Change data from Bangladesh and Nepal.

**Figure 8: Dispossession and compensation for Indigenous Peoples in relation to climate change in Nepal and Bangladesh (Index Score for different indicators)**



**Note:** Index scores range from 0 to 100 and reflect the level of recognition and implementation of Indigenous Peoples’ rights in relation to climate change. Dashed lines indicate interpretative thresholds: scores below 33 reflect a low level of implementation, scores 33–66 a medium level, and scores above 66 a high level of implementation.

**Nepal**

According to the Indigenous Navigator National Climate Change Survey in Nepal, several Indigenous communities in Nepal have faced forced removal and relocation without FPIC in connection with climate change-related measures, development projects justified under climate or energy transition goals, and conservation initiatives (See Figure 8 recording low implementation). These actions have disrupted livelihoods, cultural practices, and community cohesion. Projects such as the Marsyangdi Corridor transmission line proceeded without securing FPIC, and the Likhu, Tanahu, Upper

Trishuli 1, and Upper Arun hydropower projects similarly failed to obtain FPIC, resulting in displacement and loss of land.

In terms of redress, restitution and compensation for dispossession, Nepal's Constitution provides some guarantees but these fall short of protecting Indigenous Peoples' collective land rights. (See Figure 8 denoting medium-level implementation) Article 25 of the Constitution of Nepal (2015) prohibits deprivation of property without appropriate compensation, and Article 51(j)(8) commits the state to fair compensation and resettlement for affected people. The Land Acquisition Act (1977) also requires compensation for land taken for public purposes. However, neither the Constitution nor the Land Acquisition Act recognises Indigenous Peoples' collective tenure systems or requires their FPIC, resulting in significant gaps both in safeguards for customary land and in mechanisms for restitution or redress when dispossession occurs. These shortcomings become even more acute in the context of climate change, as climate-driven land degradation and increasing competition over land significantly heighten the risks of dispossession.

In relation to incidents of forced removal or relocation linked to climate change-related measures and projects, the Gurung community data show a high implementation score, indicating the absence of such forced removals. (See Figure 8) The Gurung were displaced following the 2021 flood as part of the emergency response to this natural disaster. As previously noted, the divergence between the national score and the community-level score may reflect more the specific circumstances of the Taal Village and should not be interpreted, without further analysis, as evidence of stronger safeguards against forced relocation for the Gurung community.

### **Bangladesh**

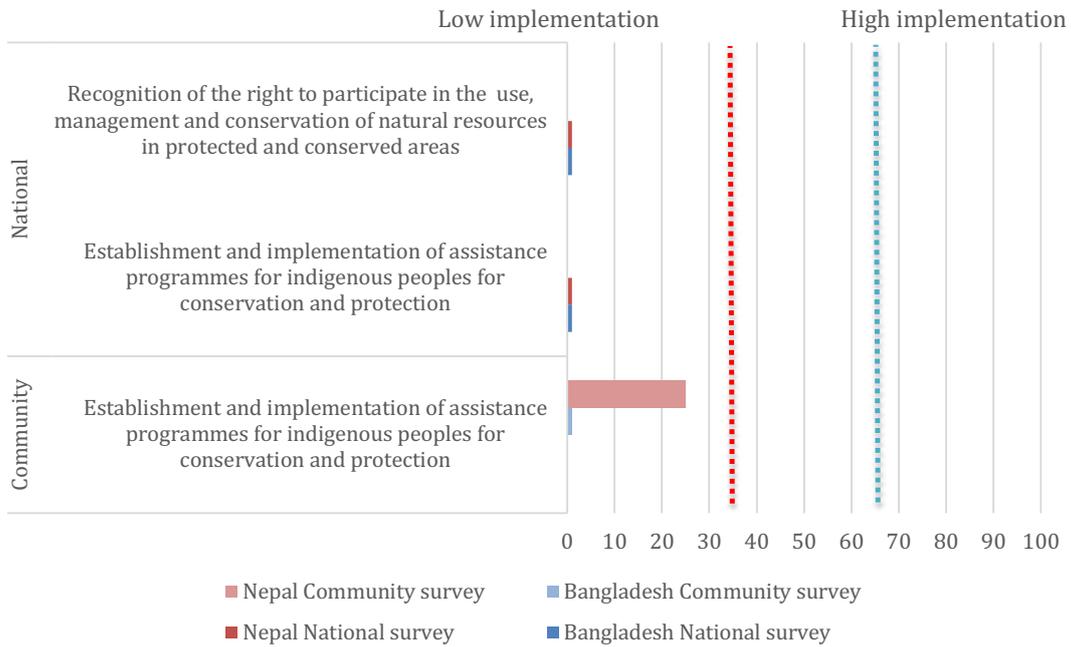
Bangladesh's Indigenous Navigator climate change data show that there is no national legal framework which provides Indigenous Peoples with compensation, restitution, or resettlement when their lands are taken. This leaves communities entirely unprotected in situations of dispossession. This legal vacuum is reflected in the forced evictions reported across the Chittagong Hill Tracts, where Indigenous lands continue to be taken for, among others, forest conservation, ecoparks etc. without consultation or recognition of customary tenure. (See Figure 8 for low implementation)

The Munda community stated that they had not been forcibly removed or relocated without their FPIC as a result of climate change-related measures or projects in the past five years. (See Figure 8 for high implementation) However, they also emphasised that they had never received compensation in cases where climate change-related activities resulted in loss of access to, or control over, their lands, territories, or resources.

### **6.3.3 Environment**

UNDRIP affirms Indigenous Peoples' right to the conservation and protection of the environment and the productive capacity of their lands, territories, and resources, and calls on States to provide non-discriminatory support for these efforts. This obligation is increasingly significant as conservation initiatives, carbon sequestration schemes, and protected area expansions are widely used as climate change mitigation and adaptation measures, often on Indigenous lands. However, as shown in Figure 9, Indigenous Navigator climate change data from Bangladesh and Nepal indicate low levels of implementation in this area at both national and community level.

**Figure 9: Comparing environmental protection for Indigenous Peoples in Nepal and Bangladesh (Index score for different indicators)**



**Note:** Index scores range from 0 to 100 and reflect the level of recognition and implementation of Indigenous Peoples’ rights in relation to climate change. Dashed lines indicate interpretative thresholds: scores below 33 reflect a low level of implementation, scores 33–66 a medium level, and scores above 66 a high level of implementation.

Neither Nepal nor Bangladesh has created the type of assistance programmes envisaged by UNDRIP. In both countries the domestic legal frameworks fail to recognise the rights of Indigenous Peoples to participate in the use, management, and conservation of natural resources in protected or conserved areas. (See Figure 9 displaying low implementation).

**Nepal**

In Nepal, the National Parks and Wildlife Conservation Act establish buffer zones and user committees, but these structures do not recognise Indigenous governance systems or provide decision-making authority to Indigenous Peoples. Nepal’s conservation and natural resource management schemes are directed at “local communities” in general rather than Indigenous Peoples specifically. For example, user committees manage 13 of the 20 protected area buffer zones and receive 30–50% of park revenue for community development projects. However, Indigenous Peoples are often excluded from decision-making and management roles within these bodies.

Members of the Gurung community in Nepal said that following the 2021 floods, government authorities did undertake some measures such as constructing embankments, river protection walls, and early warning systems to reduce future disaster risks. This is reflected in their slightly higher implementation score compared with the national level (Figure 9). These interventions, however, focused on infrastructure and hazard mitigation and did not include longterm conservation and restoration of

productive lands, forests, and water sources that are essential for Indigenous livelihoods and the ecosystems that sustain them.

### **Bangladesh**

In Bangladesh, the Forest Act of 1927 (as amended in 2017) and the National Forest Policy 2016 centralize State authority over forests and natural resources but provide no recognition of Indigenous customary governance, tenure systems, or conservation rights. (See Figure 9 for low implementation)

These legislative omissions are mirrored in practice. Between 2021 and 2025, Bangladesh introduced no longterm conservation or support programmes for Indigenous communities, nor any initiatives to strengthen their productive capacity or to conserve the lands, waters, coastal areas, or other resources that Indigenous groups traditionally use or occupy.

Members of the Munda community in Bangladesh recorded that they received no government assistance to conserve or protect their areas or the resources on which their livelihoods depend. (See Figure 9 for low implementation)

## **6.4 Fundamental Rights and Freedoms**

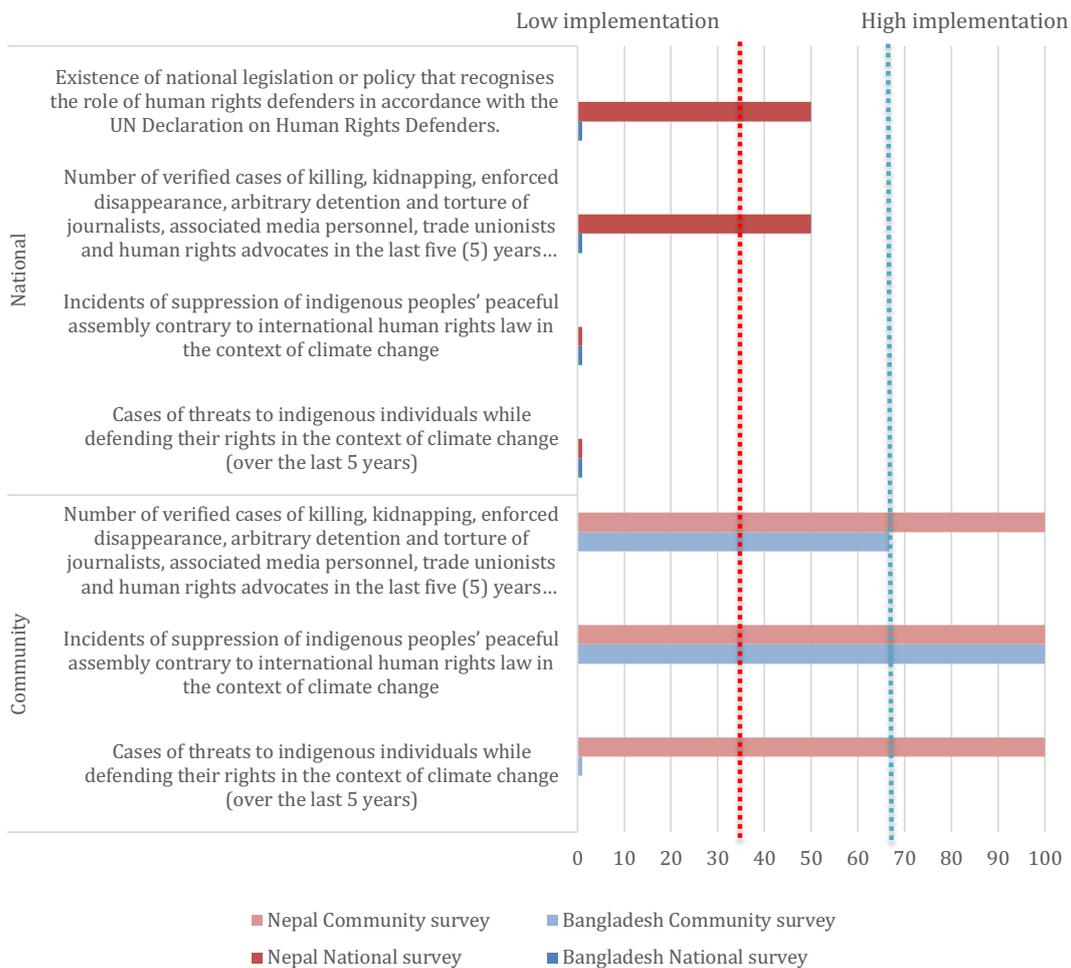
UNDRIP and related human rights treaties guarantee Indigenous Peoples' fundamental rights, including their rights to life, liberty and security, and freedoms of assembly and association. When climate initiatives proceed on or near Indigenous lands without adequate safeguards or FPIC, communities may be forced to resist: Indigenous Peoples human rights defenders (IPHRDs) are thus often exposed to heightened risks of violence, threats, and reprisals in the context of climate change.

This domain also covers Indigenous Peoples' right to life, physical safety and protection during disasters, recognising that they are disproportionately affected when early warning systems, preparedness measures and disaster response mechanisms fail to account for their specific needs and realities.

### **6.4.1 Enabling Environment for Indigenous Peoples Human Rights Defenders (IPHRDs) in the Context of Climate Change**

States have a "special duty of protection"<sup>32</sup> toward environmental human rights defenders due to the heightened dangers they face in the climate emergency. This includes obligations to adopt appropriate laws, public policies, and institutional practices to ensure defenders can exercise their rights freely and safely. IPHRDs are among the groups who, in this context, face particularly acute and disproportionate forms of violence. States must also apply heightened due diligence to investigate, prosecute, and punish threats or attacks, and maintain up-to-date, disaggregated data on killings, disappearances, arbitrary detentions, torture, and other harmful acts committed against human rights defenders.

