STATE OF THE
INDIGENOUS
PEOPLES
ADDRESS
2011

LRC-KsK
Friends of the Earth International
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### About this Publication

SIPA Publication is a special magazine of the recently concluded State of the Indigenous Peoples (SIPA) 2011 gathering held in Koronadal City, South Cotabato. Articles and stories do not represent the views and perspective of LRC-KsK/FOE-Phil.

### SIPA 2011 Editorial Board

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### About LRC-KsK

The Legal Rights and Natural Resources Center - Kasama sa Kalikasan / Friends of the Earth Philippines (LRC-KsK/FOE-Phil) was established in 1988 as a non-stock, non-profit, non-partisan policy and legal research and advocacy institution. It was set up by four young lawyers to provide legal and campaign support to indigenous peoples and upland rural communities struggling against threats to their land and resources.

Foremost among its work is to strengthen the land and resource tenure of communities against government and corporate interests threatening their access and control over their own community resources. The center does this by working with indigenous peoples and upland rural communities in raising their capacity to assert their rights and pushing for changes in laws, policy and structures so that these would reflect their aspirations, recognize and protect their rights, and respect their self determination over their lands and resources.

For twenty years the center has worked with its community partners against large scale resource extractive and energy projects encroaching into their territories, and had thus built up its capacity and experience on legal interventions and campaign advocacy work against mining, plantations, energy projects, and forestry.

The framework of the center’s legal and campaign interventions is to work with communities in order to gain levers for their struggles by maximizing interstitial opportunities in policies and the legal system. The strategies taken are validated at the community level and is used as a complement to the interventions by other support groups and implemented as part of a battery of strategies employed by the community in defense of their lands and resources.

Thus the center has worked with communities in invoking the law to seek cancellation of forestry, and extractive projects, encroaching upon the ancestral domains, to seek justice for violations by corporations, to question decisions of government regarding community issues, to strengthen community consent and decision making processes, and even to question validity and constitutionality of laws.

With these legal and campaign interventions, the center not only seeks to provide access to remedies for partner communities but also aims to achieve wider and strategic impacts on policies that would benefit other indigenous peoples and marginalized sectors facing the same threats to their access and control over their community resources.

The center had led and contributed to policy debates on issues such as indigenous peoples rights, natural resources exploitation, national energy framework - by supporting enactment of laws like the Indigenous Peoples Rights Act, campaigning for scrapping of the Mining Act by questioning its constitutionality at the supreme court, working with communities to come up with their own Free Prior and Informed Consent guidelines, and proposing alternatives like the bill filed in congress on minerals governance policy.

The center is also the official Philippine member of Friends of the Earth International (FOEI) and works nationally and internationally with groups and movements that resist corporate globalization and other institutions and mechanisms that promote policies and projects that lead to violations and destruction of communities and ecosystems.

The center is a convenor of the local anti mining alliance Alyansa Tigil Mina (ATM) and also co-coordinates the Resist Mining, Oil and Gas Program of Friends of the Earth International.

The center is also an active member of different national networks it deems strategic in its campaigns and advocacies – Alternative Law Group (ALG), Philippine Movement for Climate Justice, Samahan ng mga Natatanging Pilipino at Natatanging Agham Pilipinas (SNPAAP), etc.
The State of the Indigenous Address (SIPA) is a national gathering of indigenous peoples to present to the Filipino people their true state and plight, their issues and concerns, their aspirations and their struggles to protect and promote their rights as communities and as peoples.

This is the fourth SIPA to be organized. It is held every year since 2008 in July, parallel to the State of the Nation Address (SONA) of the President of the Philippines.

SIPA is a 3-day activity participated in by some 100 indigenous leaders and representatives of indigenous communities. There are discussions on the current and emerging issues affecting them, their ancestral domains, the natural resources and the environment; sharing sessions of the different community stories of struggles and survival. An integral part of the activity is the discussion and the development of their advocacy calls, demands to the government, and their collective actions. A document called SIPA is issued by the conference, released to the media, and distributed to the policy makers, and support groups. The SIPA describes the current situation of the Indigenous Peoples — their problems and concerns. The SIPA also articulates their vision and desires and the community and collective action they are taking and plan to take to fulfill these. The political demands are also contained in the SIPA, which are addressed to the government.

A SIPA gathering for 2011 is to remind the Aquino administration of the ills of the past administration, and to demand progressive steps towards genuine transformation, and to push for a more nurturing, sustainable, equitable development framework. It will be a declaration of commitment to pursue their struggle for the recognition, promotion and protection of their rights to the ancestral domain, and their right to self-determination.

The SIPA Steering committee decided to have the SIPA 2011 in Christ the King Retreat Center (CKRC) in Koronadal City (Marbel), South Cotabato, on July 25-28 to show their support and solidarity to the people and provincial government to their courageous stand to protect their environment through their Environmental Code. They would also like to draw inspiration from this experience and local victory against giants of extractive industry.

State of the Indigenous

English Version


Our Response to the SONA 2011

After one year into his presidency, the glaring absence and non-recognition of indigenous peoples' issues and concerns in the 2nd State of the Nation Address of President Noynoy Aquino, have deeply hurt us, indigenous peoples.

We acknowledge that it would need many years to correct the political and economic damages wrought by years of corruption and impunity under the previous Arroyo administration and we do not expect changes to miraculously happen overnight. But still we hoped for recognition of our situation and a clear program that would outline how our problems and concerns would be addressed.

Indigenous peoples communities are among the poorest of the poor. Due to discrimination, majority of the indigenous people are lack basic education and access to the basic support services of the government. Sometimes the support extended to us are oppressive and only serves to further marginalize us. The agricultural areas in our domains are fast disappearing, there is no livelihood support and we have nowhere to go as mining operations encroach into our ancestral domains.

P-noy mentioned development. We do want development. We have nothing and may be shackled in poverty but still we hold on to the hope that one day our children would be free of this burden. In our utter poverty, how can we do this without government’s support? Education is key to a better future, but this has not been prioritized by the government for the indigenous peoples. There is not even a formal scholarship program for our children, without access to education future generations of indigenous peoples’ would continue to be mired in poverty.
We supported Noynoy for the promise of change that he stood for. But one year has passed and the government has remained deaf to us and uncaring about our lives.

Unlike those who applauded, we cannot celebrate with P-noy for the promised investments in energy projects that he proudly reported because in our experience these would only bring problems to our ancestral domains. We cannot thank the mining investors because they wreck our communities, our environment, our culture, our lives. We cannot applaud the new Hamilton Class cutter, an investment made by government to protect Spratlys when they cannot do the same to protect us, our territories, and the natural resources within our ancestral domains. We cannot be happy with the dole-out program that is the Pantawid Pamilyang Pilipino Program (PPP) or Conditional Cash Transfer (CCT) because they only mine us further in poverty and it adds to the already crippling foreign debt that every Filipino has to burden.

We the indigenous peoples have continuously been in the frontline of protecting and conserving our forests, its waters, its bio-diversity and its natural resources, but we were never mentioned in any efforts to protect the environment or to mitigate climate change. By law, Certificate of Ancestral Domain Titles (CADTs) are essential to protecting and preserving our territories but no explanation was given why not even one CADT has been issued during his first year as President. Furthermore we did not hear any mention on how indigenous peoples can participate in the talks for peace and the MOA-AD/ JPA.

BJE in Mindanao when are severely affected by the ongoing conflict between the government and the different armed groups.

Where are the indigenous peoples in Aquino’s SONA? We are not there.

The True State of Indigenous Peoples Under the First Year of P-Noy

Human rights and peace process:

We are caught in the middle of the continuing conflicts between the government and rebel armed groups in Mindanao. Rebel groups enter our domains and encamp there. In turn, the AFP suspect us of being rebel sympathizers and commit human rights violations against us, as is the case of the killing of a Dumagat leader in Aurora province. Also in Agusan, the recruitment of child soldiers by the NPA and MILF has worsened.

In Central Luzon, the indigenous peoples have tried to address this situation through dialogues with the military and other groups. We appreciate efforts to elevate indigenous peoples’ concerns at the peace talks with the NDF and the MILF. We support the choice of chief negotiators and even the consultants for the NDF and MILF since they are individuals who have worked in the progressive movement and can lend their ears to our plight. Some of us were able to participate in consultations, like the one held by the MILF, where we highlighted the need to respect traditional peace agreements between Moros and lumads.

We hope that the peace talks can help stop the abuses and human rights violations perpetrated against indigenous peoples. The threats against and killings of indigenous peoples’ leaders defending their territories have worsened. In Abra, human rights violations abound as mining applications increase and soldiers are recruited as private guards of mining companies. In Zamboanga del Sur, indigenous peoples are widely recruited as mine workers and those who opposed have been harassed with filing of criminal cases against them in court. In CARAGA, bounties have been given for indigenous peoples leaders who will oppose mining and our leaders are being slain for fighting the development aggression in the region.

Efforts to pursue cases of corruption and plunder perpetrated under the Arroyo administration are needed and laudable but we expect the same.
efforts be done to give justice to the long list of victims of human rights violations during her term. We want the perpetrators brought to trial and be penalized accordingly with emphasis on the principle of command responsibility.

One positive response so far is when the Commission on Human Rights (CHR) under the leadership of Chairperson Loretta "Etta" Rosales came out with a report on human rights violations perpetrated by Oceana Gold in their mining site against indigenous peoples in Nueva Vizcaya and recommending the immediate cancellation of their FTAA.

Development and Basic Services:

The host of development projects are fast becoming a bane to indigenous peoples’ especially since many of these projects did not go through our traditional decision making processes and thus violated our right to free, prior, and informed consent (FPIC). An example would be the infrastructure project of NAPOCOR in CARAGA which did not go through the genuine process of FPIC but was done through the collusion of local officials and investors. In Cordillera, the indigenous peoples’ struggles have not been limited to fighting new mining applications but have included the planned privatization and upgrading of two dams which will likely result to higher electricity rates.

We oppose P-Noy’s promotion of Public-Private Partnerships specially in mining. We are alarmed by the efforts of the government in tandem with the Chamber of Mines to woo Chinese mining investments in July 2010, and the direct pronouncement of P-Noy during his visit to the United States for the Council on Foreign Relations meeting with US President Barack Obama encouraging Americans to invest in mining in the Philippines in pursuit of government revenues.

We laud the logging moratorium issued by P-Noy but this should be monitored to ensure strict implementation. In Aurora, the CKY trading and logging firm stopped its logging operations but was immediately replaced by another logging company.

Aside from development projects, indigenous peoples’ are also besieged by illegal settlers in their ancestral domains.

Indigenous peoples experience discrimination in accessing basic health services. Pregnant IP women who rely on traditional health providers like "hilots" and midwives are threatened with non-vaccination of their newly-born babies unless they give birth in the health centers. The use of an ambulance relies on the ability to pay for gasoline and driver. Local politicians have cornered Philhealth cards and scholarships which are only given to their allies and supporter as part of their election campaign.

The low level of education and non-education among the ranks of indigenous peoples’ is further aggravated by the lack of educational facilities and IP teachers.

The continuous price hikes of petroleum products and basic commodities during P-Noy’s first year have made life more difficult. It has become harder to earn what little income there is available for us. We lack good roads to transport our products to trading posts and markets where we suffer discriminatory underpricing of our products. Since there are no subsidies for production, what little money we earned are spent paying for previous loans we got to make production possible.

The PPPP/CCT is of no use to us. Aside from the fact that it does not reach many of us, most of those who benefited are not indigenes. Since
IPs live in far-flung places, it is such a burden specially to indigenous women who have to make travel arrangements and go through a long and arduous journey in order to line up in the long PPPP queues and also to meet the requirements of their PPPP membership. There is an incident when a baby died after being accidentally dropped by the mother who fainted because of the heat in the long queue to access CCT.

**Indigenous women**

Indigenous women suffer doubly from discrimination against IPs. When IPs lose access and control over their land and resources because of development projects IP women are further marginalized since their livelihoods and their role in ensuring that food and water are available for the family are tied to the land. They are forced to search far from their ancestral domains for new areas to cultivate, exposing them to harassment and violence. For those who ventured to work in the cities, women IPs have become victims of human trafficking and prostitution.

