

# **National Forum on Indigenous Peoples and the World Conference on Indigenous Peoples (WCIP 2014)**

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ORGANIZED BY:

**PHILIPPINES  
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WITH SUPPORT FROM:



**International Day of the World's Indigenous Peoples 2013**

## **Indigenous Peoples' Agenda**

## Introduction

In the first few months of the Aquino presidency in 2010, more than 60 organizations gathered to forge an Indigenous Peoples (IP) Agenda. Three years hence, there has been no substantive response from this administration on the IP Agenda, nor has there been any significant development in favor of indigenous peoples. In fact, indigenous peoples still suffer the same problems raised in the IP agenda.

The IP Agenda was originally divided into six themes such as: (1) On the National Commission on Indigenous Peoples (NCIP), titling of ancestral lands and domain, Free Prior and Informed Consent (FPIC) and the Ancestral Domain Sustainable Development and Protection Plan (ADSDPP); (2) Millennium Development Goals (MDGs) and Indigenous Peoples; (3) The GRP and MILF Peace Talks, the Bangsa Moro Juridical Entity (BJE) and the GRP and NDFP Peace Talks; (4) Human Rights Violations; (5) Mining and other Development Projects; and (6) Conflicting Laws.

Gathering this time on the occasion of the International Day of the World's Indigenous Peoples, we, indigenous peoples under the umbrella of the Philippine UNDRIP Network, a loose network of indigenous peoples' national and regional networks, organizations and institutions, met on August 7, 2013, to celebrate the International Day of the World's People and agreed upon an updated Indigenous Peoples' Agenda, building upon previous statements and declarations of various indigenous peoples' meetings and formations. We are submitting these to the government and the newly elected Congress, the multilateral bodies based in the Philippines and the World Conference on Indigenous Peoples in 2014, which is a High-Level Plenary Meeting of the UN General Assembly.

The Assembly expressed full support to the Alta Outcome Document agreed upon by 700 indigenous representatives from all over the world in the Alta Conference from June 10-12, 2013.

## Four Themes of the IP Agenda

*We, indigenous peoples and advocates, therefore call upon the Philippine government; the multilateral bodies in the Philippines, including the UN bodies, agencies and funds; the World Bank and the Asian Development Bank; the European Union; among others, to address the following issues and concerns:*

### **I. On Indigenous Peoples' Lands, Territories, Resources and Development Aggression**

- Stop land grabbing of indigenous peoples' lands including new forms of landgrabbing, e.g., using priority and usufruct rights to privatize and commercialize indigenous lands; and implementation of renewable energy projects, without indigenous peoples' free, prior and informed consent. Review and revoke agreements with private entities and particularly those unjustly titled by non-indigenous entities.

- Recognize genuine leaders and respect customary laws on land and resource use, including sacred sites, burial and hunting grounds, and other culturally important places.
- Stop large-scale mining in indigenous territories! Recognize and faithfully implement local government resolutions and moratoriums on mining operations. Provide compensation for victims of environmental destruction from the operations of mining companies and funds for the rehabilitation of destroyed and polluted mining sites.
- Protect and promote sustainable agriculture, agro-forestry and diverse indigenous food production systems in indigenous peoples' territories to ensure food security/sovereignty of indigenous peoples. Provide funds in support for these.
- Strengthen traditional occupations and livelihoods. Stop discriminating policies and programmes against these. Include traditional occupations in the Philippine Standard Occupational Classification (PSOC).
- Stop the entry and proliferation of genetically modified organisms (GMOs) and toxic, banned and harmful farm inputs in indigenous peoples' lands and territories.
- Stop massive land use conversion of agricultural lands and forests to biofuel, and other mono-crop, tree and fruit plantations. Undertake environmental, social and human rights assessments of existing plantations.
- Ensure the protection of the rights of indigenous peoples in eco-tourism and other related projects and initiatives.
- Cease the construction of mega hydroelectric dams, large multipurpose dams and other large-scale energy projects in indigenous peoples' lands and waters.
- Review and validate Ancestral Domain Sustainable Development and Protection Plans (ADSDPPs) especially those formulated without the participation of indigenous communities.
- Recognize maps done by indigenous peoples and their support organizations through community participatory mapping processes in their territories.
- Study and develop, jointly with indigenous peoples, programmes for Payment for Environmental Services (PES) and ensure that indigenous peoples benefit directly from royalty payments from projects depending on environmental services from indigenous forests and lands. Ensure that these payments are used for programmes, which support the collective well-being of indigenous peoples.