**Figure 10: Comparing an enabling environment for Indigenous Peoples Human Rights Defenders (IPHRDs) in Nepal and Bangladesh**



**Note:** Index scores range from 0 to 100 and reflect the level of recognition and implementation of Indigenous Peoples' rights in relation to climate change. Dashed lines indicate interpretative thresholds: scores below 33 reflect a low level of implementation, scores 33–66 a medium level, and scores above 66 a high level of implementation.

**Nepal**

Nepal constitutionally guarantees the rights to life, to freedoms of expression, assembly, and to security, but has not adopted a comprehensive legal framework formally recognising human right defenders (HRDs) or providing enforceable, HRD-specific protections. The 2021 *Order on Security and Protection of Human Rights Activists* introduces procedures for responding to threats, yet it remains an administrative directive without binding legal force and lacks dedicated enforcement mechanisms. (See Figure 10 displaying medium-level implementation).

Indigenous Navigator climate change national data from Nepal point to multiple incidents of violence, intimidation, arbitrary arrest, and other harmful acts against IPHRDs in the context of conservation and climate change-related projects. However, no cases of killings or enforced disappearances are reported. (See Figure 10)

In Chitwan National Park, members of the Tharu, Chepang, Bote, and Kumal communities have documented arbitrary detention, torture, and intimidation linked to conservation enforcement practices. Indigenous Tamang defenders opposing land acquisition carried out without FPIC in the ADB-financed Shankharapur transmission line project, as well as communities resisting land dispossession associated with the World Bank-financed Bharatpur–Bardaghat project, report threats, pressure, and other coercive tactics.<sup>33</sup>

By contrast, the Gurung community of Taal Village reported no harms, threats, or restrictions to their right to peaceful assembly in connection with the defence of their rights in the context of climate change. Taal Village is a remote area inhabited exclusively by Gurung people, with a local government likewise composed of Gurung representatives. Development projects have not reached the area, and government presence is limited. These factors may have contributed to the absence of reported restrictions, as the community has not faced the external actors or enforcement pressures common in other Indigenous territories in Nepal.

## **Bangladesh**

Bangladesh constitutionally guarantees fundamental rights such as the rights to life, expression, assembly, and security. However, the State has not adopted a comprehensive legal framework that formally recognises HRDs or provides enforceable, HRD-specific protections.

Serious violations against IPHRDs have been documented over the past five years, including killings, arbitrary detention, torture, and sexual violence against Indigenous women. These incidents, however, stem primarily from long-standing land disputes, structural discrimination, and competition over natural resources rather than solely from climate change-related human rights defence activities.

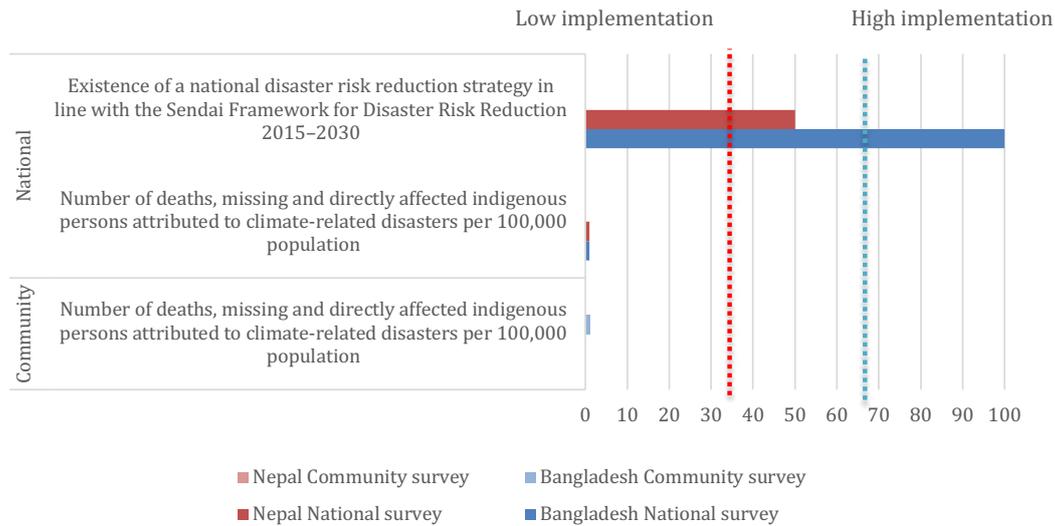
The Munda community in Bangladesh reported one killing and several threats, but these were attributed to protracted land conflicts rather than climate action. No restrictions on peaceful assembly were reported.

The comparatively lower levels of harm reported by the Gurung community in Taal village in Nepal and the Munda community in Bangladesh suggest that these community-level findings do not reflect the broader systemic risks documented for IPHRDs at the national level in either country. This may relate to the specific local dynamics of the Indigenous Navigator pilot sites, including the possibility that these communities have not recently faced the types of disputes, pressures or confrontation, that expose IPHRDs to harm elsewhere. The results also reflect the limited scope of the pilot, its small sample size, and the fact that risks present in other areas did not manifest in these particular locations during the period covered by the data.

### 6.4.2 The Right to Life and Climate-related disasters

Climate change poses direct and foreseeable threats to the right to life. The Human Rights Committee has affirmed that States Parties to the ICCPR, including Nepal and Bangladesh, must adopt contingency and disaster management plans to safeguard the right to life in the face of natural and human-made hazards.<sup>34</sup>

**Figure 11 Comparing the right to life for Indigenous Peoples in Nepal and Bangladesh (Index Score for different indicators)**



**Note:** Index scores range from 0 to 100 and reflect the level of recognition and implementation of Indigenous Peoples’ rights in relation to climate change. Dashed lines indicate interpretative thresholds: scores below 33 reflect a low level of implementation, scores 33–66 a medium level, and scores above 66 a high level of implementation.

As reflected in Figure 11, both countries have established disaster risk reduction frameworks aligned with the Sendai Framework, yet neither of these frameworks sufficiently addresses the distinct vulnerabilities of Indigenous Peoples in the respective country.

#### Nepal

At the same time, Indigenous Navigator climate change data show that Nepal has already recorded deaths and missing persons among Indigenous communities due to floods and landslides, linked to limited early warning access, inadequate preparedness, and exclusion from decision-making. The Gurung community in Nepal has, however, to date reported no deaths or missing persons.

#### Bangladesh

In Bangladesh, national data indicate few recorded deaths but the Munda community reported one fatality during Cyclone Bulbul.

Overall, differences between national-level data and community-level data reflect the fact that climate change-related risks are not experienced uniformly, underscoring the need for more targeted measures and improved disaggregated data collection to ensure full protection of the right to life of Indigenous Peoples in the context of climate change.

## 6.5 Participation in Public Life

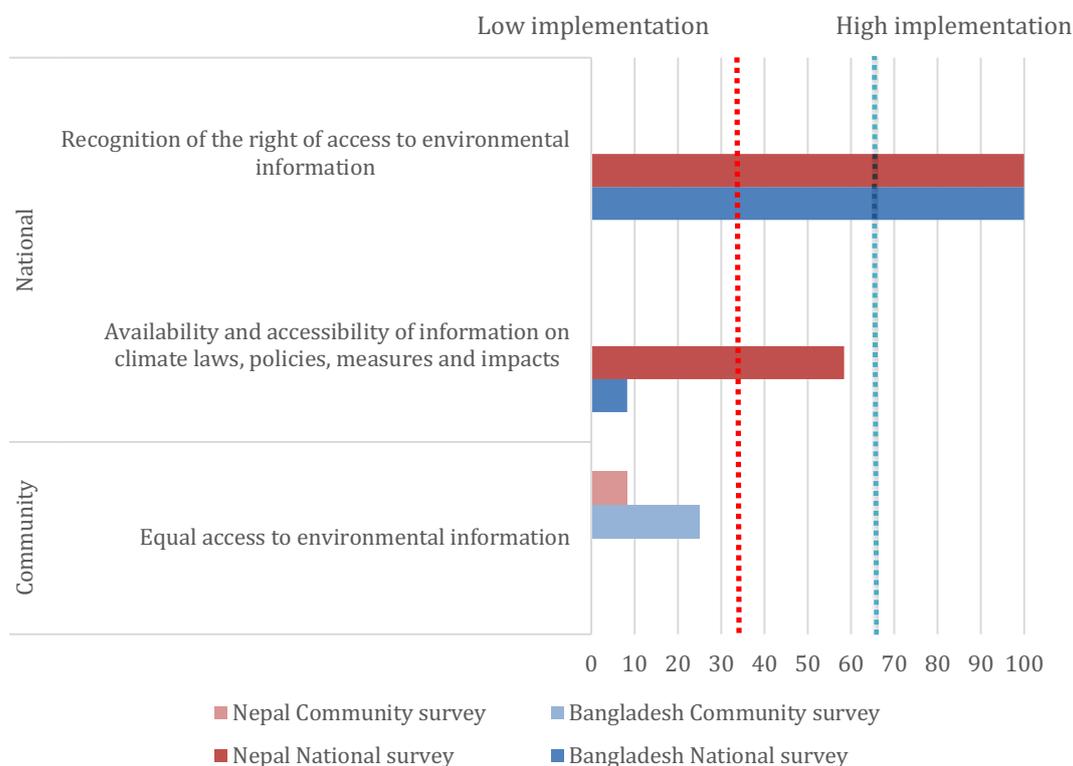
### 6.5.1 Right to Information in climate change context

UNDRIP affirms that Indigenous Peoples have the right to participate in decision-making in matters affecting their rights, including their lands, territories and resources (Arts. 18, 19 and 32). While UNDRIP does not expressly articulate a standalone right of access to information, effective participation and consultation under these provisions necessarily depend on States providing Indigenous Peoples with the information required to engage meaningfully in such processes.<sup>35</sup> Article 19 of the ICCPR expressly protects the right to seek, receive and impart information, obliging States to, among others, adopt and implement freedom of information legislation and proactively place government information of public interest in the public domain.<sup>36</sup> The UN Special Rapporteur on climate change has clarified that, in fulfilment of these obligations, States must, among others, collect, generate and proactively disseminate information on the causes, extent and effects of climate change, its actual and potential human rights impacts, and the human rights implications of proposed and ongoing climate response measures. States must also ensure accessible, understandable and timely access to such information, and adopt enhanced measures for groups most affected, including Indigenous People.<sup>37</sup>

As Figure 12 shows, both Nepal and Bangladesh demonstrate high levels of implementation with their obligation to establish legal frameworks guaranteeing public access to information. However, the availability and practical accessibility of climate change-related information for Indigenous Peoples diverges markedly between the two countries.



**Figure 12 Comparing access to information in Nepal and Bangladesh (Index Score for different indicators)**



**Note:** Index scores range from 0 to 100 and reflect the level of recognition and implementation of Indigenous Peoples’ rights in relation to climate change. Dashed lines indicate interpretative thresholds: scores below 33 reflect a low level of implementation, scores 33–66 a medium level, and scores above 66 a high level of implementation.

### Nepal

In Nepal, the Right to Information Act 2064 (2007) provides a solid structural foundation for transparency by obligating government bodies to disclose information within specified timeframes and enabling appeals when access is denied. This framework applies broadly to environmental governance, climate change-related projects, and public decision-making processes that may affect Indigenous Peoples’ rights and interests. At the national level, Nepal does make certain climate change-related materials publicly available, including climate laws, updates on international climate commitments, and some meteorological data.

However, in practice, climate-relevant information remains only partially accessible. Most official climate information is available exclusively in Nepali or English, with very limited translation into Indigenous languages. Information is predominantly shared in written formats, which reduces accessibility for Indigenous communities with low literacy levels. Although documents and reports are publicly available online and generally free of charge, many Indigenous Peoples in remote areas face significant barriers in access due to limited internet connectivity, the need to travel to government offices, and the highly technical nature of available documents. Moreover, updates, reports, and project assessments are often delayed, reducing their relevance for timely community decision-making and preparedness.

As reflected in Figure 12, for Indigenous communities such as the Gurung in Taal Village, the result is extremely limited access to climate change information. The community receives no updates on climate decisions or risk assessments, has no access to climate change-related laws or Nepal's international commitments, and encounters substantial linguistic, geographic, and digital obstacles. These barriers prevent them from exercising their formal right to information in relation to climate change matters, despite the existence of a strong legal framework.