Even IP women leaders are not spared from threats against their lives and security. Many have actually been physically assaulted by armed men of mining corporations, while others are victims of hit and run accidents committed by peoples closely linked to the mining companies. IP women are lack knowledge of the rights they have under the Magna Carta for Women.

**Self governance and self-determination**

There is no recognition of our right to govern within our ancestral domains. Barangay leaders have completely disregarded our traditions and culture by choosing indiscriminately who will serve as tribal chieftains. This has exacerbated and caused unnecessary conflicts among the IPs. The mandatory IP representation remains largely unimplemented since no budget has been allocated for this function.

"Migrant IPs" have been declared by NCIP to have no rights over the land they are occupying. This is the case of the Ifugaos in Nueva Vizcaya opposing Oceana Gold mining operations in the lands that they have developed for several decades. In the Cordillera Administrative Region, traditional governance in the region is denied us though we comprise the majority population in the area.

In our struggle for our rights and advocacies, we continue to organize and strengthen our ranks to defend our territories and livelihoods against projects that threaten to destroy nature and ultimately our future. We strive to encourage unity among the different indigenous peoples' tribes at the local and national level through alliances or through conferences we sponsor or by participating in conferences and summits that tackle our situation and aspirations as Filipino citizens.

The mandatory representation of IPs in all decision-making bodies of the government and in the Autonomous Region of Muslim Mindanao should be pursued vigorously.

**Government policy**

Congress has not reviewed IPRA even though its ten year mandatory review in 2007 has already been long past. Section 56 on "existing prior rights" have continuously been used against the IPs, which is worsened by NCIP's interpretation of the FPIC as contained in the "2006 NCIP Guidelines on Free, Prior, and Informed Consent."

We welcome current efforts to revamp the ranks of the NCIP Commission and call for the immediate implementation of our pending bills that protect IPs in all aspects.
missioners but believe that change should not stop there. NCIP employees in the regional and provincial offices who are not even familiar with IPRA and who sometimes often stand like lawyers brokering the entry of mining companies in ancestral domains should be replaced as well. Though P-Noy did not award any CADT during his first year, he can make amends by immediately distributing CADTs that are already “ready for awarding.” The frustratingly slow processing of CADTs has cused situations where IPs are even denied entry into their ancestral domains.

The implementation and primacy given by the national government to the Mining Act of 1995 is a bane to indigenous peoples. DILG have stopped or reversed initiatives made by LGUs to outlaw or declare a moratorium against mining in their respective areas like the South Cotabato Environmental Code which banned open pit mining.

The logging ban should be strictly implemented and the best people to do this would be the ancestral domain guards. Unfortunately, IPs are not prioritized in the hiring of forest guards by the anti-logging task force. The same problems afflict many of the ecotourism projects in our ancestral domains. In Central Luzon, the IPs are not prioritized as tour guides and no part of the income derived from such activities are given to IPs as royalties for the IP communities.

Since time immemorial, we have co-existed with nature in our ancestral domains where we pursued sustainable livelihoods, protection of its forests, its waters, its lands, and its biodiversity—but we are now among those to suffer severely from climate change. Efforts should be expended to reveal and educate IPs on climate change and its effects. IPs have started reforestation efforts in several areas, including the area abandoned by the PICOP logging firm and other companies who have logged in CARAGA. We double our efforts against illegal logging and is pushing for a resolution regarding this matter to the various government agencies, in line with our call to punish corrupt DENR officials.

The IP Agenda in the P-Noy Administration

Overall, our situation in P-Noy’s first year in office is but a continuation of the our historical struggle against discrimination, violations against our traditions and culture, and the lack of recognition of our right to self-determination within our ancestral domains which have resulted to widespread violations of human rights of indigenous peoples’.

Indigenous peoples communities have existed before the creation of Philippine republic. Before the first President of the Republic was sworn into office, we have already developed our relationship with our territories and domains, our indigenous system of justice and structures of governance, sustainable use of natural resources, and a very rich cultural heritage. The force, deceit and intimidation employed against indigenous peoples to have our territories ceded as part of the “Philippine Republic” have resulted to the systematic division of the ranks of the indigenous peoples’.

Here are our demands for the Aquino Administration:

1. On the peace process
   - Establish an independent panel that will represent and assert indigenous peoples’ aspirations and right to self-determination, identify possible mechanisms and processes to reflect these IP aspirations and concerns in the GRP-MILF peace talks (2010-SIPAG)
   - Acknowledge the traditional peace pacts/covenants between the indigenous peoples’ and Bangsamoro and ensure recognition of territorial boundaries already agreed upon;
   - Address the situation that place IPs in the middle of conflicts between the government and rebel armed groups.

2. On Violations of IP Human Rights, Militarization and the Recruitment of IP Children by Armed Groups
   - Stop the recruitment of IP children as soldiers for the different armed groups;
   - Stop the killing of IP tribal leaders;
   - Resolve the cases of extra judicial killings and give justice to its victims;
   - Adopt and implement CHR’s recommendation on the cancellation of the FTAA of Oceana Gold;
   - Stop the recruitment of soldiers and SCAA as guards of mining and logging corporations;
   - Respond to and immediately resolve the cases from identity-based discrimination against IPs;
   - Respect and support the implementation of “customary sanctions and penalties”;
   - Immediately resolve IP-related cases in NCIP and the courts.

3. On Development Aggression
   - No development projects within our ancestral domains until the 2006 NCIP FPIC guidelines have been replaced by a process recognizing our culture, traditions and way of life.
and decision-making within our communities—in tandem with a mining and logging moratorium which will be strictly implemented.

- The cultural impact assessment (CIA) should be required as part of the FPIC;
- Stop the Pulangi V Dam project.

4. On Access to Basic Services

- Request and lobby DepEd for the support of qualified (board passers) IP teachers for IPs, with a special provision for hazard pay for these IP teachers.
- End the discrimination in the provision of basic health services (in emergencies, childbirth, vaccination, provision of needed medicines)
- Recognize the right and acknowledge the capabilities of traditional health providers like midwives and “hilots” as well as those of the children delivered by these traditional health providers;
- Amend the process of PPPP beneficiary selection and review to give emphasis to livelihood support;
- Increase the allocation of funds for IP scholarships and increase the number of IP teachers and special schools;
- Construct and maintain farm-to-market roads to ease transporting IP products and stop the unfair pricing of our products in the markets and trading posts;
- Design an IP education aimed at empowerment and provide “indigenous schools” at different levels;

5. On Women’s and children’s rights

- For DOH to recognize traditional health providers like midwives and traditional medicines;
- Support the documentation of abuses against IP women and children
- Massive cultural re-education to stop ways and practices that discriminate and violate IP women rights towards positive change;
- Provide budget for maternal healthcare of IP women;
- Information dissemination and education for IP women on their rights under the Magna Carta for Women;
- Provide livelihood support for women IPs.

6. On the Right to Self-Determination (Self governance)

- Respect our right to self-determination. Recognize our traditional systems of governance and justice. Stop the appointment of government agencies like the LGU and NCIP of tribal chieftains in the barangays; immediately remove all non-IP “appointed tribal chieftains”
- Recognize the right of “migrant IPs” over their lands and territories;

7. On the IP Struggle for Recognition and Right to Self-Determination

- For the government to recognize our distinct nationhood and our traditional governance structures that reflect this nationhood;
- Respect and recognize the traditional peace agreements (e.g. pegeleten, linembekan, kelaba, lantung, gunsil, belagwan, duliyan) and provide technical and financial support to cultivate and promote these systems;
- IPs should have sufficient representation in all decision-making bodies of the government and the Autonomous Region on Muslim Mindanao (ARMM)

8. On the IPRA

- For government to recognize and respect native titles as “existing prior rights” of indigenous peoples over their ancestral domains as expressed in Section 56 of IPRA;
- Scrap the 2006 NCIP FPIC Guidelines;
• Immediately award CADTs, especially those already classified as “ready for awarding;”

• Ensure the implementation of the mandated IP representation in government bodies and provide funds thereof;

• Educate and train NCIP employees in the provisions of IPRA;

• Push Congress to immediately initiate the mandatory review of and to amend problematic sections of IPRA;

• Amend the IRR of IPRA especially the section on the right to benefits ensuring that at least 10% of the profits in any endeavor should revert to the community;

• Convert the OSCC-ARMM as NCIP to fast-track the processing and awarding of CADTs within ARMM;

• Provide adequate budget for NCIP for the delineation of ancestral domains.


• Scrap the Mining Act of 1995 and pass the MMBs;

• Prioritize the hiring of IPs as tour guides in ecotourism projects in their ancestral domains;

• Prioritize the hiring of IPs as forest guards of the anti logging task force (ancestral domain guards);

• For the DILG to issue a Memo Circular mandating LGUs to provide budget for the salaries, compensation, benefits of IP representatives;

• For the NCIP to adopt as its priority program pushing mandatory IP representation in government decision making bodies in 2011;

• The passage of a law that will address the historical injustices perpetrated against IPs and reparation for cultural damages done in the name of the Republic;

• The passage of a law mandating the allocation of 20% of IRA for IP traditional territories;

• The passage of a law allowing the filing of class suit against cultural damages;

• Promote full protection of biological diversity and provide financial support for conservation;

• Implement full logging and mining moratorium and ensure strict implementation;

• Promote and protect nature’s law or law of nature

• Promote and support genuine FPIC

• Promote sustainable livelihoods.

Our Promise and Commitments

In the pursuit of our united struggles, we commit ourselves to strengthen our ranks to advocate for our rights. We will assert our freedom and right to self-determination over matters that will affect our lives and our children’s future.

We vow to strengthen and enrich our culture, traditions, practices and beliefs especially against the infringement of corrupt and repressive outsiders. We will oppose appointments of non-IPs in traditional seats of power lest they may be used as an instrument to further oppress and discriminate against us.

We will be vigilant. We will fight historical injustices and discrimination and we will not hesitate to raise our collective voices to those who will listen, while we will amplify our voices to force those who will not listen. We will work towards a united Indigenous Peoples nation.

These, we commit to and express here at Christ the King Spiritual Retreat Center, Koronadal City, South Cotabato this 28th of July 2011.
Solidarity Message from the Chair of the National Cultural Communities

By Cong. Teddy Baguilat

Mga kapatid kong katutubo,

Kamakailan lamang ay inilahad ng Pangulo ang kalagayan ng bayan. Natuwa tayo sa mga tagumpay na nakamit ng mahahalagang pagpipil sa katiwalian. Ngunit nagkakabin tayo sa kakulangan ng direksyon sa larangan ng kapakanan at karapatan ng mga katutubo.


Narito tayo ngayon upang punan ang malaking puwang sa talumpati ni Pangulong Aquino.

Alam nating lahat na ang labimpitong milyon na katutubo mula sa higit na isang daan at sampung ethno-linguistic group ay bumubuo sa labing-lima hanggang labimpitong porsyento ng ating populasyon na halos isang daang milyong katao. Hanggang ngayon ay walang eksaktong bilang ng mga katutubo dahil hindi sila hiwalay na binibilang ng mga census.

Alam nating lahat na ang paraan ng pamumuhay ng mga katutubo ay mahigpit na kaugnay ng lupa, ng ating ancestral domain, at nakasang-ayon sa kalikasan. Dahil dito ay naka-ilon na tayo ng mga kaalaman na maka-lulutas sa mga suliranin ng buong mundo gaya ng climate change.

At malinaw sa atin kung ano ang mga isyu at kaaganapan na umikmikitil sa ating kabuhayan at mga karapatan bilang katutubo.

Pungahin na rito ang pagmimina. Sa mga reklamong naidulot sa National Cultural Communities Committee, o NCC, ng Mababang Kapulungan ng Kongreso, napansin namin na nagdudulot ng mga mining interest ng hidwaan sa mga indigenous community. Dahil dito ay nagagunaw ang dating matatag na samahan ng ating mga komunidad. Isang halimbawa nito ang mga alitan ng mga Mamanwa sa Claver, Surigao del Sur, na diuman ay dulot ng pagmimina ng kumpanyang Taganito Nickel.