## II. On Human Rights, Militarization and Peace

- Stop the deceptive Operation Plan Bayanihan.
- Stop the bombings and forced evacuations. Stop the militarization of indigenous peoples' communities.
- End impunity! Bring to justice the perpetrators of human rights violations committed against indigenous peoples; and of the 35 extrajudicial killings of indigenous peoples in the Aquino administration as of August 2013 and the 142 extra-judicial killings of indigenous peoples in the Arroyo administration.
- Enforce the prohibition of military occupation of schools, barangay halls, health centers, indigenous meeting places and sacred grounds and other community-owned institutions. Stop the military attacks on indigenous peoples' community-based schools and literacy-numeracy institutions.
- Stop using indigenous children during military operations and government's counter-insurgency program. Stop the recruitment of indigenous children and minors to paramilitary groups.
- Dismantle the Investment Defense Forces, and other paramilitary formations and private armies used by mining companies to repress people's opposition against mining operations or explorations. Hold private corporations accountable to human rights violations committed against indigenous peoples by these armed groups.
- Stop the harassment, intimidation, and other forms of repression against indigenous peoples, especially leaders and members of indigenous peoples' organizations, opposing so-called development projects and businesses.
- Stop the criminalization of indigenous communities' resistance and the persecution of indigenous peoples' organizations. Drop trumped-up charges and SLAPP suits against IP leaders and members of IP organizations. Stop the vilification of indigenous leaders and activists as communists or terrorists.
- Dismantle paramilitary forces sowing terror in indigenous territories. Stop the formation and recruitment of indigenous peoples to the Citizen Armed Force Geographical Unit (CAFGU), Cordillera Peoples Liberation Army (CPLA), and other paramilitary groups.

- Respect Indigenous Women’s rights. Bring to justice the perpetrators of rape and sexual assaults against indigenous women and girls. Monitor closely and stop violence against indigenous women and girls. Develop more gender and indigenous peoples-sensitive health and reproductive health services and programs in indigenous peoples’ communities and provide free legal services to survivors of violence. Monitor closely and stop violence against indigenous women and girls.
- Give proper attention to indigenous peoples’ issues and concerns in the peace negotiations entered into by the government with the National Democratic Front of the Philippines (NDFP) and the Moro Islamic Liberation Front (MILF). Ensure the recognition of IP rights in the Framework Agreement on the Bangsamoro. Respect the demands of indigenous peoples within the ARMM to develop indigenous autonomous territories within and to ensure that indigenous peoples benefit equitably from the 70% share of the Bangsamoro.
- Urge the Philippines Government (NCIP and DFA) and the Commission on Human Rights to respond to the 2009 CERD (Committee on Elimination of Racial Discrimination) concluding observations and recommendations addressed to the government <sup>1</sup> and the recommendations from the Universal Periodic Review (UPR) of the Philippines done in 2012. This includes the call to disband paramilitary armed groups and to stop the killings of indigenous activists and leaders and their supporters and to bring to justice the perpetrators.
- Stop the entry of US military forces into Philippine territory, under various guises, in accordance with the Philippine Constitution.

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<sup>1</sup> These recommendations urged the Philippine Government to: \*acknowledge that racial discrimination exists in the Philippines; \*gather disaggregated data on the situation of Indigenous Peoples through a consultative process with them; \*ensure that Indigenous Peoples are protected in situations of armed conflict and that independent and impartial investigations are conducted into all allegations of human rights violations; \*adopt adequate measures in order to ensure the enjoyment by internally displaced [Indigenous Peoples] of their rights under article 5 of the Convention, especially their right to security and their economic, social and cultural rights; \*conduct an independent review, in consultation with indigenous peoples, of the legislative framework in relation to indigenous property, with particular regard to the question of consistency between the IPRA, its implementing guidelines, the Regalian doctrine and other related doctrines, as well as the Mining Act of 1995; \*fully implement the IPRA, in particular by securing the effective enjoyment by indigenous peoples of their rights to ancestral domains, lands and natural resources, and ensuring that economic activities, especially mining, carried out on indigenous territories do not adversely affect the protection of the rights recognised to indigenous peoples under the aforementioned Act; \*streamline the process for obtaining land rights certificates and take effective measures to protect communities from retaliations and violations when attempting to exercise their rights; \*verify that the current structures and guidelines/procedures established to conduct FPIC are in accordance with the spirit and letter of the IPRA and set realistic time frames for consultation processes with indigenous peoples.’; \*verify that the apparent lack of formal protests is not the result of a lack of effective remedies, the victims’ lack of awareness of their rights, fear of reprisals, or a lack of confidence in the NCIP; \*‘to consider ratifying...ILO International Convention on Indigenous and Tribal Peoples (No. 169)’ and ‘making the optional declaration provided for in article 14 of the Convention’.