### **Bangladesh**

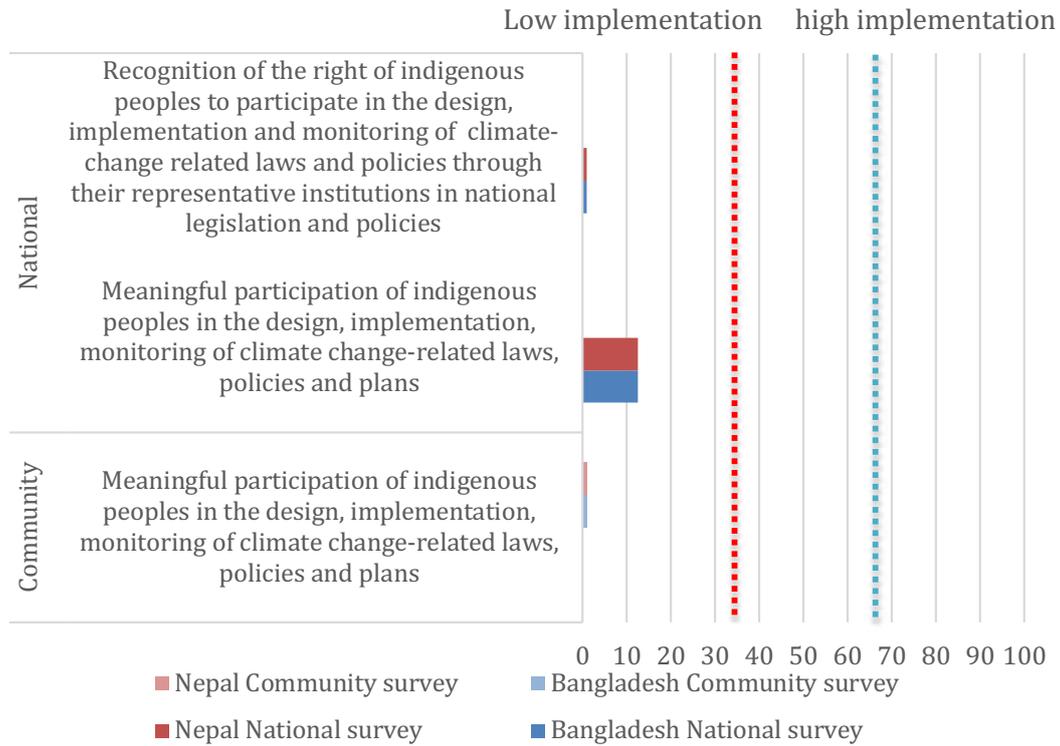
In Bangladesh, the Right to Information Act (2009) likewise guarantees access to information and obliges public authorities to disclose it proactively. (See Figure 12 for high implementation in this regard). However, Indigenous Navigator climate change data show a systemic exclusion of Indigenous Peoples from climate change-related information flows: government decisions, plans, and programmes on climate change are generally not shared with Indigenous communities, and IPHRDs report significant difficulties accessing this information. The Munda community reported that climate change-related information is sparse, often delayed or incomplete, difficult to understand due to language barriers, and that they are not directly informed about national climate laws, policies or frameworks.

### **6.5.2 Right to participate in climate change decision-making**

International standards firmly protect Indigenous Peoples' right to participate in decisions affecting them. UNDRIP Article 18 guarantees Indigenous Peoples' right to participate through representatives chosen in accordance with their own procedures. ILO Convention No. 169 requires consultation with Indigenous institutions whenever legislative or administrative measures may affect them. Although not climate-specific, these safeguards apply fully to climate change-related governance. The Paris Agreement further requires Parties to ensure public participation, access to information, and inclusive and transparent processes in adaptation planning and other climate measures.<sup>38</sup> However, Indigenous Navigator climate change data from Nepal and Bangladesh demonstrate low implementation of Indigenous Peoples' participation rights in the climate context. (Figure 13)



**Figure 13: Comparing Indigenous Peoples’ right to participate in the context of climate change in Nepal and Bangladesh (Index score for different indicators)**



**Note:** Index scores range from 0 to 100 and reflect the level of recognition and implementation of Indigenous Peoples’ rights in relation to climate change. Dashed lines indicate interpretative thresholds: scores below 33 reflect a low level of implementation, scores 33–66 a medium level, and scores above 66 a high level of implementation.

**Nepal**

In Nepal, national climate frameworks, including the Climate Change Policy 2019 and the National Adaptation Plan (2021–2050), do not recognise Indigenous Peoples as distinct rights holders or guarantee participation through their representative institutions. Participation is framed generically and channelled through state-led mechanisms, resulting in limited Indigenous involvement in the implementation, monitoring, and reporting of climate frameworks. Where participation does occur, information is often provided late, incompletely, and rarely in Indigenous languages or accessible formats. Logistical barriers such as cost, distance, and lack of funding are unaddressed; complaint mechanisms are weak; and customary consultation protocols are not respected. Indigenous Peoples’ contributions are reported to have little influence on final decisions, and feedback on how inputs are considered is seldom provided. The perspectives of Indigenous women, children, and persons with disabilities are only ever partially included.

Community-level data from the Gurung of Taal Village reflect these national patterns. Climate measures are developed in a top-down manner, with Indigenous participation restricted largely to beneficiary roles. Highlighting deficiencies in meaningful participation, the Gurung community noted that information arrives late, is highly technical, and is provided mainly in Nepali or English, limiting comprehension. Geographic remoteness, travel costs, and resource constraints impede engagement,

while Indigenous youth emphasise that community views rarely shape outcomes. Opportunities for Indigenous women, children, and persons with disabilities remain limited, and weak or unknown complaint mechanisms, combined with fear of retaliation, further inhibit meaningful participation.

### **Bangladesh**

In Bangladesh, climate change-related laws and policies classify Indigenous Peoples within broad “local community” categories and thus do not recognise them as distinct rights holders entitled to participation through their own representative institutions. Indigenous Navigator climate change national data also show that Indigenous Peoples in Bangladesh are largely excluded from national climate policy formulation, legislative development, strategic planning, monitoring, and reporting. At the community level, the Munda report that they receive no direct information on national climate frameworks or decisions. Although some engagement occurs at Upazila and Union Parishad levels, these fora provide no meaningful influence over national climate governance. Their participation is constrained by late and incomplete information, language barriers, financial limitations, and inadequate procedural preparation. Beyond locally disseminated early warning messages, the community is unaware of the government’s implementation of its climate commitments.

Across both countries, the absence of structured, rights-based mechanisms for Indigenous participation reflects a persistent gap between international human rights and Indigenous rights norms and the realities of climate-change decision-making.

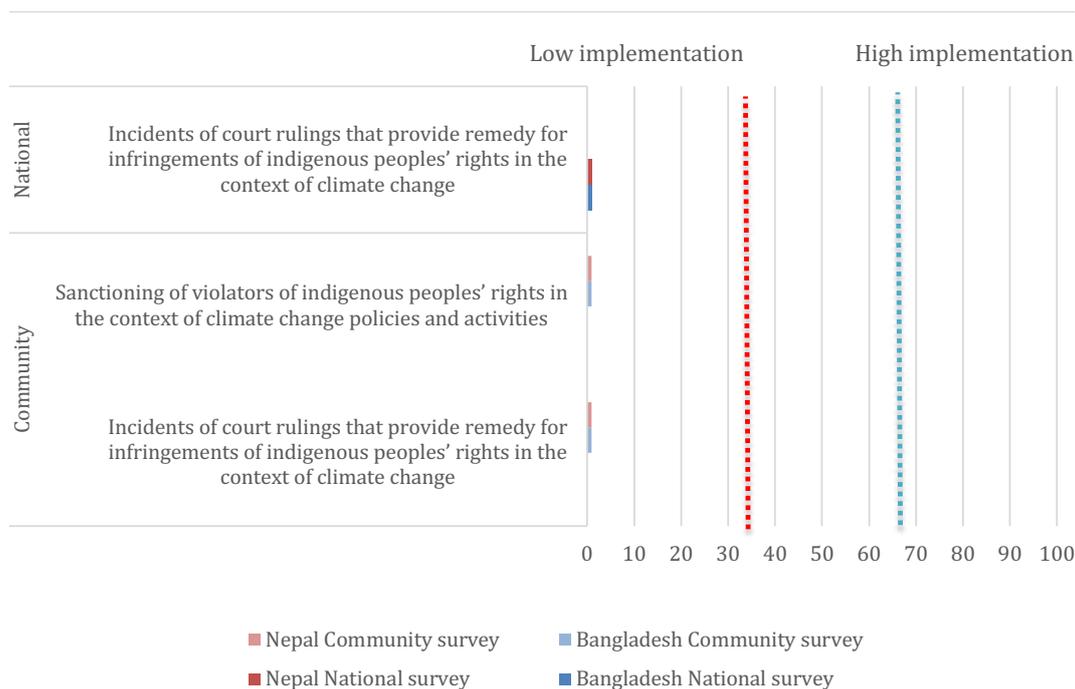
## **6.6 Legal Protection, Access to Justice, and Remedies**

Under international standards, specifically UNDRIP 40 and the general right to an effective remedy under core human rights treaties, States must ensure Indigenous Peoples have accessible legal recourse for human rights infringements, including those linked to climate change measures.

Indigenous Navigator data from Nepal and Bangladesh show that these guarantees remain largely unfulfilled. (See Figure 14)



**Figure 14: Comparing legal protection for Indigenous Peoples in relation to climate change in Nepal and Bangladesh (Index Score for different indicators)**



**Note:** Index scores range from 0 to 100 and reflect the level of recognition and implementation of Indigenous Peoples' rights in relation to climate change. Dashed lines indicate interpretative thresholds: scores below 33 reflect a low level of implementation, scores 33–66 a medium level, and scores above 66 a high level of implementation.

### Nepal

In Nepal, the absence of explicit domestic recognition of Indigenous lands, territories, and resource rights, and by extension also within environmental and climate governance frameworks, undermines the legal basis for advancing many climate change-related claims. Despite formal judicial structures, procedural rights, and recent Supreme Court directives calling for full implementation of UNDRIP and ILO 169, no court rulings in recent years have provided remedies for climate change-related violations of Indigenous Peoples' rights in Nepal. Structural barriers, including linguistic inaccessibility, geographic remoteness, financial constraints, limited access to environmental information, and evidentiary challenges, render the legal system functionally inaccessible for Indigenous Peoples, also in relation to climate change.

Community-level data from the Gurung of Taal Village mirror this pattern: while they report no climate change-related violations by State or non-state actors, they also indicate no knowledge of company grievance mechanisms and no access to legal assistance, underscoring that institutional preconditions for accessing remedy are absent in practice.

### Bangladesh

According to Indigenous Navigator climate change findings from Bangladesh, the Munda community confront cumulative obstacles when seeking remedies. This includes lack of information on legal options, absence of legal aid, linguistic and financial constraints, long distances to judicial institutions, gender-based and other forms of discrimination, weak

environmental protections, limited access to environmental information, and difficulty identifying responsible perpetrators.

As a result, formal complaints are rarely filed, with disputes instead diverted to local Salishi processes mediated by community organisations such as the Sundarbans Indigenous Munda Sangstha (SAMS).

In both contexts, the right to an effective remedy remains largely theoretical and falls substantially short of the protections required under UNDRIP, ILO Convention No. 169, and broader international standards on access to justice.

## **6.7 General Economic and Social Development**

This section assesses the extent to which national development plans and sector-specific social and economic policies in Nepal and Bangladesh take into account both the current and foreseeable impacts of climate change on the economic, social and cultural rights (ESCR) of Indigenous Peoples, as well as their right to development, as articulated in Articles 21–24 of UNDRIP and binding human rights obligations. Central to the realization of these rights is the principle of self-determination, which affirms Indigenous Peoples' authority to freely pursue their economic, social and cultural development, including in the context of climate change.

UNDRIP Articles 21–24, read together with States' duties under international human rights law, require States to adopt specific, targeted and effective measures to ensure the continuous improvement of Indigenous Peoples' economic and social conditions. These obligations apply with heightened importance in the context of the climate crisis, which exacerbates pre-existing structural inequalities affecting Indigenous Peoples.

Accordingly, aligning national development plans and social sector policies with Indigenous Peoples' human rights in a climate change context requires States not only to refrain from actions that cause harm but also to proactively identify and address the disproportionate climate change-related risks faced by Indigenous Peoples.

### **6.7.1 Right to Development**

#### **Nepal**

At the national level, Nepal's policy framework reflects significant gaps in recognising and addressing the specific climate vulnerabilities of Indigenous Peoples. The Sixteenth National Development Plan (2024/25–2028/29) includes no Indigenous-specific measures, and Nepal's national budget similarly lacks any dedicated allocations to address climate risks and impacts on Indigenous communities. Although 5.96% of the FY 2023/24 budget was climate-tagged and an additional 29.90% classified as climate-relevant, none of these resources were earmarked for Indigenous Peoples, despite their heightened exposure to climate impacts.

While the Constitution of Nepal (2015) acknowledges certain cultural and economic rights, and some local governments have introduced initiatives under the Local Government Operation Act (2021), there are still no enforceable national-level provisions recognising

Indigenous Peoples' rights to freely maintain, control, and engage in their traditional or economic activities. The continued lack of recognition of Indigenous rights to own and control ancestral lands creates a substantial barrier to sustaining traditional livelihoods. (See Figure 15 denoting medium-level implementation)

Community-level data from the Gurung of Taal Village illustrate how these national-level gaps translate into lived experiences. The community reports having received some government support to address climate vulnerabilities, for example, the construction of a culvert to reduce flood risk. However, the community views overall government assistance as insufficient and inadequate in the face of accelerating climate impacts.