Dulong din ng mga mining interest ang mga anomala sa pagkamit ng free, prior and informed consent ng mga indigenous community upang pahintulutan ang mga mining operation. Nakita natin sa NCC ang mga nabuon pekeng tribal council, ang panunuhol sa mga pinuno ng tribo, at iba pang pamamaraan upang sapilitang makuha ang consent ng isang komunidad sa pagmimina.

Napansin din ng NCC ang masamang epekto ng ilang mga mining operation sa kalikasan, gaya ng Lepanto Mining sa Benguet, kung saan isang paaralan ang nilamon ng lupa dahil sa cave-in dulot diumano ng pagmimina ng nasabing kumpanya.

Dahil sa napakaraming isyu na bumabagabag sa ating mga katutubo, nagtipon noong Marso 21 hanggang 23 ang mga kinatawan ng 140 indigenous peoples mula sa 56 ethno-linguistic tribes. Nilayon nilang bumuo ng policy agenda at mga panawagan sa Aquino Administration.


Nabuo sa summit ang isang declaration na tumawag ng pansin sa mga karapatan ng mga katutubo sa self determination, ancestral lands and domains, social justice and human rights, cultural integrity, at self-governance. Ngunit aminado ang mga katutubo na kulang pa ang mga nagawa ng pamahalaan tungo sa mga adhikain na ito.

Bagkus, patuloy na di nakararating sa ating mga kapatid na katutubo ang mga pangunahing serbisyo tulad ng mga programang pangedukasyon at pangkalusugan. Napakarami nang mga tribo ang nagdulot ng kanilang reklamo sa NCC dahil sa pagmimina at iba pang proyektong nakakasira sa kanilang lupang ninuno at sa kanilang katutubong pamumuhay at pamamahala.

sundan sa pahina 22
Kami, mga lider katutubo
Alangan, Ata-Bukidnon,
Ayt, Aya-Mag-antsi, B’laan,
Dumagat, Egonot-Bugkalot,
Hanunuo, Higaonon, Ibaloi,
Kalanguya-Kankanaey, Ifugao,
Kankana-ey, Mamanwa,
Mandaya, Manobo, Menuvu,
Menuvu-Erumanen, Menuvu-
Pulangeun, Pala’wan, Subanen,
Tabolli-Manobo, Talaandig,
Teduray, at T’boli na nagtipon
para sa ika-apat na State of the
Indigenous Peoples Address
(SIPA) dito sa Christ the King
Retreat Center, Koronadal
City, South Cotobato nitong
ika 25-28 ng Hulyo 2011
ay nagpapahayag ng aming
 tunay na kalagayan, adhikain,
panawagan at pagkilos.

Reaksyon sa SONA 2011

Sa okasyon ng ikalawang State of
the Nation Address (SONA) ng Pan-
gulong NoyNoy Aquino makalipas ng
isang taon niyang panunungkulan ay
higit na nasaktan ang marami sa amin
na wala kaming narining pagpapa-
halaga ng pangulo patungkol sa aming
mga katutubo at sa kinakaharap nam-
ing mga suliranin.

Tunay na napakalaki ng pinsalang
dulot ng pandarambong at kalapastan-
gan sa panahon ng presidenteng si Ar-
royo at taon ang gugugulin para maisaa-
yos at makabawi tayo sa paninira nito
sa pulitika’t ekonomiya ng bansa. Hindi
neman kami nagahahanap ng milagro na
maisasaayos na agad ni P-Noy ang lahat
ng ito sa isang iglap pero umasa kami
na makakakitaan namin siya ng klaro
at positibong mga hakbang patungo sa
pagbabago ng aming kalagayan at mar-
ingan ng malinaw na programa para sa
aming mga katutubo.

Dapat magising si P-Noy sa paghi-
hirap ng mga pinakamahirap sa mga
mahihirap. Dahil sa diskriminasyon,
marami sa amin ang mababa lang ang
napag-aralan at napapagkaitan ng ba-
tayang serbisyo ng pamahalaan. Kung
may darating mang tulong ay grabeng
pang pahirap at pasakit ang dulot sa
amin nito. Nauubos na ang aming lu-
pang pansaka, wala kaming nakuku-
hang tulong pang-kabuhayan at wala
na ring mapuntahan dahil napapalibu-
tan na kami ng mga minahan.

Nagbanggit si P-Noy ng patung-
kol sa kaunlaran, pero paano nga ba
makakasama ang mga katutubo sa
pag-unlad na ito dahil matagal na din
naming gustong umunlad. Kahit na
natatali at nagtitis kami sa kawalan
at kahirapan ay kumakapit kami sa
pag-asang makakaahan mula rito ang
aming mga anak pero paano mang-
yayari ito kung wala kaming makitang
pakikisa o pakikiramay mula sa pama-
halaan? Wala man lang nabanggit
State of the Indigenous

Tagalog Version

Kami, mga lider katutubo
Alangan, Ata-Bukidnon,
Ayta, Ayta-Mag-antsi, B’laan,
Dumagat, Egongot-Bugkalot,
Hanunuo, Higaonon, Ibaloi,
Kalanguya-Kankanaeay, Ifugao,
Kankana-e'y, Mamanwa,
Mandaya, Manobo, Menuvu,
Menuvu-Erumanan, Menuvu-
Pulangeun, Pala’wan, Subanen,
Taboli-Manobo, Talaandig,
Teduray, at T’boli na nagtigon
para sa ika-apat na State of the
Indigenous Peoples Address
(SIPA) dito sa Christ the King
Retreat Center, Koronadal
City, South Cotabato nitong
ika 25-28 ng Hulyo 2011
ay nagpapahayag ng aming
tunay na kalagayan, adhikain,
panawagan at pagkilos.

Reaksyon sa SONA 2011

Sa okasyon ng ikalawang State of
the Nation Address (SONA) ng Pang-
gulong Noynoy Aquino makalipas ng
isang taon niyang panunungkulan ay
higit na nasaktan ang marami sa aming
na wala kaming narinig na pagpapa-
halaga ng pangulo patungkol sa aming
mga katutubo at sa kinakaharap namin
gma suliranin.

Tunay na napakalaki ng pinsalang
dulot ng pandarambong at kalapastan-
gan sa panahon ng presidenteng si
Arroyo at taon ang gugugulin para maisaayos sa makabawi tayo sa paninira nito
sa politika’t ekonomiya ng bansa. Hindi
naman kami nagahahanap ng milagro na
maisasaayos na agad ni P-Noy ang lahat
ng ito sa isang iglap pero umasa kami
na makakitaan namin siya ng klaro
at positibong mga hakbang patungo sa
pagbabago ng aming kalagayan at mar-
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at kahirapan ay umumakapit kami sa
pag-asang makakaahon mula rito ang
aming mga anak pero paano mang-
yayari ito kung wala kaming makitang
pakikisa o pakikiramay mula sa pama-
halaan? Wala man lang nabanggit
Peoples Address 2011

tungkol sa edukasyon sa mga katutubo o kahit man lang scholarships, kung hindi ito sisimulan tutukan ng gobyerno ngayon ay tuluyan nang masasadlak sa kahirapan ang susunod naming salinlahi.

Marami sa amin ang sumuporta kay Noynoy dahil sa dala-dala niyang pag-asa para sa pagbabago. Pero makalipas ng isang taon ay nahulog na wala na siyang masabi sa amin o tungkol sa amin.


Nasan ang mga katutubo sa SONA ni Aquino? Tila naglalo.

Ang Karanasan ng mga Katutubo sa Pilipinas sa Unang Taon ni P-Noy

Patuloy na naipit ang mga katutubo sa tunggalian ng estado at mga rebeldeng grupo. Napapakotok at nagiging kuta ng mga rebelde ang teritoryo ng mga katutubo at dahil dito ay napapagkamalan ng AFP ang mga katutubo bilang mga rebelde na rin na humahantong sa paglabag sa kanilang karapatang patao katulad ng pagpatay ng isang Dumagat sa Aurora. Sa Agusan naman ay lumalala ang recruitment ng NPA at MILF ng mga menor de edad na mga katutubo.

May mga pagkilos ang mga katutubo tungkol sa kalagayang ito sa Central Luzon kung saan may mga dialogue na ginawa sa mga military at iba pang mga grupo at maganda na sa pambansang antas ay may pagbabalik ng usaping pangkapayapaan ang pamahalaan sa parehong NDF at MILF. Mainam na ang mga hinirang na chief negotiators ng pamahalaan para sa parehong mga grupo ay mga indibidwal na galing sa progresibong kilusan na maari naming malapitan, ganon din sa mga progresibong indibidwal na nakuha ding mga consultants ng MILF at NDF. May ilan na din sa amin nakadalo sa mga naidaaos na konsultasyon katulad ng sa MILF kung saang aming biniyagan ng diin ang pagkilala sa mga tradisyunal na kasunduan pangkapayapaan sa pag-itan ng mga lumad at moro.

Naway makatulong ang usaping pangkapayapaan sa pagtigil sa patuloy na pang-aabuso at paglabag sa karapatan pantao ng mga katutubo. Malala pa rin ang banta at tuwiran pagpatay sa mga lider katutubo na lumalaban para sa pagdепensa ng teritoryo. Sa Abra ay lumalala ang paglabag sa karapatan pantao dahil sa dami ng mining applications kung saan ang mga sundalo ang nagsisili- bing mga guwardiya ng mga kompanya. Sa Zamboanga del Sur mala-wakang nierecrut sa pagmimina ang mga katutubo at ang mga lumalaban
Dito ay hina-harass sa pamamagitan ng pag-file ng mga kasong criminal sa kanila. Sa CARAGA ay nagkakaroon ng patong sa ulo ang mga katutubong lider na laban sa mining at laganap na ang pagpatay sa IP leaders na lumalaban sa development aggression sa buong rehiyon.

Mainam ang ginagawang paghabol sa mga kaso ng korupsyon at pandarambong sa panahon ni Arroyo pero dapat ay pantay din ang pagkilos para bigyang katarungan ang mahabang listahan ng mga biktima ng paglabag sa karapatang pantao sa pamamagitan ng paglitis at pagparusa sa mga lumabag nito, na may pagdiing pagtingin sa usaping command responsibility.

Ang isang positibong pangayari ay nakapaglabas na ng resolution ang Commission on Human Rights (CHR) sa panahon ni Chairperson Etta Rosales na may paglabag sa karapatang pantao ang Oceana Gold sa mga katutubo sa kanilang mining site sa Nueva Vizcaya at nirekomenda sa pangulo na kausahan na ang FTAA nito.

Patuloy na nagiging problema ng mga katutubo ang mga sangkatutak na “development projects” lalo na dahil hindi ito dumadaan sa tamang proseso ng free, prior and informed consent (FPIC) ng mga katutubo. Kasama na dito ang infrastructure projects katulad ng sa NAPOCOR sa Caraga kung saan sa rehiyon na ito ay hindi napapatupad ang tunay na FPIC dahil sa sabwatan ng mga politiko at mga investors. Sa Cordillera patuloy na nilalabanang hindi lamang ang mga bagong mining applications kundi pati ang privatization at upgrading ng 2 dams na tinatayang magpapataas ng presyo ng kuryente.


Mainam ang pagkakalalabas ng logging moratorium ni PNoy pero kinakailangan itong bantayan para sa mahigpit nitong implementasyon. Sa Aurora ay napatigil nito ang opera- syon ng CKY trading and logging firm pero napatilatan lamang ito ng ibang logging company. Bukod sa development projects ay problema din ng mga katutubo ang pagdagsa ng mga illegal settlers sa kanilang mga lupang ninuno.