### **III. On the National Commission on Indigenous Peoples (NCIP), Free Prior and Informed Consent (FPIC) and Conflicting Laws**

- Totally revamp the NCIP and make accountable those who have been proven to work against the rights and interests of indigenous peoples. Support a comprehensive independent initiative to review the overall implementation of the Indigenous Peoples Rights Act (IPRA). Immediately respond to and implement the recommendations of the “Institutional Assessment of the NCIP” done by the University of the Philippines Baguio and whose findings we presented before the Philippine Congress and the NCIP in August 9, 2011. Raise widely the awareness and capacities of government employees to understand indigenous peoples’ rights.
- Junk/repeal the Philippine Mining Act of 1995 and pass the People’s Mining Bill, which was deliberated during the past congress. Review and take proper action on all laws, which undermine indigenous peoples’ rights to ancestral domain and self-determination (e.g., NIPAS Act, Forestry Code, Land Registration Act, etc).
- Keep track of and evaluate the implementation of the 2012 Revised FPIC guidelines. Put primacy on the application of customary laws of indigenous peoples in all FPIC processes entered into by private entities (companies, NGOs, foundations) and government offices. Ensure that the indigenous peoples’ genuine representative bodies and leaders are the ones who provide FPIC. Stop and revoke permits of mining companies, which obtained FPIC through fraudulent processes.
- Extinguish the Joint Administrative Order (JAO) of the DENR, DAR, LRA and the NCIP of 2012, which totally undermines the rights of IP to their lands, territories and resources., Likewise, cease the implementation of the AOs of the former NCIP such as the AO on research of indigenous knowledge systems (IKS). Fast-track the processing and approval of applications for CADTs and recognize native titles and assertions of indigenous peoples, which have been properly processed and which are not acted upon by the NCIP.
- Review the CALT/CADT guidelines. All issuances of CADT/CALT must pass through genuine consultation and FPIC. Recognize traditional ownership as defined by customary laws and also traditional boundaries and landmarks of indigenous peoples in titling. There must be no CALT or private ownership in community-designated protected areas.
- Include the development agenda crafted by indigenous peoples’ organizations in the Philippine Medium Term Development Plan. Ensure that the teams preparing the Philippine Medium-Term Development Program and the “Women’s Edge Plan 2013-2016” of the Philippine Commission of Women undertake effective and broad consultations with indigenous peoples to guarantee the inclusion of indigenous peoples’ demands contained in this Indigenous Peoples’ Agenda and

the indigenous women's proposals contained in the document agreed upon in the National Indigenous Women's Consultation held from August 1-6, 2013.

- Ensure the inclusion of indigenous peoples' representatives in the formation of civil society committees by UN bodies, agencies and programmes and other multilateral bodies and by government bodies like the Climate Change Commission, among others. We urge these bodies to establish separate indigenous peoples' advisory committees, jointly with indigenous peoples' organizations.
- Support the efforts of indigenous peoples to implement their frameworks and programmes for "Indigenous Peoples' Sustainable, Self-Determined Development" and undertake joint consultations to understand this framework and its operationalization.
- Recognize indigenous peoples' rights and traditional land use in the National Land Use Bill and the Forestry Bill being proposed in Congress.

#### **IV. On Social Services, Post-2015 Sustainable Development Goals, Climate Change Adaptation and Disaster Preparedness and Response Measures**