The Gurung community spoke of significant challenges to their traditional livelihoods due to climate change impacts. Declining crop yields, water scarcity, and increasingly unpredictable weather patterns have undermined agriculture, food production, and access to natural resources. Indigenous women are disproportionately affected: in Taal Village, they carry primary responsibility for agriculture, livestock care, and water collection. As climate impacts intensify, the resulting increase in workload and stress limits their time for rest, education, and participation in cultural or community activities.

Despite experiencing multiple and worsening climate change impacts, the Gurung community has received only partial redress, restitution, or compensation from local, provincial, or national authorities over the last five years. The only support identified was the previously mentioned culvert.

### **Bangladesh**

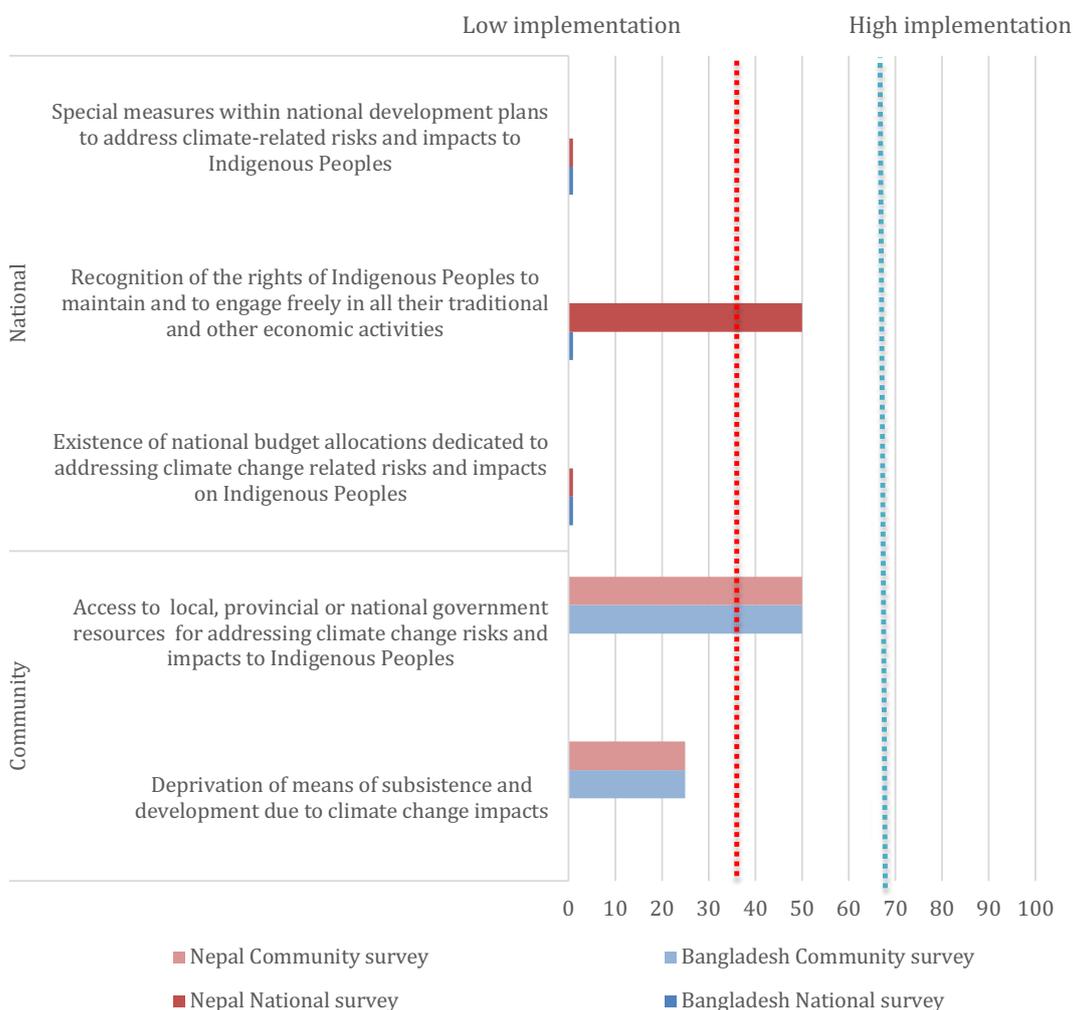
Similarly, Bangladesh's key national development plans, the 8th Five-Year Plan (2021–2025), the Bangladesh Delta Plan 2100, and the Perspective Plan 2041, do not consider the specific risks and impacts of climate change on Indigenous Peoples. While these plans acknowledge broad climate vulnerabilities and set national adaptation goals, they contain no Indigenous-specific measures. According to the data collected, the national budget does not include dedicated funding for addressing climate risks and impacts on Indigenous Peoples.

Moreover, Bangladesh's national constitution, legislation, and policy framework do not recognise the right of Indigenous Peoples to freely maintain and engage in their traditional or other economic activities. The absence of this formal legal recognition leaves Indigenous communities without secure legal grounds to sustain their customary livelihoods, thereby deepening their vulnerability to climate change impacts. (See Figure 15)

The Munda community reported that they had received only minimal and ad hoc assistance from government authorities to cope with climate-related risks. As part of the Mujib Year commemorations, 20 Munda families were provided with houses. These isolated measures do not amount to a rights-based or sustained approach to addressing Indigenous Peoples' climate vulnerabilities.

Moreover, certain climate change change-related adaptation measures have directly undermined the Munda Indigenous community's livelihoods. The loss of ancestral land due to the establishment of shrimp and crab farms (Chingri and Kahkra Gher) by influential actors constitutes a serious rights concern.

**Figure 15: Comparing the right to development for Indigenous Peoples in relation to climate change in Nepal and Bangladesh (Index Score for different indicators)**



**Note:** Index scores range from 0 to 100 and reflect the level of recognition and implementation of Indigenous Peoples’ rights in relation to climate change. Dashed lines indicate interpretative thresholds: scores below 33 reflect a low level of implementation, scores 33–66 a medium level, and scores above 66 a high level of implementation.

### 6.7.2 Right to Food

#### Nepal

Nepal’s national policy frameworks remain broadly framed and insufficient to protect Indigenous Peoples’ right to food, including their customary food systems, traditional seeds, and access to ancestral lands in the context of climate change. Although instruments such as the National Adaptation Plan (NAP) 2021–2050 promote climate-resilient agriculture, watershed management, and the conservation of local crop and livestock varieties, it does not contain Indigenous-specific safeguards. (See Figure 16)

By contrast, the Gurung community’s experience documented through the application of the Indigenous Navigator’s climate change survey demonstrates emerging negative

impacts on their right to food as a result of climate change. The Gurung rely on traditional crops such as buckwheat, barley, millet, potato, and maize, all adapted to the high-altitude Himalayan environment and integral to cultural and ceremonial life. Over the past five years, however, the Gurung have faced declines in both the quantity and quality of these foods due to unpredictable weather, soil erosion, shortened growing seasons, and loss of farmland. Indigenous women reported heightened barriers to accessing traditional foods because of damaged fields, disrupted irrigation, and increased dependence on market foods.

Community members described how flooding, erratic rainfall, cold snaps, and dry spells have caused agricultural losses. Farmland has been washed away or buried, irrigation systems destroyed, and extreme temperatures have interfered with crop germination and growth. Elders noted the emergence of new pests and plant diseases previously unseen in the region. Displacement from ancestral lands has further weakened the ability to cultivate culturally important crops, like buckwheat and millet.

The Gurung community also reported food shortages which they link to drought, water scarcity, extreme temperatures, storm damage, flooding, reduced crop yields, declining fish stocks, and new climate-related pests and diseases. (See Figure 16)

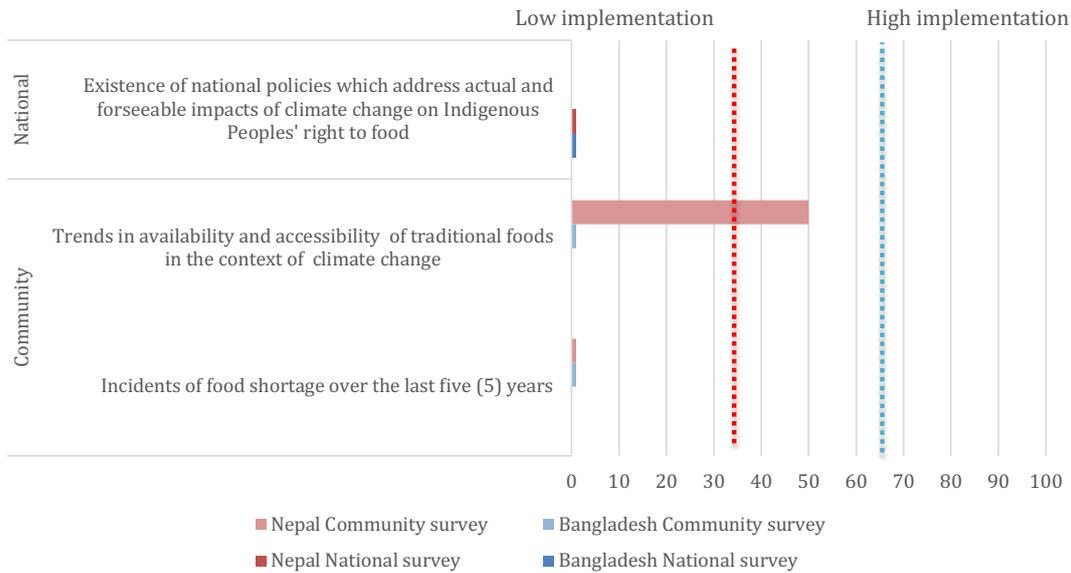
### **Bangladesh**

Bangladesh's legal and policy framework does not address the actual or foreseeable impacts of climate change on the right to food of Indigenous Peoples. Although Article 15(a) of the Constitution guarantees citizens the basic necessities of life, including food, and policies such as the National Food and Nutrition Security Policy (2020–2030) aim to ensure the availability of diverse, safe, and nutritious food, no targeted measures exist to protect Indigenous Peoples' food systems from climate-related harm.

In contrast, at the community level, the Munda experience reflects acute and ongoing climate change impacts on their right to food. Over the past five years, the Munda community has experienced severe declines in traditional foods, including Jyongra, mussels, shaluk, rat, and Harlya. They attribute this to extreme temperatures, storm surges, erratic rainfall, saline intrusion, reduced crop yields, and falling fish stocks. Jyongra is now rarely found, and recurring food shortages have become a significant concern.



**Figure 16: Comparing the right to food for Indigenous Peoples in relation to climate change in Nepal and Bangladesh (Index Score for different indicators)**



**Note:** Index scores range from 0 to 100 and reflect the level of recognition and implementation of Indigenous Peoples’ rights in relation to climate change. Dashed lines indicate interpretative thresholds: scores below 33 reflect a low level of implementation, scores 33–66 a medium level, and scores above 66 a high level of implementation.

### 6.7.3 Rights to Social Security, Housing and Water and Sanitation

#### Nepal

Nepal’s national policy frameworks related to the rights to social security, water and sanitation, and housing remain broadly framed and insufficient to uphold Indigenous Peoples’ rights in the context of climate change. National social protection schemes do not systematically incorporate climate-risk information, nor do they use climate-related data to identify or prioritise Indigenous communities who face disproportionate climate impacts. Likewise, national water and adaptation frameworks lack explicit provisions recognising how climate change affects Indigenous Peoples’ rights to water, including their access to traditional water sources and customary water management practices. National housing frameworks also do not provide specific protections for Indigenous settlements or traditional dwellings against climate-induced hazards such as floods, landslides, or extreme weather. These omissions can expose Indigenous Peoples in Nepal to continued vulnerability in the context of climate change. (See Figure 17 below documenting low implementation)

The community-level data from the Gurung of Taal Village directly reflects and reinforces the gaps identified at the national level. The lived experiences of the Gurung community illustrate the consequences of these omissions.

In the past five years, only a few community members, approximately 2 out of 5 surveyed, accessed social security programmes, primarily Indigenous older persons and persons with disabilities. While some of these benefits helped recipients cope with climate change-related challenges, the support provided was considered insufficient, covering

only a portion of the increased costs associated with changing climate conditions, loss of livelihoods, and growing food insecurity in Taal Village.

On a more positive note, the Gurung Indigenous community currently enjoy access to clean water and have not experienced significant shortages or water quality deterioration in recent years. This stands in contrast to the national policy gap, showing that while the community is not yet facing severe water insecurity, no legal or policy protections exist to maintain this stability in the face of worsening climate change impacts.

In relation to housing, the Gurung community has already suffered housing losses. The 2021 flood and subsequent extreme weather events damaged or destroyed numerous homes, leading to temporary displacement and exposing the community to long-term housing insecurity.

The absence of Indigenous-specific housing safeguards within national disaster and adaptation frameworks means the community must rebuild without adequate legal protection, support, or structural guarantees of climate-resilient housing. The Gurung community also lack collective title deeds or binding legal recognition of their ancestral territories. Although many Indigenous men hold individual land titles, very few Indigenous women have ownership, and there are no cases of joint ownership between spouses in the Taal village. Indigenous elders and community members expressed serious concerns about the risk of losing ancestral lands within the next five years. Climate change-related measures, including hydropower development and poorly defined climate adaptation measures, often planned without FPIC, compensation, or recognition of customary rights, have intensified fears of involuntary displacement.