Hinggil sa access sa batayang serbisyo ay nabibiktima pa rin ng diskriminasyon ang mga katutubo lalo na sa pagbibigay ng serbisyon kalusugan. Patuloy na nagigipit lalo na ang mga kababaanhang katutubo sa kalarayang hindi kinikilala ang mga tradyunan na mga hilot at mga pan-dy-tiyan o midwives at sinasabihang hindi babakunan ang mga sanggol na hindi pinanganak sa health centers. Sa pag-gamit ng ambulansa ay kami pa ang magbabayad sa gasolina at sa mga driver nito. Nakakopong din ng mga politiko ang pamahagi ng Philhealth at scholarships para sa kanilang mga taga-suporta at nagagamit bilang pangampanan sa eleksyon. Malaking problema pa rin ang kamangmangan sa hanay ng mga katutubo at kulang na kulang ang mga educational facilities at mga gurong katutubo.

Malaking pahirap ang walang patid na pagtaas ng presyo ng langis at mga bilihin sa unang taon ni PNoy. Naging mahirap kitain ang lu-
miit pa lalong kita ng mga katutubo. Walang mga matitinong mga kalye para sa aming mga produkto at binabarat pa pagdating sa bagsakan at pamilihan ang mga katutubong produkto. Dahil walang subsidy ay kulang na kulang ang kini kita para pambayad ng inutang para sa produksyon sakahan.


Sa mga kababaihang katutubo, ilang ulit ang epekto ng diskriminasyon, development projects, panghihimasok sa kanununung lupain at mga polisiyang nagpapahirap sa mga katutubo. Ang mga kababaihang katutubo ang mas tinatamaan ng diskriminasyon sa serbiyong pangkalusugan kasama na ng di pagkilala ng DOH sa mga katutubong komadrona. Mga kababaihang katutubo din ang napapahirapan sa programang PPPP at CCT ng pamanahalan. Ang mga kababaihang kailangang maglakbay ng malayo na minsan ay kinahahantungan ng aksidente at hold-up sa daan. May kaso nang may namatay na sanggol dahil sa haba at init ng pila para sa CCT ay hinimatay ang guoto nitong nanay napabitiw sa sanggol.

Dahil sa mga development projects na nakakakuhang ng control ng lupain sa mga ancestral domains, matinding ang epekto sa mga kababaihan na ang kasanayan at kahusayan para sa kabuhayan at panigurado ng pagkain at tubig para sa pamilya ay nakatali sa lupa. Dahil sa sapilitang paghanap ng bagong lugar para sa kabuhayan at pagkain ay nagiging vulnerable sa iba ibang uri ng karahasan at mga kababaihang katutubo. Sa mga napilibang sumubok magtrabaho sa mga kalnsuran ay kasama na dito ang pambibiktima sa human trafficking at prositusyon.

Marami din mga lider kababaihang katutubo ang nakakarana ng mga banta sa kanilang buhay at seguridad hanggang sa mismong pananakit mula sa armadong mga tao at pamumundol ng sasakyang mula sa hinhilaang mga taong malapit sa mga korporasyon. Bagamat mayroon nang Magna Carta for Women ay hindi laganap ang kaalaman dito sa mga kababaihang katutubo.

Hinggil sa sariling pamamahala sa loob ng aming mga kanununung lupain ay nagpapatuloy ang pambabalasubas sa tradisyong kulturang pagsasanayon ng mga hindi katutubo kung sino ang magiging tribal chiefstains sa kanilang mga lugar. Imbes na makatulong ito sa tradisyunal na pagpasasayas ng mga hidwaan at kaguulan ay nagiging dagdag na sanhi pa ito. Hindi din naipapatupad ng husto ang pagkakaroon ng “mandatory ip representatives” dahlia na din sa hindi paglaan ng pondo para dito.


Sa aming pakikibaka para sa aming mga karapatang at adhikain, patuloy ang aming pag-organisa at pagpapalakas upang ipagtaganggol ang aming mga teritoryo at kabuhayan laban sa mga proyektong sisira sa aming kinabukasan at ito ang isang bawat daya ng aming karapatan at tama.
kalikasan. Nagpupunyagi rin kami upang mapalawak at mapalakas ang pagkakaisa ng ibat ibang tribu sa antas lokal at nasyunal sa pамa-
magitan ng pagtatayo ng mga alyansa at paglulunsod sa paglayok ng mga kompresyon/summit kung saan
atinatalakay ang aming kalagayan at adhikain bilang mamamayan.

Hindi pa rin nababalik-aralan ng kongreso ang IPRA kahit na
naka-samao taon na ito noon pang 2007. Patuloy na nagagamit laban sa interes ng mga katutubo ang “existing
prior rights” clause sa section 56 ng IPRA at lalo na ng interpretayon
ng NCIP na FPIC ayon sa kanilang “2006 NCIP Guidelines on Free,
Prior and Informed Consent”.

Bagamat sa gayo ay positibo ang itsura ng pag-revamp ng mga
Commissioners ng NCIP ay dapat 
unabot ang ganitong pagbabago na mga
tingkat at provincial offices
kung saan mayroong mga kawani
ng NCIP na hindi alam ang IPRA
at nag-aangat ang kahit na sa mga
gustong pumasok sa loob ng
teritoryo ng mga katutubo lalo na
ang mga mining companies. Walang
nai-award na CADT ang administras-
yong P-Noy sa una nitong taon
kahit na
mayroong mga CADT na “ready
for awarding” na. Dahil sa kabagalan
ay nagagawang mga paraan ng mga
may mapakarugahan na hindi makapakos
ang mga katutubo sa kanilang saril-
ing lupang ninuno.

Pahirap talaga sa mga katutubo
ang patuloy na implementasyon at
pagbabanderang ng national govern-
ment ng Mining Act of 1995. Pilin na
pinapahintong na o binahaligtad ng DILG
ang mga aisyatiba ng mga LGUs na
ipagbawal o mapagpataw ng morato-
rion laban sa pagmimina sa kanilang
mga teritoryo katulad ng pinunungan
han ng South Cotabato na Envi-
ronmental Code na nagbabawal ng
open pit mining.

Mahigpit dapat na jowa na patuloy
ang logging ban at pinakamainam na
tagapagtugayod nito ay mga ancestral
domain guards pero hindi priority
ang mga katutubo sa hiring ng forest
guards sa anti-logging task force.
Gagawin ang nangyayari sa mga
cotourism projects sa loob ng
ang mga ninung lupain. Sa Central
Luzon ay hindi mga katutubo ang
kinukuhang tour guides at walang
naibibigay na bahagi sa kinita ng mga
proyekto bilang royalty sa mga katu-
tubong komunidad. Dulot na din ito
ng barat na rate na nakasaad sa IPRA
bilang royalty ng mga katutubo.

Sa kabila ng aming daantaong
likas kayang pamumuhay na may
mga pangangalaga na kabuhayan, ka-
tubigan, kalupaan, at biodiversity
- matindi nang epekto sa amin ng
pandaigdigang pagbabago ng klima
o climate change dulot ng lampas
isang siglong makapanirang sistema
ng produkson ng mga mayaman
bansa. Malaki pa ang pangangailan-
gan para maipasimalat ang kaalaman
sa climate change at mga epekto nito.
May mga pagkilos ang mga katutubo
para sa reforestation katulad ng
mga iniwanan eriya ng paglinea
na PICOOP at iba pang kumpanya na
pumupotul ng mga kahoy ng Caraga.
Pinagtitihay naming ang pagbabata
laban sa illegal logging at nagtutulak
ng mga resolution tungkol dito sa
mga ahensya ng pamahalaan, ka-
sabay ang pagbawag para sa kapa-
rusahan sa mga tiwaling kawani ng
DENR.

Nararapat isulong ang mandato-
ry representation ng mga IPs sa lahat
ng decision-making bodies sa pamah-
alaan at sa Autonomous Region on
Muslim Mindanao (ARMMM).

Ang IP Agenda sa Administrasy-
yong P-Noy

Sa kabuuhan ay pagpapatuloy
laman ang aming nadaanahan
sa unang taon ni P-Noy ng istorical
pakikipaghapar at pakikibaka ng mga
katutubo sa di nawakasing dis-

kriminasyon laban sa aming hanay,
ang walang habas na pagdudurog sa
aming kultura at sariling pagsapapasiya
sa aming mga ninung lupain, at
panghimagos sa aming teritoryo na
nagdudulot ng malawakang paglabag
sa karapatan pantao.

Inuut na nam na ang kasasayan
ng mga katutubo ay mas nauha na
sa Republika ng Pilipinas. Bago pa
nagbasa ang unang pangulo ng
Republika ay buo na ang
relasyon nam na aming lupaing
ninuno, ang aming sariling
pamahalaan sa sistemang pangkatarungan,
litas-kayang pagsagot ng aming
mga yaman, at pagsabot ng mayamang
kultura. Nguni dhal sa pwersahan
at mapalalang na pagsama ng aming
mga teritoryo sa “Republika ng Pilipin-
as” ay ang simula ang sistemakong
paghahati-hati sa bayang katutubo.

Ito ang aming mga panawagan sa
pamahalaan Aquino:

1. **Prosesong pangkapayapaan**

   - Bumuo ng isang independenteng
     panel para sa GRP-MILF peace talks para marepresenta ang mga
     katutubo at pagtutukoy ng mga
     posibilidad mekanismo at proseso
     sa pagtataguyod nito; (galing sa
     2010 SIPA)

   - Kilalanin ang mga traditional
     peace pacts/covenants sa pagitan
     ng mga Lumad at Bangsamoro
     at bigyang kasuguran ang mga
     boundaries ng teritoryo;

   - Tugunan ang kalagayan ng
     pagkaipit ng mga katutubo sa
     pagtutunggali ng magkabibing
     mga pwersa.

2. **Paglabag sa Karapatan Panta-
   to ng Katutubo, Militarisasyon at
   Recruitment ng mga Bata sa
   Alinmang Armadong Grupo**

   - Itigil ang pag-recruit sa mga
     menor de edad bilang sundalo sa
     mga armadong mga pwersa;
3. Development Aggression

- Itigil ang pagproseso ng mga development projects sa loob ngninunong lupain hangang hindi nababasura ang 2006 NCIP FPIC Guidelines at napapalit ito ngprosesong gumagalang sa kultura at tradisyunal na pagdedesisyonsang mga katutuboong komunidad — kaakibat nito ay magdeklara ngmining at logging moratorium na magigpit na dapat ipatupad;

- Isama ang cultural impact assessment (CIA) sa FPIC;gawing requirement ang pagkuhanng "cultural impact assessment"

- Huwag ituloy ang Pulangi V Dam project

4. Batangang Serbisyo

- Hilingin sa DepEd /Lobby DepEd for the support of qualified(board passers) IP teachers forIPs, kasama na ang hazar pay.