- Assess, jointly with indigenous peoples, the implementation of the Pantawid Pamilyang Pilipino Program (4Ps) with regards to its benefits and adverse impacts on indigenous peoples and come up with more appropriate, relevant, and sustainable social services, which address the rights and basic needs of indigenous peoples. Ensure that the 4Ps programme and other health and education programmes respect and protect the traditional healing and health systems of indigenous peoples and their traditional healers (e.g., traditional midwives, *mandadawak*, *men sip-ok*, *balian*, etc.). Review which of the programmes are discriminatory to indigenous peoples and revise these discriminatory aspects to ensure consistency with the UNDRIP and the IPRA.
- Strengthen and support indigenous peoples' traditional occupations, arts and crafts, and livelihoods. Ensure that sustainable and community-based economic and livelihood programmes are jointly developed and implemented with indigenous peoples.
- Strengthen indigenous knowledge systems and the use of indigenous materials and means such as non-timber forest products and traditional medicinal plants. Protect these from being appropriated through patents, trademarks and copyrights. Support the operationalization of the Intergovernmental Panel on Biodiversity and Ecosystem Services (IPBES) conclusion, which recognizes that diverse knowledge systems, which include indigenous knowledge systems are equally valid as science and should be respected and promoted with its own integrity and value.
- Provide sufficient and culturally responsive educational institutions to indigenous communities. Undertake the implementation of indigenization and mother-tongue programmes of the Department of Education, jointly with indigenous peoples and

experts. Support establishment of more indigenous schools, schools of living traditions, indigenous studies programmes in higher learning institutions and indigenous universities and provide the necessary budget for these. Encourage the participation of indigenous knowledge holders and elders in institutions of education and the integration of indigenous knowledge systems. Reinforce the positive cultures and values and teach these especially to the youth. Promote the use of native tongue in instruction.

- Set up potable water systems in impoverished and far flung indigenous communities and the establishment of locally-controlled renewable energy projects.
- Ensure that indigenous peoples benefit from the Peoples' Survival Fund and from other relief, emergency and disaster preparedness, funds from donors, national and local government units, which can provide subsidies for agriculture. Appropriate, timely and adequate relief and rehabilitation services to address natural disasters and impacts of the climate crisis such as droughts and floods. Ensure that indigenous peoples are included in relief and rehabilitation committees and bodies and in disaster preparedness bodies and programmes. Create special lines and desks for indigenous peoples during relief operations, especially where the populations are mixed. Make the access of indigenous peoples to such funds simpler and less bureaucratic.
- Ensure that indigenous peoples' knowledge on climate change adaptation disaster programmes, including the use of indigenous architecture and designs of houses, are respected and integrated into climate change adaptation and mitigation programmes and disaster preparedness and responses.
- Provide affordable energy for household and post harvest use in indigenous communities and support community initiatives in the setting up of renewable energy systems.
- Support the establishment of community-based disaster coordinating bodies and provide additional funds for these.
- Ensure the registration of indigenous births and marriages and respect the rituals and systems of indigenous leaders for baptism and weddings as valid systems.
- Respect the belief systems and traditional religions of indigenous peoples and stop the forced conversions of indigenous peoples to mainstream religions and other religions.
- Ensure the inclusion of indigenous peoples in processes related to the Post-2015 development goals and the formulation of sustainable development goals. Use this Indigenous Peoples' Agenda as one input into these processes and final products from the Philippines.

*The Indigenous Peoples' Agenda: International Day of the World's Indigenous Peoples 2013 was adopted during the "National Forum on Indigenous Peoples and the World Conference on*

*Indigenous Peoples (WCIP 2014),” 7-8 August 2013, held in celebration of the International Day of the World’s Indigenous Peoples at SEAMEO-Innotech, Diliman Quezon City, Metro Manila. The national forum, attended by over 80 indigenous participants from all over the Philippines, was organized by the Philippine UNDRIP Network, Tebtebba, Kalipunan ng mga Katutubong Mamamayan ng Pilipinas (KAMP), Cordillera Peoples Alliance (CPA), Koalisyon ng mga Katutubong Samahan ng Pilipinas (KASAPI), and Philippine Task Force on Indigenous Peoples’ Rights (TFIP).*

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4	Windel Bolinget	CPA (Cordillera Peoples Alliance)
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24	Edwin Daguitan	Tebtebba
25	Florence Daguitan	Tebtebba
26	Julius Ceasar Daguitan	APIYN (Asia Pacific Indigenous Youth Network)
27	Mariano Dangatan	TIPON (Tipon Ti Umili Para iti Panagsalud ti Nakaparsuan)
28	Chanda Danque	PAFID (Philippine Association for Intercultural Development)
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30	Raymond De Chavez	Tebtebba

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37	Marjorie Dulnuan	Timpuyog Katutubo
38	Rev. Edwin Egar	NCCP (National Council of Churches in the Philippines)
39	Ednel Ganad	SILDAP/ Pyagkayanan Org.
40	Teresa Gaspar	KASAPI
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68	Rev. Rex Reyes, Jr.	NCCP
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