## **Bangladesh**

According to the Indigenous Navigator climate change data, Bangladesh continues to show low implementation of Indigenous-specific climate measures in social security, housing, and water and sanitation (see Figure 17). Social protection systems do not reflect Indigenous Peoples' distinct climate-risk profiles: government schemes lack dedicated assessments of climate impacts on Indigenous rights, and Indigenous Peoples are rarely examined as a separate category. Their specific vulnerabilities and adaptive capacities therefore remain largely unaddressed.

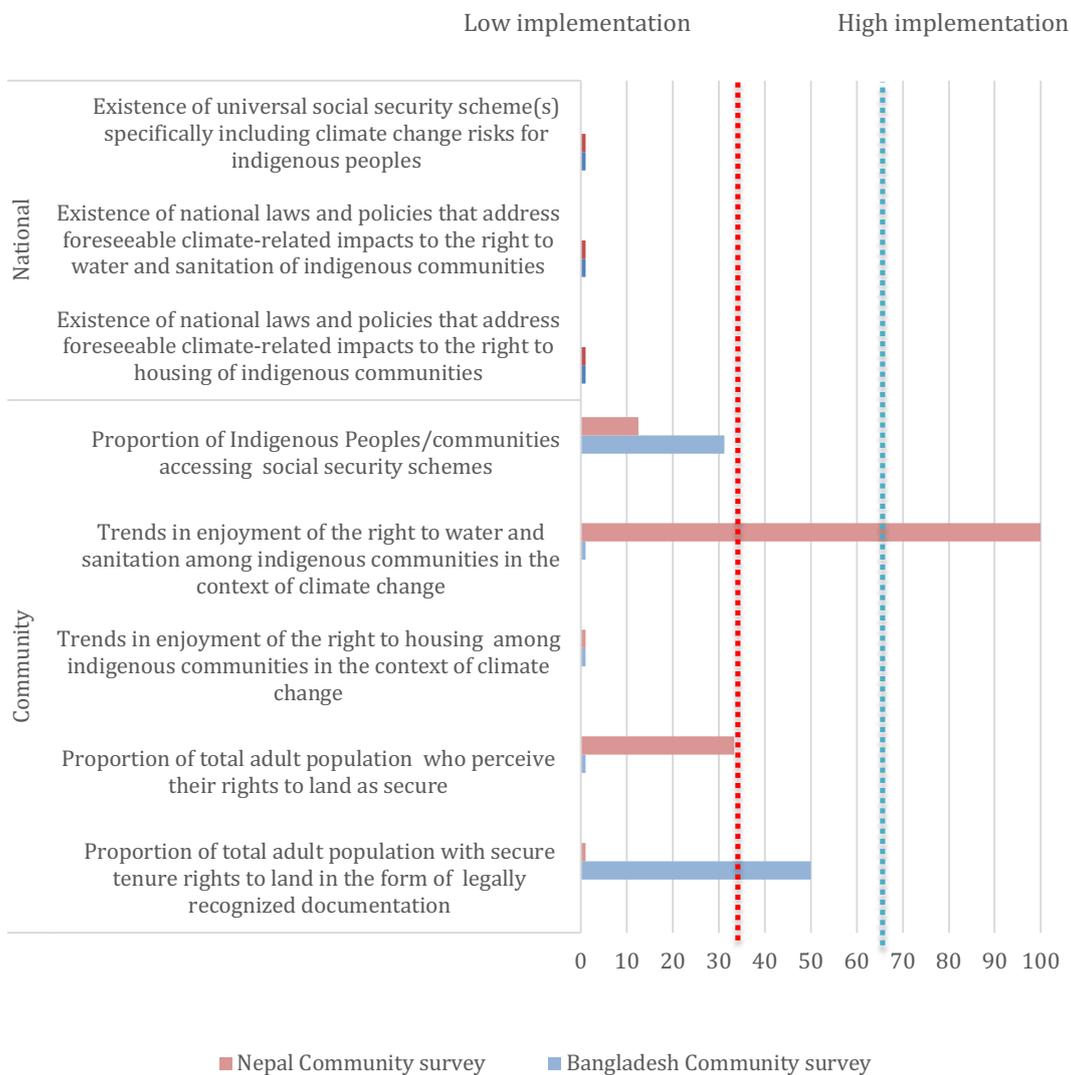
National housing policies likewise provide no meaningful safeguards for Indigenous Peoples. Although the NAP and NAPA refer to climate-resilient dwellings, they offer no concrete measures tailored to Indigenous cultural or settlement contexts. NGO-led initiatives, such as BRAC's climate-resilient housing, remain generic and are not adapted to Indigenous needs.

Similarly, the National Water Policy (1999), the Bangladesh Delta Plan 2100, and the NAP 2023–2050 do not recognise Indigenous water rights, leaving Indigenous communities increasingly exposed to climate-driven water insecurity (see Figure 17).

At the community level, the Munda experience illustrates the concrete consequences of these national gaps. Despite living in one of Bangladesh's most climate-exposed regions, the Munda receive little to no protection. Climate change has already intensified saline intrusion, falling water tables, and water pollution, resulting in recurring shortages

of safe drinking water in the community. Extreme rainfall, flooding, and storms have damaged homes and weakened traditional settlement structures, leaving many families in precarious housing conditions. The community's patriarchal land tenure system, combined with the absence of national safeguards for Indigenous Peoples' land rights, deepens insecurity; no women hold land titles. As a result, the Munda may face growing risks of dispossession and displacement linked to, among others but not only, climate change-related measures, such as blue carbon initiatives, disaster risk reduction projects, and green energy infrastructure.

**Figure 17: Comparing the right to social security, housing, and water and sanitation for Indigenous Peoples in relation to climate change in Nepal and Bangladesh (Index Score for different indicators)**



**Note:** Index scores range from 0 to 100 and reflect the level of recognition and implementation of Indigenous Peoples' rights in relation to climate change. Dashed lines indicate interpretative thresholds: scores below 33 reflect a low level of implementation, scores 33–66 a medium level, and scores above 66 a high level of implementation.

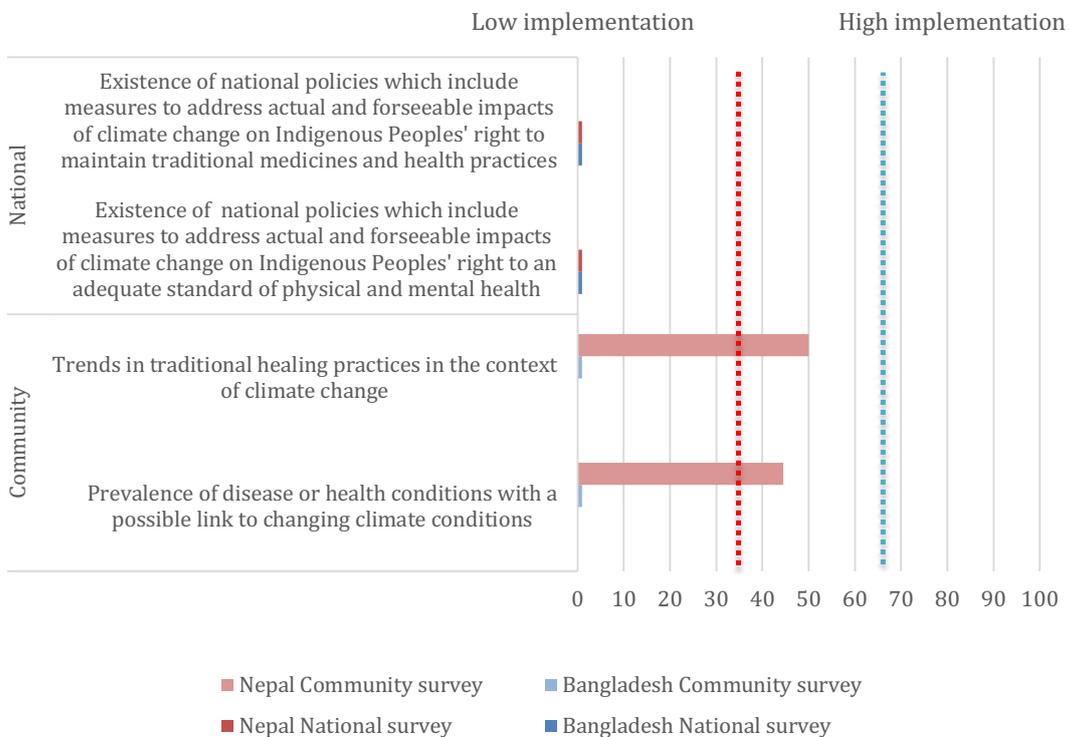
## 6.8 Health

This section examines gaps in the realisation of the right to an adequate standard of physical and mental health for Indigenous Peoples in Nepal and Bangladesh in the context of climate change based on findings from the Indigenous Navigator climate change surveys.

CESCR General Comment No. 27 makes clear that climate change creates heightened State human rights obligations to protect and fulfil the right to health, requiring States to take preventive measures to address climate change-related harms and to safeguard groups disproportionately affected, including Indigenous People. It also calls for health policies and programmes that address both the physical and the mental health impacts of environmental degradation, including by building accessible, sustainable and resilient health systems.<sup>39</sup> In addition, under UNDRIP and binding human rights treaties, States must ensure Indigenous Peoples' access to and the protection of culturally appropriate healthcare, including "vital medicinal plants, animals and minerals necessary to the full enjoyment of health of Indigenous Peoples."<sup>40</sup>

As Figure 18 shows, both Nepal and Bangladesh exhibit low implementation levels across this domain, indicating that current health policies and systems do not adequately respond to the heightened climate-related health vulnerabilities of Indigenous Peoples.

**Figure 18: Comparing health policies for Indigenous Peoples in relation to climate change in Nepal and Bangladesh (Index Score for different indicators)**



**Note:** Index scores range from 0 to 100 and reflect the level of recognition and implementation of Indigenous Peoples' rights in relation to climate change. Dashed lines indicate interpretative thresholds: scores below 33 reflect a low level of implementation, scores 33–66 a medium level, and scores above 66 a high level of implementation.

## Nepal

Nepal has a Health National Adaptation Plan and several related adaptation strategies. However, these frameworks do not recognise Indigenous Peoples' medicinal knowledge, cultural healing systems, or the specific health service needs of Indigenous Peoples. As reflected in Figure 18, this results in low implementation of Indigenous-specific health rights within national climate change responses. This policy gap persists despite evidence from Indigenous communities that climate change is reducing the availability of medicinal plants and contributing to the erosion of traditional knowledge systems, particularly in high altitude areas. The practice of Sowa Rigpa, the traditional medicine system of Indigenous *amchi* healers, is reported to be under serious threat as key medicinal species become increasingly scarce due to climate-induced ecological change.<sup>41</sup>

In Taal Village, the Gurung community spoke of some decline in both the use and accessibility of traditional medicinal plants. Certain species are becoming rare or disappearing because of climate-related environmental shifts. Access is further constrained in areas where state-mandated mechanisms, especially Community Forest User Groups, have restricted or prohibited entry, limiting traditional harvesting and impeding inter-generational knowledge transmission.

The Gurung community also report an increase in the prevalence of specific illnesses over the past five years. These include respiratory conditions and vector-borne and water-borne diseases, which community members associate with flood events, inadequate sanitation, and temperature variability. Mental health stressors, particularly stress and anxiety, are reported among displaced families and caregivers, and heat-related disorders occur during extended dry spells.

These health impacts are not experienced uniformly across the community. Indigenous women face heightened exposure due to caregiving responsibilities and agricultural labour. Indigenous children are especially vulnerable to hygiene-related diseases following floods. Indigenous older persons experience increased respiratory and heat-related conditions. Indigenous persons with disabilities encounter elevated risks due to reduced mobility and limited access to health, sanitation and emergency services.