- Wakasan ang diskriminasyonlaban sa mga lumad sa

- Itigil ang paggamit ng mga sundalo at SCAA bilang mga guwardiya ng mga korporasyon;

- Tutukan ang identity-baseddiscrimination sa mga katutubog awang gawang ginasakyan ang mga kasong idinulot nito;

- Kilalanin at suportahan ang pagpapatupad ng "customarysanctions and penalties";

- Mabilisang pag-resolba ng mga IP-related cases sa NCIP at sa mga korte;

- Solusyonan ang mga kaso ng Extra Judicial Killings at bigyangkatarungan ang mga biktima nito;

- Ipatupad ang rekomendasyon ng CHR na ikansela ang FTAA ng Oceana Gold;

- Kilalanin ang mga traditional healers/midwife

- Bigyan pansin ang karapatan ng mga panday-tiyan/mananabang/tradisyunal na hilot at kilalanin ang karapatan ng mga pinanganak ng mga hilot

- Irereview at pagsipin ngbeneficiaries ng PPPP at mas tumutok sa pagbibigay nglivelihood support

- Dagdagang pag pondo para siskolarship ng mga katutubong kabataang magdadalng mga katutubong guro at special schools;

- Ayusin ang mga daan para sa mga produkto ng mga katutubo at tigilan ang pambabarat sa presyo ng aming mga produkto

- Idisenyo ang IP educationpatongng empowerment atpagtataayo ng mga "indigenous schools" sa ibat ibang antas;

- Dagdagang pondo ng NCCA para sa mga madagdagan paang 36 day na pagpasamay nabinigay niitosa ng mga kabataangkatutubo at makasuporta ang pagtatao ng mga gusali para sa Schools of Living Tradition sabawat paaralan ng mga katutubo;

- Kilalanin ang IP senior citizen20% discount sa mga bilibinat pag-priority sa kanilasa ng serbisyoong pangkalusugan

- Kilalanin ang mga wakasang tradisional midwives at gamot;

- Magbigay suporta sa pagdokumentong ng mga abusosang mga katutubong kababaihan at kabataa

- Magkaroon ng mga pag-aaralsang kultura para mahinto ang mga gawit at paninivila na nakakablab sa karapatan ng kababaihan

- Kilalanin ang mga tribal chieftains sa barangayatkagya na tanggaling ang katungkulan ng lahat ng mga "appointed tribal chieftains" na hindinnaman katutubo. Respetuhin ang katutubong sistemang pampulitika atpamamahala;

- Kilalanin ang karapatan sa lupang mags "migrant IPs";

- Palakasin ang customary lawand justice system pati na angtraditional conflict resolution sa mga ancestral domains, at igalangang pamamahala ng IPs/ICC sa loob ng CADT/CADT area

- Ipagbawalan ang paggamit ng mga publikong mga CAFGU/CVOs bilang privatearmy lalo na sa lugar ng mga lupang ninuno;

- Magbuhos sa "manual of customarygovernance and code of laws";

- Patawan ng karampatang parusaa mga kawani ng NCIP na may mgaplagbag sa customary lawsang practices sa loob ng mga lupang ninuno

5. Women's and children's rights

- Kilalanin ang DOH ang mga traditional midwives at gamot;

- Kilalanina ang mga tribal healers

- Kilalanin ang mga kabahayan ang mga magsakap

- Kilalanin ang mga tribal childcare

- Kilalanin ang mga tribal education

6. Self governance

- Ipagbawal ang pag appoint ng gobeyno (LGU, NCIP) ng mga tribal chieftains sa barangayat kagya na tanggaling ang katungkulan ng lahat ng mga "appointed tribal chieftains" na hindinnaman katutubo. Respetuhin ang katutubong sistemang pampulitika atpamamahala;

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- Patawan ng karampatang parusaa mga kawani ng NCIP na may mgaplagbag sa customary lawsang practices sa loob ng mga lupang ninuno

7. IP Struggle / Movement

- Kilalanin ang gobeyno ang pagkabansa ng katutubo at istruktura ng pagka-bansa;

- Kilalanin ang tradisyunal na kasunduang pangkapayapaana katulad ng (pegeleten,
2008

Assert Indigenous Peoples Right to Self Determination

2009

Uphold Indigenous Peoples Rights
linembekan, kelaba, lantung, gunsi, belagwan, duliyan) at paglaaan ng suportang teknikal at pinansyal;

- Nararapat isulong ang mandatory representation ng mga IPs sa lahat ng decision-making bodies ng pamahalaan at sa Autonomos Region on Muslim Mindanao (ARMM)

8. IPRA

- Kilalanin ng gobyerno ang native titles bilang “existing prior rights” ng mga katutubo sa kanilang mga lupain na isaad sa Section 56 ng IPRA;

- Ibasura ang 2006 NCIP FPIC Guidelines;

- I-award na ang mga CADT na dumaan na sa pagkahaba-habang proseso -lalo na yaong handa na for awarding na;

- Ipatupad ang pag-uutos sa LGUs para sa IP mandatory representation at ang paglalaan ng pondo para dito

- Bigyan ng training ang mga kawani ng NCIP tungkol sa IPRA

- I-schedule na ang pagreview ng kongreso sa IPRA at IRR nito;

- Baguhin ang IRR ng IPRA patungkol sa right to benefits dahil nababarat ang mga katutubo, at least 10% ang profit sharing dapat na matanggap ng mga komunidad;

- PASPASA ang pag-transform ng OSCC-ARMM na maging NCIP at makapag-proseso na ng awarding ng CADT sa loob ng ARMM;

- Maglaan ng pondo ang NCIP para sa delineation of ancestral domain;

- Prioritize ang mga katutubo bilang mga tour guides sa mga ecotourism projects sa kanilang mga ninunong lupain at bilang mga forest guards sa anti-logging task force

- Prioritize mga katutubo sa hiring ng forest guards para sa anti logging task force (ancestral domain guards)

- mapalabas ang DILG ng memo Circular na utusan ang mga LGU para pondohan ang salary, compensation, benefits ng IP representative at gawing priority program ng NCIP ang mandatory IP representation ngayong 2011

- Dapat may batas para sa reparation of cultural damages to address historic injustice

- Dapat ang 20% ng IPA ay mapunta sa traditional territories ng IPs at magkaroon ng kaugulugan batas para nito;

- Dapat may batas na pwedeng mag class suit ang IPs laban sa cultural damages;

10. Climate Change

- Magbigay ang Department of Agriculture ng pagasanay sa mga katutubo hinggil sa organic farming.

- Isulong ang rainforestation; itigil ang pagtanim ng mga commercial timber species para sa reforestation projects;

- Palaganapin ang kaalaman hinggil sa climate change

- I-promote ang pag-gamit ng organic farming at iba pang earth/climate friendly na teknolohiya

- Simulan ang reforestation sa mga watershed and protected areas

- Pagpataw ng sanctions and penalties sa mga tiwaling kawani ng denr

- Strict implementation ng adsdpp

- Magkaroon ng tamang implementasyon ng solid waste management

- Dapat mapalakas ang pagbantay ng cultural guards ng forest and environment

- Full protection of biological diversity with financial support for conservation

- Full logging and mining moratorium

- Promote and protect nature’s law/law of nature

- Full support to genuine fpic

- Pag-promote ng mga likas kayang manga kabuhayan

Ang aming mga pananagutan

Sa pagsapapatoloy ng aming pakikibaka at pagkakaisa, itinataya namin ang aming sarili sa mga papapalakas sa aming mga hanay para sa pagtaguyod ng aming karapatan. Lalo naming isusulong ang aming malaya at sariling pagpapasiya sa mga bagay na makakapaekte sa aming kinabukasan at ng aming mga anak.

Higit naming palalakasin at isasabuhay ang aming mga kultura, tradisyong, kaugalian at paniniwala laban sa panghigmasok ng mga mandarambong at mapag-alipustang taga-labas. Ihinto at ipagbabawal namang pagtalaga na tradisyunal na katungkulan sa mga hindi katutubo sapagkat ito ng nagiging instrumento sa paniniil.

Kami ayamananatiling mapagbantay laban sa makasaysayang diskriminasyon at hindi kami mag-aatubiling ipag-alam sa lahat ng mga gustong makaing, habang lalo naming palalakasin ang aming mga bases para sa mga ilang ayaw makinig. Isusulong namin ang nagkakaisang mga katutubong nasyon ng Pilipinas.

Ito ang aming pinipahayag mula dito sa Christ the King Spiritual Retreat Center, Koronadal City, South Cotabato ngayon Hulyo 28, 2011.
The State of the Indigenous Peoples Address (SIPA) 2011 gathered 44 tribes, the biggest SIPA gathering in the last 4 years and the most number of IP support groups attended.

The gathering was first time attended by the Visayas IP group since its convergence in 2008.

The SIPA 2011 was held in Christ the King Retreat Center (CKRC) in Koronadal City (Marbel), South Cotabato to show their support and solidarity to the people and provincial government to their courageous stand to protect their environment through their Environmental Code.

This drawn an inspiration from this experience and local victory against giants of extractive industry from the local government unit and the communities.

The SIPA 2011 provided a consolidated picture coming from the 44 tribes of the true state and plight, their issues and concerns, their aspirations, and their struggles to protect and promote their rights as communities and as people.

Each participant bought a copy of the SIPA 2011 as a reminder of their commitment to share the statement to their communities, local legislative officials, and the local relevant agencies.

It has been a resounding decision by the participants of SIPA 2011 to have a SIPA 2012. The existing SIPA Steering Committee is tasked to ensure that this happens next year, and shape the program. LRC-KsK/FoE-Phils, has been tasked to act as secretariat support for this initiative.
Highlights

- 44 tribes coming together

  - In the State of the Nation Address (SONA) the families of the members of the House of Representatives and Senate, cabinet members, other congressmen, Senators, executive secretaries, dignitaries, and the first family displayed their terno, gowns, barong, or tuxedo made by who's who in the fashion industry locally or internationally.

But for State of the Indigenous Peoples Address (SIPA), the women and men marching on the traditional women mats which served as the red carpet inside the hall, and wore their traditional clothes to show their distinct identity as a tribe, as a people, and came together as one voice.

A historic gathering for the SIPA, as it was the most number of tribes gathered, so far, with the biggest number of participants, and the participation from Visayas and the small island groups.

- The collective viewing of the SONA

  - Majority of the participants collectively witnessed the SONA of Philippine President live through a widescreen set-up inside the venue. They heard directly from PNoy his report direct from the participants eyes and ears the accomplishment of the Pnoy government on his first year and his promises for the next year.

After the viewing, participants shared their immediate reaction to the SONA. Generally, Sad to note, that the delegates were frustrated of the 2nd SONA of President Aquino, for the reason that the P-Nnoy government has no clear and concrete agenda for the indigenous peoples, and even for a sustainable management of natural resources. There were emotional reactions, expressing grave disappointment, especially as they were hopeful about this new administration.

“We should not lose hope, we are here alive and do our work”, Bae Remedios from Bukidnon tribe in Negros island after reacting to PNoy SONA and to a Mamanwa woman who was emotional on how she felt about PNoy.

- The assessment of the PNoy administration
  - policy updates based on the areas/themes of their major issues identified in 2010

  - Policy updates were provided to the delegates for a policy landscape that affected the lives of the indigenous peoples.

The flagship program of the Pnoy government on PPP or Private and Public Partnership paved way to more contracts, concessioners, and tenements of multi-national corporations that encroach the peoples survival.


- Workshops held to discuss the issues under the Pnoy administration

  - The delegates were divided into respective ethnographic regions to discuss amongst themselves the first year performance of the PnOy administration as well as the emerging issues that need to be addressed.

The glaring issue raised is the 4Ps or the Pantawid Pamilyang Pilipino Program of the government. This is a poverty reduction and social development strategy of the national government that provides conditional cash grants to extremely poor households to improve their health, nutrition and education particularly of children aged 0-14.

The program is currently being implemented by the Department of Social Welfare and Development (DSWD).

The IPs are the vulnerable poor sector in society, but not all of the IPs are benefitting because the basis for indentifying beneficiaries is the NSO records and implemented by the Local Government Units personnel. The cash assistance to the poor to alleviate their immediate need was a failure, the community has to travel to the downtown and invest more time in the long queue lines at the bank. Instead of investing more time particularly the mothers with her children and in their communal gardens.

For those who are able to be part of the 4P’s, the avialment
of the benefits turned out to be more burdensome, especially to the IP women who are most of the time in charge of this.

- **Workshops held to further contribute in their capacity building**

  This workshop was identified in 2010 as an action plan for SIPA 2011. The workshops were divided into five (5) topics, this is based again on the requests coming from the participants. The following are: Social enterprising and Community development, Sustainable Agriculture and best practices, Violence against Women and Children (VAWC), The Minerals Management Bill (MMB), and the Climate Justice.

  Experts like Masipag, Hagdan sa Pag-uswag, Pambansang Koalisyon ng Kababaihan sa Kanayunan (PKKK) provided the inputs and facilitation in the respective workshops.

  The discussions also provided space for interaction among the participants and concrete proposals to be included to the SIPA 2011 statement. The workshops also gave the IP participants the chance to interact, network and made initial contacts with other support groups, and NGOs with particular expertise related to their needs.

- **Plan of action**

  The groups still adopted the 2010 Action plan but added that the SIPA 2011 statement will be delivered by the representatives selected by the 2011 delegates to President Aquino, NCIP Chair, the relevant government agencies, and identified the legislative champions.

- **SIPA 2011**

  - The SIPA 2011 provided a consolidated picture coming from the 44 tribes of the true state and plight, their issues and concerns, their aspirations, and their struggles to protect and promote their rights as communities and as people.

- **Gathering at the Provincial Government to lend support to the Provincial Environmental Code**

  - The SIPA delegates brought a resolution in support of the heroic act of the provincial government of South Cotabato of banning the open-pit method of mining operation in their province through the provincial environmental code which inspired the delegates to replicate in their respective provinces.

  As the culmination activity of SIPA 2011, the province of South Cotabato hosted the event at their provincial covered court. Vice Governor Elmo Toloza and Board Member Dumaguing shared their inspirational message and responses to the delegates.

- **Dialogue with Cong. Baguilat**

  - The chairperson on the Committee on National Cultural Communities, from the lone district of Cordillera, and an Ifugao, Congressman Teddy Baguilat personally received the State of the Indigenous Peoples Address (SIPA) 2011 at the provincial compound of South Cotabato and delivered his speech to fully support the struggle and aspiration of his fellow IPs inside the legislative arena.

  - Cong. Baguilat has been the forefront on some of the policy issues like Minerals Management Bill, review of the Free Prior and Informed Consent Guidelines of 2006 in the legislative arena which are policy agenda of SIPA 2011.

  - memorandum order issued by the DILG secretary to put on hold the implementation of the code.

  While the South Cotabato did not respect the DILG memorandum order, the vice governor shared that “the primordial role of the province is to protect the welfare of the people, and the people of the province of South Cotabato vehemently opposed the entry of mining, and the voice of the people is what I respect”.
Solidarity Message... mula sa pahina 9

Partikular sa usaping pangkapatayapan, dinidiin ng mga lumahok sa Summit ang pagkilala ng kampo ng NDF at ng pamahalaan sa karapatan at hangarin ng mga katutubo sa isang matahimik at maunlad na pamumuhay.

Ang mga dumalo sa Summit ay nanawagan sa Aquino administration, sa Senado at sa Kongreso, na suportahan at agarang aksyonan ang National IP Summit Policy Agenda and Action Plan. Kabilang sa mga pinakamahalagang panawagan ang mga sumusunod:

On the Right to Self-determination

1. Suspend the processing of Free Prior and Informed Consent (FPIC) and immediately revise the FPIC Guidelines based on the recommendations of indigenous peoples;


3. Push for the immediate implementation of the Mandatory Representation in Local Legislative and Development Councils;

4. Respect, recognize and strengthen Indigenous Knowledge Systems and Practices (IKSPs) by providing support for Indigenous peoples who would like to document their IKSPs for the purpose of protection, highlighting traditional forest management, health / medicine, agriculture, and community rules and penalties.

On IPRA and NCIP

1. Establish a mechanism in the form of an Indigenous Peoples-led search committee to give effect to a transparent and participatory selection and appointments process of NCIP Commissioners and Officials;

2. Reject the Indigenous Peoples Master Plan (IPMAP) at its current form for having failed to truly observe a participatory and consultative process in the drafting of the master plan;

3. Provide an effective mechanism (Indigenous Peoples Task Force) that would ensure participation of Indigenous peoples in monitoring, assessing and evaluating the implementation IPRA.

On the Delivery of Basic Social Services to Communities

1. Review all programs on basic social services (particularly 4 Ps program of DSWD) with consideration to ethnicity variables and ensure easy access and cultural appropriateness;

2. Review, enhance and implement the National Policy Framework for Indigenous Peoples Education of 2010 of Department of Education (DepEd);

3. Enforce identification, delineation and protection of watersheds and install potable water systems in all Indigenous Peoples communities;

4. Promote sustainable agriculture anchored on indigenous agricultural systems;

5. Provide livelihood support such as irrigation, farm to market roads, farm tools, implements and animals, sustainable and community controlled energy support;

6. Provide access to free health services and support indigenous health care systems;

7. Ensure a participatory review aligning the policies of various government agencies involving education and culture (e.g. DSWD, DepEd, CHED, TESDA, DOST, LCC, NCCA, NCIP) to ensure that education policies and programs for Indigenous peoples are anchored on indigenous education systems and the right to self-determination.

On Protection from Development Aggression, Human Rights Violations and Militarization

1. Repeal Mining Act of 1995 and support the passage of alternative mining bills that provide for the rational management of minerals and upholds the right of indigenous peoples;

2. Respect mining moratorium issuances consistent with local government autonomy.

3. Declare a moratorium on large-scale mining and strictly regulate Small Scale Mining;

4. Prohibit the use of state forces in the implementation and operation of mining projects;

5. Stop militarization of Indigenous Peoples communities and ensure justice and indemnification for the victims of human rights violations including Indigenous Peoples women and children.

On Recognition of the Role of Indigenous Peoples in Peace Processes

1. Implement the provisions of Comprehensive Agreement on the Respect of Human Rights and International Humanitarian Law (CARHRIHL), especially pertaining to the rights of Indigenous Peoples;

2. Ensure that the rights of Indigenous Peoples are clearly recognized/stipulated in the Comprehensive Agreement on Social and Economic
Reforms (CASER);

3. Ensure the effective consultation and participation of Indigenous Peoples in the peace talks between GPH-NDMPC and GPH-MILF and create appropriate mechanism for Indigenous Peoples that will forward their concerns to the Government of the Philippines, National Democratic Front of the Philippines and Moro Islamic Liberation Front;

4. Support the conduct of a Mindanao Indigenous Peoples Peace Summit and similar initiatives of Indigenous Peoples;

5. Support efforts to develop capacities of Indigenous peoples to document HR violations, in submitting complaints to the appropriate agency and mechanism in the call/search for justice.

Sa panig ng Mababang Kapulungan ng Kongreso, sa pamamagitan ng NCC, walang tigil na dinidinig ang mga panukala na tumutugon sa mga panawagan nang nagagamit.

Sa loob ng dalawang taon ay may apanapu't limang hinaing na ang dininig ng NCC. Dalawampu't anim dito ay nagmula sa Mindanao. Kasama sa mga hinaing na ito ang mga pagpaslang sa ilang pinuno ng mga tribu o ng mga indigenous peoples organization, harassment ng mga elemento ng militar, mga reklamo sa pagproseso ng FPIC, oposisyon sa mga mining operation, at iba pang mga suliranin.

Sa karamihan ng mga kasong ito, nahikayat ng NCC ang mga kinauukulan ahensya ng pamahalaan, una na ang National Commission on Indigenous Peoples, na aksyunan ang mga reklamo ng katutubo. Ang ibang mga kasong naman ay naging pagkakataon para sa mga myembro ng NCC na gumawa ng mga panukala upang palakasin ang ilang mga batas o mag-mungkin ng bagong batas upang mapangalagaan ang kapakaran ng mga katutubo.

Sa kabuuan, mula Agosto noong nakaraang taon, hindi kukulangin sa labin-limang resolution at halos labin-limang panukalang batas ang tinalakay ng NCC sa loob ng higit-kumulang tatlimpu't limang pagpupulong. Ang ilang sa mga pulong na ito ay ginanap sa Batasan at ang iba naman ay sa mga lugar kung saan may nakahain na isyu ang mga katutubo.

Kabilang sa mga resolusyon na naipasa ng Komite ang panawagan sa Pangulo na pa-imbestigahan at lutasin ang pagpaslang sa mga pinuno ng ilang mga tribu, ang pag-imbestiga ng ilang mga FPIC at operasyon ng mga mining company, at pagsiyasat sa mga suliranin sa pagpapatupad ng mga ancestral domain title.

Sa mga panukalang batas naman, kasama dito ang sumusunod:

- Prohibiting Discrimination of Persons on Account of Ethnic Origin and/or Religious Beliefs,

- Establishing a Nationwide Scholarship Program for IPs,

- Inclusion of Ethnic Origin in the National Survey of NSO,

- At mga panukalang amyendahan ang Indigenous Peoples Rights Act o IPRA.

Sa muling pagbakas ng session ng Kongreso, layon ng NCC na makapagpasa ng hindi kakulangan sa dalawang batas para sa proteksyon ng mga katutubo. Patuloy kaming kililos upang makamit natin ang mga hangad ng mga katutubo.

Transformation daw ang pangunahing mensahe ni Pangulong Aquino sa kanyang SONA.

Mahal na pangulo, nais din naming mga katutubo na magkaroon ng ganap at tunay na pagbabago sa pamahalaan at lipunan. Hangad naming na matugunan ang mga pangangailangan ng mga katutubo na mahalagang bahagi ng kalinangan ng ating bansa at ng kagalingan ng bayan. Umaasa kami na diring ginoy ang aming mga panawagan sa larangan ng pangangalaga sa kalikasan, pag-kontrol sa pagmimina, at sa pagpatuloy sa mga karapatan ng mga katutubo.

Sa ganang atin naman, mga kapatid kong katutubo, alam kong hindi tayo titigil hangga't hindi natin nakakamit ang tunay na transformation ng lipunan. Nais natin ng isang lipunan na kumikilala sa kontribusyon ng mga katutubo sa kapakaran ng bayan, isang lipunan na gumagalang sa kanila at sa kanilang mga karapatan.

Sa kampanyang ito, maka-asasaya kayo na katulong niyo ako at ang Committee on National Cultural Communities ng Mababang Kapulungan ng Kongreso. Bukas ang aming pintuan upang dinghin ang inyong mga hinaing at tulungan kayog hanapan ng kalutasan ang inyong mga agam-agam.

Kaya't magkaisa tayo, pagsamahan natin ang ating lakas. Sama-sama nating bahagi ang daan, tuwid man ito o liku-liko, patag o hindi. Ang mahalaga ay nagkaisa tayo sa ating adhikain.

Tungsod sa ganap na pagbabago, towards genuine transformation, kapit-bisig kayong umatao at ipaglaban ang ating mga karapatan bilang katutubo.

Maraming salamat po at pagpalain tayo nawa ng Maylikha.
Greetings.

We are here today to celebrate the 17th International Day of the World’s Indigenous Peoples and the Kick Off Event of the 3 Months Campaign on Indigenous Peoples Rights and Empowerment with the rights and issues of Indigenous Women at the core of events by showcasing and advancing their rights, protecting their vulnerabilities and paying tribute to their contributions to society as strong-willed, diligent and enduring guardians of the environment, bearers of cultural integrity and heritage, and movers of history.

At present, there are approximately 14 million indigenous peoples in the country who come from 110 indigenous groups, the bulk (or 60%) of which are from Mindanao. In the Cordillera and Region 1 of Northern Luzon are the Bagos, Kankanay, Bontoks, Ibalois, Kalingas, Tingguians, Isnags and Ifugao. It is the Ifugao tribe to which this humble representation belongs. In the North-Eastern and Central Luzon area and Island Groups are Aetas, Mangyans, Palawan, and Tagbanua while those of Lumad Mindanao are the Manobos, Bagobos, Subanens, Mansakas, Higaonon and Tidurays, among many others.

Looking Back

Throughout history, we have protected our lands, culture independent, institutions and processes. Over time, established systems of immemorial rules emerged from our way of life and natural wants. In a word, CUSTOM. It is through customs that we traditionally resolve questions of property rights, natural resource use, kinship and community membership. These rules were at first informal and flexible. But persistent practice led them towards political development that allowed informal practices to evolve into CUSTOMARY LAW. These were in turn interpreted, applied to specific cases and enforced by the entire community through its juridical leaders.

Ancestral lands and domains are likened to living beings under customary law. These are deemed by us, indigenous peoples, as life-giving, sacred and in turn, to be reciprocated with care and protection.

Today’s indigenous peoples, like Mateo Carino before them, continue to hold on to self-evident truths that “Land is Life” Voices from the ground could not be more poignant. An oft-repeated remark by a Kalinga Pangat, Macli-ing Dulag, had this to say: “You ask if we own the land... How can you own that which will outlive you? Only the race owns the land because only the race lives forever...”

IPRA LAW: Landmark Legislation, Landmark Failure?

The IPRA recognizes Indigenous Peoples inherent rights and customary laws governing property rights. It established mechanisms for ancestral domains to be titled and requires that Free and Prior Informed Consent of indigenous peoples be obtained for any development project that affect them.