## Bangladesh

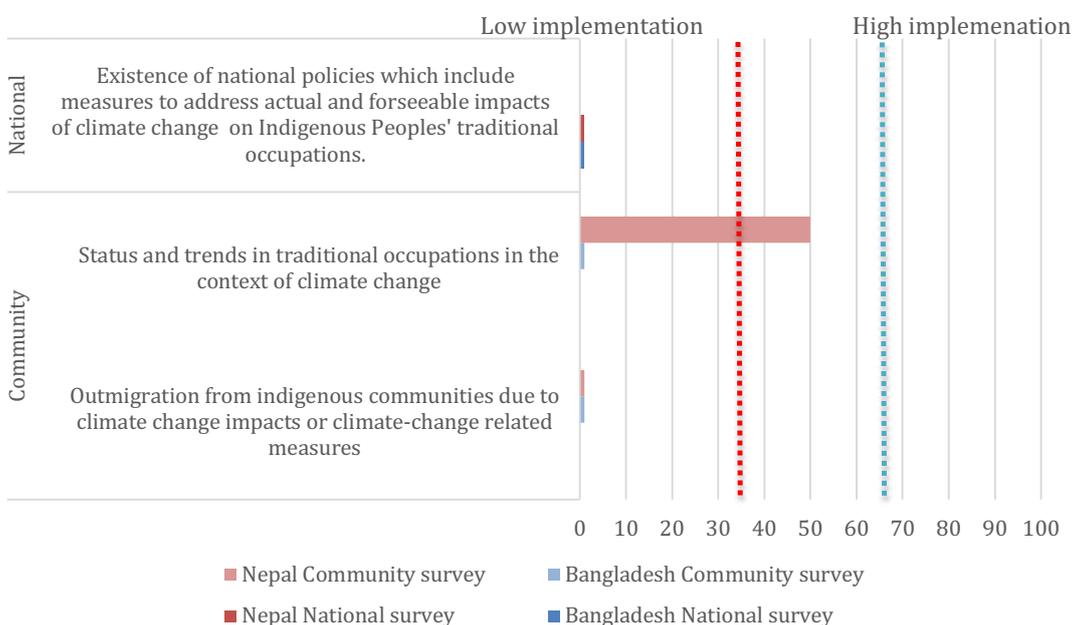
Bangladesh's national policy frameworks, including the National Health Policy (2011), National Adaptation Plan (2023–2050), and the Climate Change Strategy and Action Plan likewise fail to address actual and foreseeable impacts of climate change on Indigenous Peoples' right to health (see Figure 18 displaying low implementation). Although Indigenous communities maintain distinct traditional health practices, these systems are rapidly disappearing due to the absence of legal recognition or institutional support.

The Manda community and others report rising cases of vector and water-borne diseases, heat-related illnesses, mental health challenges, and maternal and reproductive health concerns, reflecting both climate-related stressors and structural exclusion from appropriate health services.

## 6.9 Employment and Occupation

This section assesses how climate measures in Nepal and Bangladesh address the actual and foreseeable impacts of climate change on the traditional occupations of Indigenous Peoples. The protection of these occupations is grounded in international standards, including UNDRIP, ICCPR, and the ICESCR, which safeguard Indigenous Peoples' cultural integrity, traditional livelihoods, and use of natural resources. Against these standards, the Indigenous Navigator climate change survey results show low implementation levels for both Nepal and Bangladesh under this rights domain.

**Figure 19: Comparing occupation policies for Indigenous Peoples in relation to climate change in Nepal and Bangladesh (Index Score for different indicators)**



**Note:** Index scores range from 0 to 100 and reflect the level of recognition and implementation of Indigenous Peoples' rights in relation to climate change. Dashed lines indicate interpretative thresholds: scores below 33 reflect a low level of implementation, scores 33–66 a medium level, and scores above 66 a high level of implementation.

### Nepal

Nepal shows low implementation at the policy level, as national policies lack concrete measures to safeguard Indigenous traditional occupations in the context of climate change (see Figure 19).

In Taal Village, the Gurung community, whose traditional livelihoods include livestock herding, subsistence farming, herbal medicine collection and weaving of “bakkhu”, “radi” and “pakhi”, indicated that unpredictable weather, flooding and certain adaptation measures have partially constrained these activities (see Figure 19 showing medium-level implementation). Disrupted crop cycles, declining pasture quality and reduced access to plants used for medicine and weaving illustrate how, in the absence of targeted measures, traditional occupations are increasingly coming under threat. Indigenous

women, who play central roles in agriculture, resource gathering and weaving, experience heightened impacts as environmental change increases labour demands and limits access to crucial raw materials. Flood-related temporary migration has further undermined the community's ability to sustain its livelihoods within its ancestral territory.

### **Bangladesh**

As in the case of Nepal, Bangladesh's national policies do not include measures for addressing the impacts of climate change on Indigenous Peoples' traditional occupations.

The Munda community in Bangladesh indicated that agriculture, honey harvesting, fishing, crab collecting and hunting were their main traditional occupations. In the past five years, the Munda have experienced negative impacts on these traditional occupations, particularly agriculture. This they attribute to extreme temperatures, changes in flora and fauna, changes in fish stock and ocean acidification and warming.



# 7. Recommendations

Based on the above findings, these recommendations reflect the key rights gaps, climate-related risks and structural challenges identified through the pilot study and outline the priority actions needed to ensure that climate responses respect, protect and fulfil the rights of Indigenous Peoples in Nepal and Bangladesh.

## **Recognise Indigenous Peoples as rights holders in climate change-related frameworks**

- Enact or amend climate, environmental, forestry and development frameworks in Nepal and Bangladesh to explicitly recognise Indigenous Peoples as distinct rights holders with collective rights to lands, territories, resources and culture.
- Integrate obligations under UNDRIP, ILO 169 (Nepal), and core human rights treaties into national climate legislation and policy.

## **Establish binding FPIC procedures in climate change measures**

- Recognise FPIC as a fundamental right and establish clear, mandatory FPIC procedures for all climate change-related laws, policies and projects.
- Ensure consultations and FPIC processes are conducted through Indigenous Peoples' own representative institutions and governance systems.

## **Safeguard cultural integrity and traditional knowledge of Indigenous Peoples in climate responses**

- Introduce policies that safeguard Indigenous Peoples' cultural sites, rituals, and knowledge systems from climate change impacts and climate change measures.
- Formally integrate Indigenous Peoples' traditional knowledge into national adaptation, mitigation and climate governance strategies.

## **Protect Indigenous Peoples' lands, territories and resources in climate action**

- Legally recognise Indigenous Peoples' collective land rights and customary tenure systems, and strengthen safeguards against climate-related dispossession, forced relocation, and land use restrictions imposed through mitigation, adaptation, conservation or energy transition measures.
- Establish mechanisms for land restitution, fair compensation, livelihood restoration and secure land tenure after climate-induced disasters and climate-related project impacts.
- Mandate comprehensive environmental, social, human rights and Indigenous Peoples-specific impact assessments for all climate, conservation and energy projects, ensuring that risks to Indigenous lands, resources and territorial integrity are fully identified and addressed.

## **Ensure meaningful participation in climate change policy developments and access to climate information**

- Integrate Indigenous Peoples' governance structures into all stages of climate policy and project development, from design to monitoring.
- Ensure climate change-related information is available in Indigenous Peoples' languages and shared through accessible local channels, with Indigenous Peoples' representatives involved in designing communication methods.

- Provide financial and logistical support (transport, translation, per diem) to enable participation of Indigenous women, youth, elders and persons with disabilities.
- Ensure feedback loops so that Indigenous Peoples' input leads to concrete policy changes.

### **Protect Indigenous Peoples Human Rights Defenders (IPHRDs) in the context of climate change**

- Adopt national legislation recognising and safeguarding human rights defenders, including Indigenous Peoples human rights defenders.
- Establish independent monitoring and rapid response mechanisms for threats and reprisals linked to climate-related activities.
- Ensure accountability for abuses committed by security forces and project authorities in climate change-related measures and projects.

### **Make climate finance rights-based and inclusive**

- Require international and domestic climate finance mechanisms to include Indigenous-specific safeguards and direct benefit-sharing.
- Allocate dedicated funding for Indigenous Peoples-led adaptation, resilience initiatives and traditional knowledge-based climate responses.

### **Address climate-related loss, damage and livelihood impacts**

- Develop livelihood restoration programmes supporting Indigenous Peoples' agriculture, fisheries, forest-based livelihoods, weaving and traditional food systems.
- Prioritise Indigenous Peoples' access to climate resilient infrastructure, freshwater systems and post-disaster relief tailored to community needs.
- Ensure Indigenous Peoples are explicitly included in national loss and damage mechanisms and compensation processes.

### **Guarantee access to justice for climate change-related rights violations**

- Remove financial, linguistic, geographic and procedural barriers that prevent Indigenous Peoples from using courts and grievance mechanisms
- Establish local, culturally appropriate grievance mechanisms designed with Indigenous Peoples.
- Strengthen judicial and administrative capacity to adjudicate Indigenous rights violations linked to climate change and climate-related projects

### **Strengthen social and economic development for Indigenous Peoples**

- Ensure development, agriculture, and disaster risk reduction strategies include Indigenous specific measures that support culturally grounded livelihoods and protect traditional food systems.
- Safeguard Indigenous Peoples' food security by recognising traditional crops, seeds, fisheries, and forest foods and addressing climate-related losses linked to salinity, biodiversity decline, and restricted resource access.
- Ensure water, sanitation, and housing policies uphold Indigenous Peoples' rights and provide safe, affordable, and climate resilient services.
- Strengthen climate-responsive health services in Indigenous regions, including care for water-borne diseases, heat stress, reproductive and mental health needs, and post-disaster impacts, while protecting traditional medicine systems and access to medicinal plants.

**Integrate Indigenous-generated climate data into national systems with Indigenous Peoples' FPIC**

- Use Indigenous-generated data (e.g., Indigenous Navigator) within national climate monitoring and reporting systems based on the FPIC of the respective Indigenous Peoples and communities.
- Provide long-term financial and technical support for Indigenous Peoples-led documentation of climate impacts, rights violations and adaptation needs.



## 8. Conclusions

The pilot of the Indigenous Navigator Climate Change survey in Nepal and Bangladesh demonstrates **systemic gaps** between international Indigenous human rights standards and national climate governance. Across all nine rights domains, both States show **consistently low implementation**, reflecting the absence of the full legal recognition of Indigenous Peoples as rights holders, the lack of FPIC and rights-based impact assessments, weak tenure protections, and limited access to justice. National frameworks inadequately reflect Indigenous Peoples' specific climate vulnerabilities and fail to incorporate their contributions, governance systems, traditional knowledge and rights.

Community-level data from the Gurung and Munda highlight the severity of climate impacts and some climate change measures, leading to land loss, food insecurity, cultural disruption, and heightened health risks. At the same time, the Gurung and the Munda communities demonstrate significant strengths in adaptive capacity and traditional knowledge, which remain largely recognized and unsupported in state climate responses.

While isolated policy openings exist, such as Nepal's ratification of ILO 169 and Bangladesh's disaster risk reduction mechanisms, these do not yet translate into Indigenous-rights compliant climate action.

Realigning climate governance with Indigenous Peoples' rights will require structural legal reform, targeted institutional measures, and meaningful participation led through Indigenous representative institutions. The findings underscore that progress is possible, but only if States commit to recognising Indigenous Peoples as essential partners in climate governance and to embedding Indigenous rights and knowledge systems at the centre of their climate responses.

## Appendix 1: Indicators and questions used for index calculations

Survey	Indicator	Question
<b>Self-determination</b>		
<b>National recognition of Indigenous Peoples and Free, Prior and Informed Consent</b>		
National	Recognition of indigenous peoples' distinct identity in national legislation and climate change-related laws and policies	1.1.2(CCN) If yes, is the recognition of Indigenous Peoples as distinct groups with collective rights reflected in climate change-related laws and policies?
	Recognition of the state duty to consult with Indigenous Peoples before adopting or implementing climate change-related legislative or administrative measures that may affect them and prior to approval of any project that affects their lands, territories and resources in national legislation	1.3.1(CCN) Does national legislation recognise the state's duty to consult with Indigenous Peoples in order to obtain their free, prior and informed consent in relation to climate change-related measures and projects:
	Procedures or mechanisms for State consultation with Indigenous peoples on climate change policies, laws, measures or projects at national, sub-national and local levels	1.3.3(CCN) Has the State developed operational procedures or mechanisms for consultation with Indigenous Peoples on climate change-related policies, laws, measures or projects at the following levels?
Community	<p>Recognition of indigenous peoples' distinct identity in national legislation and climate change-related laws and policies</p> <p>Consultations with Indigenous Peoples' autonomous institutions before approval of climate change-related measures and projects</p> <p>Free, prior and informed consent of indigenous peoples' autonomous institutions before approval of measures that may affect them</p>	<p>1.1.1(CCC) Does national legislation recognise the peoples covered in this survey as distinct peoples with collective rights?</p> <p>1.2.2(CCC) Do national, state or local government institutions ensure that adequate consultations are undertaken with your community/ ties before approval of climate change-related projects or measures that may affect you?</p> <p>1.2.4(CCC) Do state institutions obtain the free, prior and informed consent of your community/ ties before they approve climate change-related measures and projects that affect you?</p>

**Legal and Procedural Safeguards**

National	Existence of legislation requiring human rights impact assessments prior to state or third parties' climate change related activities affecting Indigenous Peoples	1.2.4(CCN) Does national law require that human rights impact assessments are undertaken prior to approval of climate change-related activities that affect Indigenous Peoples for the following:
	Existence of legislation requiring environmental impact assessments prior to state or third parties' climate change related activities affecting Indigenous Peoples	1.2.6(CCN) Does national law require that environmental impact assessments are undertaken prior to approval of climate-change related activities that affect Indigenous Peoples for the following:
	Existence of measures and mechanisms to enforce impact assessment regulations	1.2.8(CCN) Are there effective monitoring, investigation and accountability mechanisms set up to enforce impact assessment regulations?
	Social, spiritual, cultural and environmental impacts are assessed prior to approval of climate change-related projects that may affect Indigenous Peoples' lands, territories or resources, with the participation of indigenous Peoples' representative institutions	1.3.2(CCN) Does the State ensure that social, spiritual, cultural and environmental impact assessments are undertaken prior to approval of climate change-related projects that may affect Indigenous Peoples' lands, territories or resources, with the participation of Indigenous Peoples' representative institutions?
Community	Impact assessments are undertaken prior to approval of climate change-related projects that may affect Indigenous Peoples' lands, territories or resources, with the participation of indigenous peoples' representative institutions	1.2.1(CCC) Do state institutions ensure that your institutions/ authorities participate in impact assessments of climate change-related projects that may affect your lands, territories or resources?