However, it saddens to mention at this point, not only as Committee Chairman on cultural communities but as an indigenous person myself, that “the manner in which the IPRA law has been interpreted and implemented resulted in a failure to address past wrongs.”

There is today intense demand by indigenous communities to evaluate and review the implementation of IPRA. Our indigenous peoples have reported persistent violations of their Free and Prior Informed Consent requirement, the hasty manner in the approval of mining explorations, deployment of the military as security force to mining and the unacceptably slow titling of their ancestral domains.

For the past months the committee on national cultural

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1 Macli-ing Dulag, cited by Supreme Court Justice Kapunan, A Divided Court: Case Materials From the Constitutional Challenge to the Indigenous People's Rights Act

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communities conducted several hearings inside and outside of congress. As of December 2010, 156 Certificates of Ancestral Domain Titles were issued covering 4.2 million hectares. Of the 156, only 37 CADTs are registered representing 936,934.54 hectares. In other words, after nearly 14 years of IPRA, less than 1 million of the approximately 7.5M hectares or 12% have been registered.

In a study made to determine the number of years it takes to conduct titling, the process entails an average of 7 years. On the other hand, a policy requirement for a community to decide on Free and Prior Informed Consent takes only 55 days. This policy has contributed in the polarization of communities and leading to resistance. And the response is military deployment that oftentimes result in human rights violations. Again, I would like to inform this august body that this committee has taken steps to review the guidelines on FPIC together with Civil Society and Indigenous Peoples Organizations taking into account genuine intent and true spirit of FPIC.

Moving Forward

Present State of Indigenous Peoples

Just recently President Benigno Aquino Jr. delivered his 2nd State of the Nation Address, in general I am pleased with the achievements of the present administration but was disappointed that there was no mention at all on how the present administration will address the plight of indigenous peoples in the country who remain to be part of the most discriminated and marginalized sectors of the society.

Lack of social services, dispossession from our lands and resources in the name of development, disrespect to our right to self determination and to our lands, territories and resources with the manipulation of the Free Prior and Informed Consent among others.

Last March, in partnership with various civil society organizations we conducted the National Indigenous Peoples Summit to affirm the consolidated Indigenous Peoples Agenda. This summit was attended by 180 indigenous peoples from 56 indigenous groups. The following are the affirmed recommendations of that summit and some of them are already being acted on. I would still like to reiterate the recommendations though and call for the support of His Excellency Benigno Aquino Jr. and to the members of this august body to support and act on the following:

On the Right to Self-determination

1. Suspend the processing of Free Prior and Informed Consent (FPIC) and immediately revise the FPIC Guidelines based on the recommendations of indigenous peoples;
a transparent and participatory selection and appointments process of NCIP Commissioners and Officials;

2. Reject the Indigenous Peoples Master Plan (IPMAP) at its current form for having failed to truly observe a participatory and consultative process in the drafting of the master plan;

3. Provide an effective mechanism (Indigenous Peoples Task Force) that would ensure participation of Indigenous peoples in monitoring, assessing and evaluating the implementation IPRA.

**On the Delivery of Basic Social Services to Communities**

1. Review all programs on basic social services (particularly 4 Ps program of DSWD) with consideration to ethnicity variables and ensure easy access and cultural appropriateness;

2. Review, enhance and implement the National Policy Framework for Indigenous Peoples Education of 2010 of Department of Education (DepEd);

3. Enforce identification, delineation and protection of watersheds and install potable water systems in all Indigenous Peoples communities;

4. Promote sustainable agriculture anchored on indigenous agricultural systems;

5. Provide livelihood support such as irrigation, farm to market roads, farm tools, implements and animals, sustainable and community controlled energy support;

6. Provide access to free health services and support indigenous health care systems;

7. Ensure a participatory review aligning the policies of various government agencies involving education and culture (e.g., DSWD, DepEd, CHED, TESDA, DOST, LCC, NCCA, NCIP) to ensure that education policies and programs for Indigenous peoples are anchored on indigenous education systems and the right to self-determination.

**On Protection from Development Aggression, Human Rights Violations and Militarization**

1. Repeal Mining Act of 1995 and support the passage of alternative mining bills that provide for the rational management of minerals and upholds the right of indigenous peoples;

2. Respect mining moratorium issuances consistent with local government autonomy.

3. Declare a moratorium on large-scale mining and strictly regulate Small Scale Mining;

4. Prohibit the use of state forces in the implementation and operation of mining projects;

5. Stop militarization of Indigenous Peoples communities and ensure justice and indemnification for the victims of human rights violations including Indigenous Peoples women and children.

**On Recognition of the Role of Indigenous Peoples in Peace Processes**

1. Implement the provisions of Comprehensive Agreement on the Respect of Human Rights and International Humanitarian Law (CARHRIHL) especially pertaining to the rights of Indigenous Peoples;
2. Ensure that the rights of Indigenous Peoples are clearly recognized/stipulated in the Comprehensive Agreement on Social and Economic Reforms (CASER);

3. Ensure the effective consultation and participation of Indigenous Peoples in the peace talks between GPH-NDFP and GPH-MILF and create appropriate mechanism for Indigenous Peoples that will forward their concerns to the Government of the Philippines, National Democratic Front of the Philippines and Moro Islamic Liberation Front;

4. Support the conduct of a Mindanao Indigenous Peoples Peace Summit and similar initiatives of Indigenous Peoples;

5. Support efforts to develop capacities of Indigenous peoples to document HR violations, in submitting complaints to the appropriate agency and mechanism in the call/search for justice.

On Legislation

- Legislative inquiry on the status of Philippine compliance on human rights commitments

The Philippines is party to many United Nations treaties which includes the International Convention on the Elimination of All Forms of Discrimination Against Women (ICEDAW), International Convention on the Elimination of Racial Discrimination (ICERD), International Convention on Civil and Political Rights (ICCPR), and the International Convention on Economic, Social and Cultural Rights (ICESCR) among others. Compliance to all these treaties should be monitored to further enhance our national laws and policies.

- Legislative inquiry on the performance review of the NCIP and the implementation of IPRA

- Legislative inquiry on the synergy and complementation of IPMAP with other plans and budgets of other agencies

- Legislative inquiry on the military's use of IP communities in armed conflicts (e.g. TF Gantangan)

- Legislative inquiry on compliance of Philippine Government on Program of Work on Article 8j of Convention on Biodiversity (CBD)

- House Resolution urging the President to revoke PP2282

- Establishing a Nationwide Scholarship Program for IPs

- Inclusion of Ethnic Origin in the National Survey of NSO

- Legislation amending the IPRA

I'll end my speech with a quote of the late Marcus Bangit, a known pangat of Kalinga:

"Until our right to self determination is recognized, the struggle will not end. If it means the sacrifice of our lives to achieve freedom, then so be it."

Thank you.
Earth Borrowed From Our Children

By Cong. Arlene “Kaka” Bag-ao

I rise on a matter of personal and collective privilege.

Mr. Speaker, the World Indigenous Peoples Day, which we commemorate today, should be a celebration of multiculturalism and mutual recognition of rights amidst diversity and adversity. While the Philippine Constitution and the Indigenous Peoples Rights Act (IPRA) recognize the rights of indigenous peoples, our vibrant ethnicity also chronicles the unromanticized tale of cultural communities who are historically marginalized by our very own state policies.

The policy, which this representation is referring to, is the state perpetrated plunder of our national patrimony which we commonly refer to as the “Philippine Mining Act of 1995.”

Mr. Speaker, my dear colleagues, the stories of exploitation of IPs and natural resources by mining companies are not novel to us. It is often considered both a blessing and a curse, that the Philippines holds the 3rd largest gold deposit in the world, 4th largest in copper, and the 6th largest in nickel deposits. However, the bulk of the country’s mineral wealth, timber, and other raw materials are found in the last frontier of lands inhabited and protected by our indigenous peoples. According to the Mines and Geosciences Bureau (MGB), there are 482 approved mining applications covering 1,046,350.87 hectares in the country. Of this number, an estimated 595,058.11 (56.87%) will cover indigenous peoples’ territories.

This has been the perennial conflict that our IPs have been struggling with since the colonial times. When the state began granting rights of ownership to their ancestral domains, it nevertheless kept ownership of natural resources. When Mining Act of 1995 was passed, the state effectively gave them to foreign corporations in exchange for a measly sum, flattened mountains, dried rivers, poisoned waters and displaced communities.

Its exploitative provisions are patent. The Philippine Mining Act of 1995 allows 100% foreign ownership of mining projects which could use up to 81,000 hectares of land and could last for 50 years. Mining companies are also given priority access to water resources within their concession, and can repatriate all profits subject only to 2% excise tax with tax holidays and deferred payments incentives. It is as if the government is selling our minerals in a bargain sale and even subsidizing exploitation. In 2008, in fact, the reported contribution of the mining industry to the gross domestic product (GDP) is only 1.28%.

While the government imposes this absurd policy of mendicancy, the IPs, on the other hand, become more susceptible to abuse. When mining companies bury their claws to extract our mineral deposits, the Earth bleeds and indigenous peoples bleed with it. Their rights over their ancestral domain were even once characterized by the Supreme Court only as “parochial interests” which according to them should not strangle economic growth (La Bugal B’laan Tribal Association, Inc. v Ramos).

The condition of IPs is the best indicator of this inequity. As the UN Special Rapporteur Professor
Rodolfo Stavenhagen reported, the human development indicators of IPs are lower and poverty indicators are higher than those of the rest of the society. Indeed, the billions of profits raked by mining corporations failed to reach the community which has preserved it. The environmental disaster, however reach them first, such as the landslides in Itogon and Mankayan, Benguet Province due to massive ground subsidence, and the mercury poisoning in Sibuyan.

Perhaps, the only right left to IPs against these extractive industries is the right to Free, Prior, and Informed Consent (FPIC). However, the exercise of this right is also subject to restrictions and manipulations. Some mining companies were reported to have obtained FPIC through a group of IPs which were allegedly not representative of their community. The Subanen in Mount Canatuan and the Palawan in Brooke’s Point experienced such classic divide and conquer ploy by mining companies allegedly facilitated by the National Commission on Indigenous Peoples, the very agency mandated to protect their rights.

And the exploitation never ends. When mining companies bury their claws to extract our mineral deposits, the Earth bleeds and the indigenous peoples bleed with it, in many cases, literally. Mr. Speaker, my dear colleagues, the militarization of mining sites further aggravates abuse. State forces often act as mining security, and are tolerated to employ paramilitary groups. Last June 30, Mr. Speaker, my dear colleagues, the paramilitary group Salakawan killed anti-mining Lumad leader Arpe Belayong and his nephew Solte San-ogan in Esperanza, Agusan del Sur, host to several mining applications.

The Commission on Human Rights issued a resolution in favor of the Ifugao tribe in Didipio, Nueva Vizcaya calling for the revocation of the Financial or Technical Assistance Agreements (FTAA) of Oceana Gold but such was not implemented. In 2010, the Ifugaos and the Subanens filed a communication before the UNCERD, but the national government ignored the recommendations of the international body.

Today, Mr. Speaker and distinguished colleagues, our guests, the Subanen leaders from Zamboanga Peninsula in their continued search for relief filed a petition before the Supreme Court for the issuance of a writ of kalikasan to stop mining in Zamboanga Peninsula. Currently, there are 170 mining tenements in the peninsula which would cover 51% of its total land mass. The current law on mining allowed such massive coverage without regard to the apparent damage it would cause.

Mr. Speaker, my dear colleagues, repealing the Philippine Mining Act of 1995 is imperative.

A new minerals management law which declares the primacy of the rights of our Indigenous Peoples should be enacted. Their sacred grounds, burial sites, areas inhabited for their subsistence, and communal forests should be declared a no-go zone for mining operations. The FPIC processes should be conducted strictly in accordance with their customary laws. And this representation is sure that a 1.28% GDP contribution, Mr. Speaker, distinguished colleagues, should not be considered an obstacle for these reforms.

Mr. Speaker, my dear colleagues, our new minerals management policy should adopt the thrusts of stewardship that our Indigenous Peoples uphold—that the land, as they taught us, should be one day returned to our children, that the resources we have are not commodities but valuable possessions, that there should be preservation, instead of exploitation and that our lands are not properties but a domain where life thrives and from where the entire community benefits.

Thank you very much.
KORONADAL CITY (MindaNews/26 July) — Delegates to an assembly of indigenous peoples expressed dismay at their being not mentioned in the second State of the Nation Address of President Benigno S. Aquino III during the joint session of Congress on Monday.

They also lamented that Aquino did not say a thing about the peace process with rebel groups.

Jennifa Bat-ao of Cantilan, Surigao del Sur said the omission meant that they were still discriminated against and marginalized.

Bat-ao, speaking to 129 delegates to the State of Indigenous Peoples’ Address at the Christ the King Retreat Center, said she voted for Aquino because she thought he represented changed.

Teresa dela Cruz, an Aeta from Zambales said it was an insult to see lawmakers applaud the pantawid gutom (conditional cash transfer) program because the indigenous peoples did not benefit from it.

Datu Tabunan from Agusan del Sur said Aquino should relate the issue of environment protection to the lives of indigenous peoples and their rights to their territories.

Rizalbo Anggay, a Teduray noted that Aquino did not mention a thing about the peace process. He said it is important for Lumads because they are affected by the conflict.

Roldan Babelon of Carmen, North Cotabato shared Anggay’s concern on the peace process, adding he wanted the president to support their advocacy on mandatory representation in local legislative councils.

Judy Pasimio, executive director of Legal Rights and Natural Center-Kasama sa Kalisakasan (LRC-KsK), said: “What is glaring here is that he was silent on critical matters which he raised in his first SONA. He appointed credible persons to head the peace process I wondered if he’d end there—only choosing the right people to raise hope. But hope is not enough; he should be serious for peace process to prosper.”

“This is not quite a good signal. I’m beginning to doubt his sincerity on it,” Pasimio added.

Carl Cesar Rebuta, program coordinator of SIPA said that Aquino had no clear agenda for the indigenous peoples. He said the president praised large plantations and corporations whose presence supposedly means displacement of people and human rights violations.

“Make us feel like Filipinos too,” Leticia Gomez, an Aeta from Zambales asked Aquino.

“But we must not cry. We must not cry. Gagawa tayo ng paraan para marinig tayo ni PNoy bukas,” Remedios Panganiban, an Aeta in her 80s said.

Rommel De Vera, international program coordinator of LRC-KsK, explained that SIPA is a venue where indigenous peoples assess whether government programs have served their interests.

In previous gatherings, they had assessed government response to their ancestral domain claims, right to self-determination and social services, as well as their position on mining and other development projects.

This year’s SIPA was attended by 129 delegates representing most of the country’s ethno-linguistic groups.

(Violeta M. Gloria/MindaNews)
SIPA 2011 Published Articles

Tribes to hold SIPA Monday
July 24, 2011, 3:31pm
Manila Bulletin

BUTUAN CITY, Philippines (PNA) – Leaders and members of the indigenous peoples (IPs) groups in Mindanao have started to gather at the Christ the King Retreat Center (CKRC) in Koronadal City in South Cotabato since Thursday to deliver their State-of-the-Indigenous-Peoples Address (SIPA) – their own version of President Aquino’s State-of-the-Nation Address (SoNA) Monday.

In a press statement, Legal Rights Center (LRC) official Ccocoy Rebuta claimed that around 100 key leaders and chieftains from tribal groups – like the Manobo, Mamanwa, Tboli, Ba’al, Subanen, Teduray, Higaonon, Talaandig, and Mandaya from the provinces of Surigao, Sultan Kudarat, Cotabato, Zamboanga Peninsula, Bukidnon, Davao; and Agta in Bukidnon have started to arrive in Koronadal since July 21 to attend the gathering.

Ati tribal group leaders of Negros provinces in the Visayas, the Aeta from Palawan, the Mangyan, Kankana-ey, Ibaloi, and Igorot tribes from Luzon were also expected to attend the event scheduled from July 23 to 28, 2011.

The statement said that the National IP Women Gathering and the SIPA will also take place from July 23 to 28.

The gathering of the Lumad communities will be held at the Christ the King Retreat Center (CKRC) in Koronadal.

The SIPA is a national gathering of indigenous peoples to present to the Filipino people their true state and plight, their issues and concerns, their aspirations, and their struggles to protect and promote their rights as communities and as people.

It was learned that this year’s SIPA is the fourth to be organized.

"It is held every year since 2008 every July, parallel to the State-of-the-Nation Address of the President of the Philippines," the statement said.

The National IP Women gathering is being conducted right before the annual SIPA.

Most of the IP women coming for the gathering have attended at least one SIPA, and so know and have experienced participating in this big gathering of indigenous leaders.

This year’s gathering is dubbed “IP Women: Weaving Desires Together, Forging Collective Strength Towards Solidarity and Genuine Changes.”

The gathering hopes to assess the SIPA, whether that platform actually serves the interests of the IP women, whether their participation has been facilitated to make it meaningful and productive, and whether the SIPA itself reflects their own situation, and articulates their issues as well as dreams and ideas of solutions.

It also aims to facilitate their input in the coming SIPA – their specific conditions as women members of the IP communities, their own thoughts and assessment of the first year of the Aquino administration, and their own proposals of policy agenda.

The statement also said that results of the gathering will be formulated into an IP Women Agenda, which will be given to relevant agencies both at the national and local level, other policymakers, other women’s groups, and women’s right advocates.

The IP women agenda will also be shared to the SIPA assembly as contribution to the development of the SIPA 2011.

Lumads hold own SONA
Posted on July 25, 2011 by durianburgdavao
by Ben Serrano

BUTUAN CITY- Leaders and members of the indigenous peoples groups in Mindanao have started to gather at Christ the King Retreat Center (CKRC) in Koronadal City in South Cotabato since Thursday to deliver their State of the Indigenous Peoples Address (SIPA), their own version of President Benigno Aquino’s SONA (State of the Nations Address) on Monday.

Legal Rights Center (LRC) official Cocoy Rebuta said that around one hundred key leaders and chieftains from tribal groups; Manobo, Mamanwa, Tboli, Ba’al, Subanen, Teduray, Higaonon, Talaandig, Mandaya from the provinces of Surigao, Sultan Kudarat, Cotabato, Zamboanga Peninsula, Bukidnon, Davao; Agta in Bukidnon in Mindanao have started to arrive in Koronadal City since July 21 to attend the gathering.

Tribal group leaders of Atis of Negros provinces in the Visayas, the Aetas from Palawan, the Mangyan, Kankana-ey, Ibaloi, Igorot tribes from Luzon were also expected to attend the event scheduled on July 23-28, 2011.

Rebuta said the National IP Women Gathering and the State of the Indigenous Peoples Address (SIPA) would take place from July 23 to 28 at the Christ the King Retreat Center (CKRC) in Koronadal City.

The State of the Indigenous Peoples Address is a national gathering of indigenous peoples to present to the Filipino people their true state and plight, their issues and concerns, their aspirations and their struggles to protect and promote their rights as communities and as people. PNA.
The Indigenous Peoples Rights Act (IPRA) or R.A. 8371, a landmark legislation on indigenous peoples’ rights will be on its 14th year this October 29, 2011. While this has become a victory in the struggle of the IP to be recognized in their ancestral domain, this has also become a passport of development aggression in their respective communities. Since the enactment of IPRA, the IP communities still live in poverty, and worst, being driven away from their land to give to corporate plantations, agro-industrial projects, mining, and large-scale dams.

The State of the Indigenous Peoples Address (SIPA), held annually, has become a venue and a space for community leaders and representatives to present to the Filipino people their true state and plight, their issues and concerns, their aspirations and their struggles to protect and promote their rights as communities and as peoples. SIPA is a national gathering started in 2008.

As part of the action point of the SIPA 2011, the participants selected 20 representatives from Luzon, Visayas, and Mindanao indigenous communities who will be go to Manila to present to the government agencies the IP agenda through a series of dialogues with relevant government agencies; generate support from policy makers; make known the IP agenda to the public through media hopping, mobilization and finally, seek audience with President Benigno Aquino. These activities will take place within one week from October 21-29, 2011.

The week-long event is set to achieve the following objectives.

a. to bring together the 20 IP community representatives from Luzon, Visayas, and Mindanao and lobby to relevant government agencies and policymakers the IP agenda crafted last SIPA 2011;

b. to provide additional capacities/skills of the community leaders in doing lobby-work, media

c. to set dialogues with the legislators both in the Senate and the Congress;

d. to generate support from various IP networks, formations, collations, and funding agencies;

e. to intensify the campaigns against encroachers of IP rights without their genuine community consent like mining, plantations, agro-industrial, and large-scale dam through media actions, mobilization, and media hopping.

### Calendar of Activities

<table>
<thead>
<tr>
<th>Day</th>
<th>Activity</th>
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<tbody>
<tr>
<td>Day 0</td>
<td>Crash course on Campaigns and Lobby Work at Phaltraa, UP Village, Q.C.</td>
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<tr>
<td>Day 1</td>
<td>Crash course on media handling - Phaltraa, UP Village, Q.C.</td>
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<td>Oct. 22</td>
<td>Crash course on Public Speaking</td>
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<td>Day 2</td>
<td>Preparation for Day 3-6</td>
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<tr>
<td>Oct. 23</td>
<td>Briefing</td>
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<td>Media Event –</td>
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<td>Day 3</td>
<td>Visit ABS-CBN Foundation-Support No Mining in Palawan</td>
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<td>Oct. 24</td>
<td>Launching of Photo Exhibit – SM Mega Mall</td>
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<td>Partners Discussion on Right to Self Determination</td>
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<td>1:00 to 5:00pm</td>
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<td>Day 4</td>
<td>Dialogue with the NCIP Commissioners</td>
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<td>Oct. 25</td>
<td>Radio Guesting</td>
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<td>TV Guesting</td>
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<td>Day 5</td>
<td>Read along program with inquirer</td>
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<td>Oct. 26</td>
<td>Senate hopping: Koko Pimentel and TG Guingona</td>
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<td>Solidarity lunch with Logic IP Champions: Cong. Baguilat,</td>
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<td>Cong. Bap-sio, Cong. Bello, Cong. Rufus Rodriguez, Cong. Padilla</td>
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<td>Launching of Day of the Martyrs Countdown</td>
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<td>Dialogue with the CHR 1pm to 2pm</td>
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<td>Day 6</td>
<td>Audience with President Proty</td>
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<td>Oct. 27</td>
<td>Malacanang Palace, Manila</td>
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<td></td>
<td>*Mobilization – 14 year of IPRA</td>
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<td>Day 7</td>
<td>Launching of Publications – Max Restaurant at QC Circle</td>
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<td>Oct. 28</td>
<td>*Dinner with the IP Partners</td>
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<td>Day 8</td>
<td>*Dinner with the IP Partners</td>
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<td>Oct. 29</td>
<td>Debriefing and Departure</td>
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SIPA GAINS

GAINS

- Assess Indigenous people's situations
- Venue to critique State of the Nation Address (SONA)
- Deepen understanding of Right to Self Determination (RSD) and identify strategies to assert and protect RSD
- Publicly voice out the genuine State of the Indigenous Peoples Affairs
- Sharing of experiences of various communities
- Articulating the issues and struggles of IP communities
- Unity and solidarity of various IPs, support groups and allies
- SIPA Agenda was widely-disseminated
- Broad participation: Involved various IP groups from Luzon, Visayas and Mindanao
- Formulated Concrete activities and commitments for the SIPA

COMMITMENTS

- Lobby support on the issues articulated in the SIPA
- Push for the inclusion of IP issues in the platform of government agenda
- Demand action from various sectors (Dissemination of SIPA)
- Local government units, legislators including party-list representatives, concerned national agencies and government officials, international fora: international organizations, Foreign embassies, funding agencies

for comments:
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