Cultural Integrity		
National	Existence of state measures to protect cultural, spiritual and religious traditions, customs and ceremonies in the context of climate change-related impacts and measures	2.1.1(CCN) Has the state, in the last five (5) years, taken measures to protect the ability of Indigenous Peoples to practise their cultural, spiritual and religious traditions, customs and ceremonies in the context of climate change-related risks, impacts and measures?
	Respect for the traditional knowledge and practices of indigenous peoples to adapt to and mitigate climate change impacts in climate change-related laws and policies	2.2.1(CCN) Do climate change-related laws and policies recognise the traditional knowledge and practices of Indigenous Peoples to adapt to and mitigate the impacts of climate change?
Community	Restrictions in the practice of cultural, spiritual and religious traditions, customs and ceremonies linked to state climatechange measures	2.1.6(CCC) Are any climate change-related state laws, plans, policies, measures or activities causing restrictions on your cultural, spiritual and religious traditions, customs and ceremonies?
	Restrictions in the practice of cultural, spiritual and religious traditions, customs and ceremonies caused by climate change impacts	2.1.1(CCC) In the last five (5) years, has any climate change impacts restricted your cultural, spiritual and religious traditions, customs and ceremonies?

<b>Lands, territories and resources</b>		
<b>Recognition, protection and adjudication of inherent rights to lands, territories and natural resources</b>		
National	Recognition of Indigenous Peoples' rights to lands, territories and resources in national legislation and climate change-related policies, laws and plans	3.1.1(CCN) Does national legislation recognise Indigenous Peoples' collective rights to lands, territories and resources:
	Incidents of climate change impacts contributing to changes in land and natural resource access and use	3.1.4(CCN) Have climate change impacts contributed to negative changes in land and natural resource access and use for Indigenous Peoples in the last five (5) years?
	Incidents of climate change-related laws, policies or activities resulting in changes in land and natural resource access and use without indigenous peoples' free, prior and informed consent	3.1.5(CCN) Have there, in the last five (5) years, been incidents of climate change-related laws, policies or activities which have negatively impacted access to and control over land and natural resources for Indigenous Peoples:
Community	Incidents of climate change-related laws, policies or activities resulting in changes in land and natural resource access and use without indigenous peoples' free, prior and informed consent	3.1.1(CCC) Have there, in the last five (5) years, been incidents of climate change-related laws, policies or activities which have negatively impacted your access to and control over land and natural resources?
	Incidents of climate change impacts contributing to changes in land and natural resource access and use	3.1.7(CCC) Have climate change impacts contributed to negative changes in land and natural resource access and use in your community in the last five (5) years?

<b>Dispossession and Compensation</b>		
National	Incidents of dispossession, displacement or relocation without free, prior and informed consent due to climate change measures and projects	3.2.1(CCN) Have Indigenous Peoples been forcibly removed or relocated without free, prior and informed consent in the last five (5) years due to climate change-related measures and projects?
	Adequate redress, restitution and compensation for dispossession, use or exploitation of lands, territories and resources due to climate change measures and projects	3.3.1(CCN) Do national legal frameworks provide for compensation, resettlement and restitution in the case of dispossession and displacement?
Community	Incidents of dispossession, displacement or relocation without free, prior and informed consent due to climate change measures and projects	3.2.1(CCC) Has your people or community/ies, in the last five (5) years, been forcibly removed or relocated without your free, prior and informed consent due to climate change-related measures and projects?
<b>Environment</b>		
National	Recognition of the right to participate in the use, management and conservation of natural resources in protected and conserved areas	3.4.1(CCN) Does the law allow for Indigenous Peoples to participate in the use, management and conservation of natural resources in protected and conserved areas?
	Establishment and implementation of assistance programmes for indigenous peoples for conservation and protection	3.4.2(CCN) Has the state, in the last five (5) years, implemented assistance programs for conservation and protection of the environment and the productive capacity of Indigenous Peoples' lands, territories, waters and coastal seas and other resources?
Community	Establishment and implementation of assistance programmes for indigenous peoples for conservation and protection	3.4.1(CCC) Has the government, in the last five (5) years, implemented assistance programs for conservation and protection of the environment and the productive capacity of your lands, territories, waters and coastal seas and other resources?

**Fundamental rights and freedoms**

**Enabling environment**

	<p>Existence of national legislation or policy that recognises the role of human rights defenders in accordance with the UN Declaration on Human Rights Defenders.</p>	<p>4.1.1(CCN) Are there provisions in national legislation or policy that recognize the role of human rights defenders as persons who, individually or in association with others, promote and strive for the protection and realisation of human rights and fundamental freedoms?</p>
	<p>Number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unionists and human rights advocates in the last five (5) years while defending their rights in the context of climate change.</p>	<p>4.1.2(CCN) In the last five (5) years, have there been any cases of the following harmful acts against Indigenous Peoples human rights defenders while defending their rights in the face of climate change?</p>
<p>National</p>	<p>Incidents of suppression of indigenous peoples' peaceful assembly contrary to international human rights law in the context of climate change</p> <p>Cases of threats to indigenous individuals while defending their rights in the context of climate change (over the last 5 years)</p>	<p>4.1.16(CCN) Have there been cases, in the last five (5) years, of suppression of Indigenous Peoples' right to peaceful assembly on issues related to climate change?</p> <p>4.1.15(CCN) In the last five (5) years, have there been any threats to Indigenous Peoples human rights defenders while defending their rights in the face of climate change measures or impacts?</p>

Community	Number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unionists and human rights advocates in the last five (5) years while defending their rights in the context of climate change.	4.1.1(CCC) In the last five (5) years, have any members of your community experienced the following harmful acts while defending their rights in the face of climate change measures or impacts:
	Incidents of suppression of indigenous peoples' peaceful assembly contrary to international human rights law in the context of climate change	4.1.9(CCC) Has your community, in the last five (5) years, experienced suppression of peaceful assembly concerning issues related to climate change or climate change-related policies, programmes, measures or decisions?
	Cases of threats to indigenous individuals while defending their rights in the context of climate change (over the last 5 years)	4.1.5(CCC) In the last five (5) years, have there been any threats to any members of your community/ peoples while defending their rights in the face of climate change-related measures or impacts?
<b>Right to life</b>		
National	Existence of a national disaster risk reduction strategy in line with the Sendai Framework for Disaster Risk Reduction 2015–2030	4.1.9(CCN) Has the state adopted a national disaster risk reduction strategy in line with the Sendai Framework for Disaster Risk Reduction 2015–2030?
	Number of deaths, missing and directly affected indigenous persons attributed to climate-related disasters per 100,000 population	4.1.13(CCN) Have any of the following impacted any Indigenous Persons due to climate-related disasters in the last five (5) years?
Community	Number of deaths, missing and directly affected indigenous persons attributed to climate-related disasters per 100,000 population	4.1.10(CCC) Have any of the following impacted any Indigenous Persons in your community due to climate change-related hazards in the last five (5) years?

<b>Participation in public life</b>		
<b>Access to information</b>		
National	Recognition of the right of access to environmental information	5.1.1(CCN) Do national legal frameworks recognize the public right to access information?
	Availability and accessibility of information on climate laws, policies, measures and impacts	5.1.2(CCN) Is information about the following made available from public bodies:
Community	Equal access to environmental information	5.1.1(CCC) Is information about the following available to you:
<b>Participation</b>		
National	Recognition of the right of indigenous peoples to participate in the design, implementation and monitoring of climate-change related laws and policies through their representative institutions in national legislation and policies	5.1.4(CCN) Do climate change-related laws and policies reflect a recognition of the right of Indigenous Peoples to participate in decisions that may affect them through their representative institutions?
	Meaningful participation of indigenous peoples in the design, implementation, monitoring of climate change-related laws, policies and plans	5.1.5(CCN) In the last five (5) years, has the input of Indigenous Peoples' representative institutions been sought in:
Community	Meaningful participation of indigenous peoples in the design, implementation, monitoring of climate change-related laws, policies and plans	5.1.3(CCC) In the last five (5) years, has the input of your people/ community and representatives been sought in:
<b>Access to justice and remedy</b>		
National	Incidents of court rulings that provide remedy for infringements of indigenous peoples' rights in the context of climate change	6.1.2(CCN) Have there been incidents of court rulings that provide remedy for infringements of Indigenous Peoples' rights in the context of climate change?

Community	Sanctioning of violators of indigenous peoples' rights in the context of climate change policies and activities	6.1.1(CCC) Has your people/ community, in the last five (5) years experienced violations of rights in the context of climate change policies and activities?
	Incidents of court rulings that provide remedy for infringements of indigenous peoples' rights in the context of climate change	6.1.4(CCC) Have there been incidents of court rulings that provide an effective remedy for infringements of your rights in the context of climate change?
<b>General economic and social rights</b>		
<b>Right to development</b>		
National	Special measures within national development plans to address climate-related risks and impacts to Indigenous Peoples	7.2.1(CCN) Does the national development plan include special measures to address climate change risks and impacts on Indigenous Peoples?
	Recognition of the rights of Indigenous Peoples to maintain and to engage freely in all their traditional and other economic activities	7.2.7(CCN) Does national legislation recognize the rights of Indigenous Peoples to maintain and to engage freely in all their traditional and other economic activities?
	Existence of national budget allocations dedicated to addressing climate change-related risks and impacts on Indigenous Peoples	7.2.2(CCN) Does the national budget include budgetary resources to address climate change risks and impacts on Indigenous Peoples?
Community	<p>Access to local, provincial or national government resources for addressing climate change risks and impacts to Indigenous Peoples</p> <p>Deprivation of means of subsistence and development due to climate change impacts</p>	<p>7.2.1(CCC) In the last five (5) years, has your community received any financial resources from local, provincial or national government authorities for addressing climate change risks and impacts?</p> <p>7.2.5(CCC) Has your people/ community, in the last five (5) years, suffered damage to your livelihoods due to climate change impacts?</p>

Right to food		
National	Existence of national policies which address actual and foreseeable impacts of climate change on Indigenous Peoples' right to food	7.1.1(CCN) Do national laws and policies address the actual and foreseeable climate change-related impacts on Indigenous Peoples' right to food?
	Trends in availability and accessibility of traditional foods in the context of climate change	7.1.2(CCC) Has your community experienced any negative changes in the quantity, access or quality of your traditional foods in the last five (5) years?
Community	Incidents of food shortage over the last five (5) years	7.1.7(CCC) Has your community experienced shortages of food in the last five (5) years
Right to social security, housing, water and sanitation		
	Existence of universal social security scheme(s) specifically including climate change risks for indigenous peoples	7.3.1(CCN) Do national social security schemes use climate risk information in their design and targeting?
	Existence of national laws and policies that address foreseeable climate-related impacts to the right to water and sanitation of indigenous communities	7.4.1(CCN) Do national policies address actual and foreseeable climate change-related impacts to Indigenous Peoples' right to water and sanitation?
National	Existence of national laws and policies that address foreseeable climate change-related impacts to the right to housing of indigenous communities	7.4.2(CCN) Do national policies address the actual and foreseeable climate change-related impacts to Indigenous Peoples' rights to adequate housing?

Community	Proportion of Indigenous Peoples/ communities accessing social security schemes	7.3.1(CCC) In the last five (5) years, approximately, how many of the following members of your community/people accessed social security programs (e.g. social health protection, old age pension, unemployment benefit, benefits during maternity leave etc.)?
	Trends in enjoyment of the right to water and sanitation among indigenous communities in the context of climate change	7.4.1(CCC) Has your community experienced water shortage, poor water quality, or inadequate sanitation in the last five (5) years?
	Trends in enjoyment of the right to housing among indigenous communities in the context of climate change	7.4.3(CCC) Has your community's access to adequate housing been impacted by changing weather conditions and climate-induced disasters over the last five (5) years?
	Proportion of total adult population with secure tenure rights to land in the form of legally recognized documentation	7.4.4(CCC) Does your people or community/ies have title deeds or other binding agreements in recognition of their collective right to lands or territories?
	Proportion of total adult population who perceive their rights to land as secure	7.4.6(CCC) In the next five (5) years, how likely or unlikely is it that you could lose the right to your land or territories, or part of this land, against your will?

<b>Health</b>		
National	Existence of national policies which include measures to address actual and foreseeable impacts of climate change on Indigenous Peoples' right to maintain traditional medicines and health practices	8.1.1(CCN) Do national policies address the actual and foreseeable climate change-related impacts to Indigenous Peoples' right to maintain their traditional medicines and health practices?
	Existence of national policies which include measures to address actual and foreseeable impacts of climate change on Indigenous Peoples' right to an adequate standard of physical and mental health	8.1.2(CCN) Do national policies address the actual and foreseeable climate change-related impacts to Indigenous Peoples' right to an adequate standard of physical and mental health?
	Trends in traditional healing practices in the context of climate change	8.1.1(CCC) Have there been any negative changes to the accessibility and use of traditional medicinal plants in the context of climate change?
Community	Prevalence of disease or health conditions with a possible link to changing climate conditions	8.1.3(CCC) Have any of the following become more frequent in your community in the last five (5) years?
<b>Employment and occupation</b>		
National	Existence of national policies which include measures to address actual and foreseeable impacts of climate change on Indigenous Peoples' traditional occupations.	9.1.1(CCN) Do national policies address actual and foreseeable climate change-related impacts on Indigenous Peoples' traditional occupations?
	Status and trends in traditional occupations in the context of climate change	9.1.2(CCC) In the last five (5) years, have climate change impacts or measures restricted the performance of traditional occupations in your community?
Community	Outmigration from indigenous communities due to climate change impacts or climate-change related measures	9.1.8(CCC) Have any members of your community had to migrate from your traditional or ancestral territories due to climate change impacts or impacts of climate change-related measures on their livelihoods?

# Endnotes

- 1 Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP), *Bridging the Gap: Indigenous Rights and Climate Action in Nepal—An Infographic Note* (Kathmandu: LAHURNIP); *Between the Legal Frameworks and Ground Realities: Exploring Climate Justice for the Indigenous Munda Community in Satkhira, Bangladesh*; Amar Shanti Chakma, Babilan Chakma, Pallab Chakma, Hlamraching Chowdhury Rony, Sushmita Chakma, and Trijinad Chakma, *Between the Legal Frameworks and Ground Realities: Exploring Climate Justice for the Indigenous Munda Community in Satkhira, Bangladesh* (Dhaka: Kapaeeng Foundation, September 2025).
- 2 UN Office of the High Commissioner for Human Rights (OHCHR). *Human Rights Indicators: A Guide to Measurement and Implementation*. HR/PUB/12/5. 2012.
- 3 World Bank Group, *Climate Change Action Plan 2021–2025: South Asia Roadmap* (Washington, DC: World Bank, 2021). Available at: <https://www.worldbank.org/en/region/sar/publication/south-asia-climate-roadmap>
- 4 Government of Nepal, *Nationally Determined Contribution (NDC) 3.0* (Kathmandu: Government of Nepal, May 14, 2025). Available at: <https://climatepromise.undp.org/what-we-do/where-we-work/nepal>.
- 5 UNDP Independent Evaluation Office, *Independent Country Programme Evaluation: Nepal* (New York, United Nations Development Programme, 2022). Available at: <https://erc.undp.org/evaluation/evaluations/detail/12796>.
- 6 World Bank Group, *Climate Change Action Plan 2021–2025: South Asia Roadmap* (Washington, DC: World Bank, 2021). Available at: <https://www.worldbank.org/en/region/sar/publication/south-asia-climate-roadmap>
- 7 Government of the People's Republic of Bangladesh, *Bangladesh's Third Nationally Determined Contribution (NDC 3.0)* (Dhaka: Ministry of Environment, Forest and Climate Change, September 2025).
- 8 World Bank Group. *Coastal Resilience in Bangladesh: Protecting Coastal Communities from Tidal Flooding and Storm Surges, Results Brief* (September 10, 2019). Available at: <https://www.worldbank.org/en/results/2019/09/10/coastal-resilience-in-bangladesh-protecting-coastal-communities-from-tidal-flooding-and-storm-surges>.
- 9 Paris Agreement status of ratification. Available at: [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XXVII-7-d&chapter=27&clang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVII-7-d&chapter=27&clang=en)
- 10 Government of the Peoples' Republic of Bangladesh, *National Adaptation Plan of Bangladesh (2023-2050)* (Dhaka, 2023). Available at: <https://www.undp.org/bangladesh/publications/national-adaptation-plan-bangladesh-2023-2050>.
- 11 Government of Nepal, *National Adaptation Plan of Nepal (2021-2050)* (Singhdurbar, Kathmandu, 2021). Available at: <https://climatepromise.undp.org/what-we-do/where-we-work/nepal>
- 12 Central Bureau of Statistics. (2021). *National population and housing census 2021: Preliminary report*. Government of Nepal, National Planning Commission.
- 13 In Nepal, the formal recognition of Indigenous Peoples is determined by their inclusion in the annex of the relevant Act. Currently, sixty Indigenous Peoples are officially recognized by the Government of Nepal. However, many other groups also claim Indigenous identity. Among them, 22 groups, in addition to the recognized 60, were recorded in the National Population Census 2021, while several others were excluded from the National Statistics Office (NSO) census.

- 14 Central Bureau of Statistics. (2021). *National population and housing census 2021: Preliminary report*. Government of Nepal, National Planning Commission.
- 15 Bangladesh Bureau of Statistics. "Population and housing census – National Report (Volume I)." p. 10. Government of the Peoples Republic of Bangladesh, 2022. [https://bbs.portal.gov.bd/sites/default/files/files/bbs.portal.gov.bd/page/b343a8b4\\_956b\\_45ca\\_872f\\_4cf9b2f1a6e0/2023-11-20-05-20-e6676a7993679bfd72a663e39ef0cca7.pdf](https://bbs.portal.gov.bd/sites/default/files/files/bbs.portal.gov.bd/page/b343a8b4_956b_45ca_872f_4cf9b2f1a6e0/2023-11-20-05-20-e6676a7993679bfd72a663e39ef0cca7.pdf)
- 16 Caritas Bangladesh
- 17 Bangladesh Indigenous Peoples Forum (BIPF)
- 18 Bangladesh Bureau of Statistics, 2023. *Population and Housing Census 2022*. Dhaka: Government of the People's Republic Bangladesh. Available at: <https://bbs.gov.bd/site/page/47856ad0-7e1c-4aab-bd78-892733bc06eb/Population-and-Housing-Census>
- 19 For a review of the experiences of Indigenous Navigator partners and the community-based collection methods they use, see Danish Institute for Human Rights, *Citizen Data Collection Methods: Experiences from the Indigenous Navigator* (Copenhagen: Danish Institute for Human Rights, 2025).
- 20 Indicator (question) scores are first aggregated at the area level by calculating the simple average score of all indicators included within each area. The domain score is then calculated by averaging the scores of the areas that make up the domain- In that way the domain is a (area-) weighted average of the indicators within the domain.
- 21 United Nations Framework Convention on Climate Change (UNFCCC), *Paris Agreement* (Paris: UNFCCC, 2015), preamble.
- 22 See International Court of Justice, *Obligations of States in respect of Climate Change: Summary of the Advisory Opinion*, 23 July 2025, <https://www.icj-cij.org/sites/default/files/case-related/187/187-20250723-sum-01-00-en.pdf>.
- 23 See <https://iwgia.org/en/news/5780-debates-indigenous-rights-at-risk-in-nepal-s-renewable-energy-projects.html>; [NEPAL: VIOLATIONS IN THE NAME OF CONSERVATION - Amnesty International Nepal](#)
- 24 Bangladesh, Ministry of Law, Justice and Parliamentary Affairs. *Constitution of the People's Republic of Bangladesh*, Articles 23A and 7(2). Accessed February 5, 2026. Article 23A: <http://bdlaws.minlaw.gov.bd/act-367/section-41506.html>; Article 7(2): <http://bdlaws.minlaw.gov.bd/act-367/section-24555.html>.
- 25 See Noor Jahan Punam, "Indigenous Knowledge in Climate Adaptation in Bangladesh: International Climate Law Perspectives," in *International Law, Climate Change and Bangladesh*, ed. M. Uddin (Cham: Springer Nature Switzerland AG, 2024), available at [https://link.springer.com/content/pdf/10.1007/978-3-031-71297-5\\_5.pdf](https://link.springer.com/content/pdf/10.1007/978-3-031-71297-5_5.pdf). [[link.springer.com](#)]; Imtiaz Mahmud, *A Human Rights Critique of Bangladesh's Climate Change Strategy and Action Plan (BCCSAP) & National Adaptation Plan (NAP) (2023–2050): Assessing Participation, Equity, Accountability, and Justice in Adaptation Policy* (Practicum paper, University of Manitoba, 2025), available at <https://mspace.lib.umanitoba.ca/items/1b79cf66-a111-436d-b838-7556ebd44144>
- 26 Committee on Economic, Social and Cultural Rights, "General Comment No. 27 (2025): Economic, Social and Cultural Rights and the Environmental Dimension of Sustainable Development," E/C.12/GC/27 (2025), para.14.
- 27 See ICCPR Article 27 United Nations. *International Covenant on Civil and Political Rights*. 999 U.N.T.S. 171. Adopted December 16, 1966, entered into force March 23, 1976, Art. 27.  
ICESCR Article 15 United Nations. *International Covenant on Economic, Social and Cultural Rights*. 993 U.N.T.S. 3. Adopted December 16, 1966, entered into force January 3, 1976, Art. 15

- 28 *Paris Agreement*, Preamble and art. 7.5.
- 29 UNFCCC. *Baku Workplan of the Local Communities and Indigenous Peoples Platform (2025–2027)*. Bonn: UNFCCC Secretariat, 2024. Accessed January 18, 2026. See 3 (c). [https://lcipp.unfccc.int/sites/default/files/2024-12/Baku\\_Workplan\\_of\\_the\\_Local\\_Communities\\_and\\_Indigenous\\_Peoples\\_Platform.pdf](https://lcipp.unfccc.int/sites/default/files/2024-12/Baku_Workplan_of_the_Local_Communities_and_Indigenous_Peoples_Platform.pdf).
- 30 UN Committee on Economic, Social and Cultural Rights (CESCR), *General Comment No. 26 (2022) on Land and Economic, Social and Cultural Rights*, E/C.12/GC/26 (22 December 2022)
- 31 “Gher” refers to a, usually, embanked area of land, such as a rice field or converted wetland, that is inundated with water to raise shrimp.
- 32 Inter-American Court of Human Rights, Advisory Opinion OC-32/23: The Climate Emergency and Human Rights (San José, Costa Rica: IACtHR, 2023), paras. 566–568.
- 33 See, *Nepal: Violations in the Name of Conservation*, Amnesty International Nepal, <https://amnestynepal.org/report/nepal-violations-in-the-name-of-conservation>; *Asian Development Bank (ADB) Financed Transmission Line and Substation Projects, Shankharapur, Kathmandu*, Lawyers’ Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP), <https://www.lahurnip.org/asian-development-bank-adb-financed-transmission-line-and-substation-projects-shankharapur-kathmandu>; *The Unseen Cost of a “Just Transition”: Indigenous Rights at Risk in Nepal’s Renewable Energy Projects*, IWGIA, <https://iwgia.org/en/news/5780-debates-indigenous-rights-at-risk-in-nepal-s-renewable-energy-projects.html>; *World Bank Financed 220 kV Transmission Line Project*, LAHURNIP, <https://www.lahurnip.org/world-bank-financed-220-kv-transmission-line-project>.
- 34 Human Rights Committee, “General Comment No. 36 (2018) on Article 6: Right to Life,” CCPR/C/GC/36 (2018), para. 26.
- 35 See United Nations, *Report of the Special Rapporteur on the promotion and protection of human rights in the context of climate change*, A/79/176 (2024), para. 75 (c).
- 36 UN Human Rights Committee, *General Comment No. 34: Article 19: Freedoms of Opinion and Expression*, CCPR/C/GC/34 (12 September 2011), para. 19
- 37 See United Nations, *Report of the Special Rapporteur on the promotion and protection of human rights in the context of climate change*, A/79/176 (2024), para. 74 and 75.
- 38 United Nations Framework Convention on Climate Change (UNFCCC). *Paris Agreement*. Paris: UNFCCC, 2015, Article 7 and 12.
- 39 Committee on Economic, Social and Cultural Rights. *General Comment No. 27 (2025): Economic, Social and Cultural Rights and the Environmental Dimension of Sustainable Development*. UN Doc. E/C.12/GC/27, 6 November 2025, paras. 67-70.
- 40 *UN Committee on Economic, Social and Cultural Rights*, General Comment No. 14: The Right to the Highest Attainable Standard of Health (Article 12 of the ICESCR), UN Doc. E/C.12/2000/4 (11 August 2000), para. 27; Committee on Economic, Social and Cultural Rights. *General Comment No. 27 (2025): Economic, Social and Cultural Rights and the Environmental Dimension of Sustainable Development*. UN Doc. E/C.12/GC/27, 6 November 2025, para. 69
- 41 See [Nepal’s traditional healers vow to preserve ‘secret and sacred’ indigenous knowledge even as climate change bites | South China Morning Post](#)

