

2022
Report

State of Indigenous Peoples Address



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Legal Rights and Natural Resources Center -
Friends of the Earth Philippines



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Cover Photo: A T'boli-Manobo mother and child.
Photo by LRC

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Tedurays overlooking their
farmlands. Photo by JA
Demigillo/LRC





Background

State of Indigenous Peoples Address 2014. Photo by LRC

The State of the Indigenous Peoples Address (SIPA) is a national gathering where indigenous peoples (IPs) are able to give voice to their true state and plight, their issues and concerns, their aspirations and struggles, and to assert their rights as peoples.

SIPA is held annually as a counterpoint to the State of the Nation Address (SONA) of the president of the Philippines. It was first convened in July 2008 by the Legal Rights and Natural Resources Center (LRC) in Davao City.

SIPA 2022 was supposed to be the first physical SIPA since the pandemic struck, but the plan was scuttled due to another surge in Covid-19 cases. 11 online hubs were instead set up across Mindanao and Luzon, gathering more than 150 leaders and representatives from 15 ethnolinguistic groups for the three-day event. SIPA 2022 was also the first SIPA under the new administration, which has a profound bearing on the promotion of the indigenous peoples' agenda and the protection of their rights.

Aside from sharing their situation, SIPA participants also reviewed the status of the IP Agenda, learned more about disinformation and historical revisionism, and talked about the impacts of climate change on their communities. SIPA 2022 provided them a safe space to reaffirm their aspirations and strengthen their ties as they continue to collectively advance their struggle for land and other rights. SIPA 2022 is also timely as IPs mark the 25th anniversary of the landmark Indigenous People's Rights Act (IPRA). The discussions during SIPA 2022 and additional research on the situation of IPs together form an appraisal of and a reflection on IPRA's historical relevance.

This report includes LRC's latest research into the national economic, environmental, and socio-civic situation faced by IPs in the Philippines, and from documentation and observations during the conduct of SIPA 2022. SIPA 2022 was organized by LRC, with support from Voice Philippines and Samdhana Institute, and mounted with organizations Mindanao People's Peace Movement and Lilak. Names and other details have been omitted or changed, to protect the identities of individuals.

**“Masaya ako dito sa SIPA
para malikom ang kwento
ng mga tribu na nasa
malayong lugar.”**

Kirentiken Menuvu Participant



National Situation

3D mapping exercise with Lumad communities. Photo by LRC

According to the United Nations Development Programme (2013), the Philippines is home to an estimated 14-17 million IPs that belong to 110 different ethno-linguistic groups. They are mainly composed of groups collectively known as the Igorot, in the mountainous regions of northern Luzon, and as the Lumad, in Mindanao. Some groups are spread across the islands in the Visayas.

The Philippine 1987 Constitution reaffirmed by formalizing the State's recognition of the rights of IPs. In 1997, the Indigenous People's Rights Act (IPRA) was passed into law. Ensuring redress from centuries of historical marginalization, and the recognition of cultural and land rights, IPRA is considered one of the world's most progressive policies on IP rights. With IPRA, the State upholds its recognition, protection, and promotion of IPs' right to self-determination, cultural and territorial rights, sanctifying the "customary law basis of indigenous land and resource rights" (Doyle, 2020). More than two decades after its enactment, issues continue to hound its implementation, with IPs themselves taking issue with some of its working mechanisms.

Abundant Ancestral Lands

IPs in the Philippines often find themselves in the role of land and environmental defender because their traditional culture and indigenous cosmologies often ipso facto abide by or promote tenets of environmental conservation. As such, indigenous territories have become the so-called last ecological frontiers—places left untouched by large-scale, often commercial, land use change.

High biodiversity areas in the Philippines are mainly located within IP territories. The term megadiverse describes the presence of a high number of endemic species. Their traditional systems of stewardship have effectively enabled conservation and protection of ecosystems, habitats and species within their domains (Pedragosa, 2012).

This harmonious and symbiotic relationship with nature is reflected in their various sustainable socio-economic activities, such as the traditional basket weaving of the Palaw'an (Fabro, 2022), the Sulagad agro-ecological farming system of the Teduray-Lambiangan (FoEI, 2022), and the engineering marvel that is the Cordillera rice terraces of the Igorot (UNESCO, n.d.).

The Territories of Life Report (Bukluran, 2021) notes that indigenous territories in the Philippines cover almost 13-14 million hectares of landscapes across the archipelago. Latest data from the National Commission on Indigenous Peoples (NCIP, 2021) shows there are 5.97 million hectares of land area registered under Certificate of Ancestral Domain Titles (CADTs), the formal tenurial instrument for ancestral lands under the IPRA.

The report also notes that there are a further 7-8 million hectares of indigenous territories without CADTs, or those registered under Native Title claims, not subscribing to what is imposed by national law.

Abundant Ancestral Lands

14 MILLION

*hectares of our land area
are ancestral territories*

5.3 MILLION

*hectares of these
territories are forests.*

75%

*of our country's
remaining
forest cover*

**P1.1
TRILLION**

*ecosystem value
generated per year*



**P738
BILLION**

*Carbon
Social Cost*



**P249
BILLION**

*Water
Provisioning*



**P14
BILLION**

*Soil
Conservation*



**P86
BILLION**

*Non-Timber
Forest
Productivity*

The report affirms how these ancestral lands are among the last bastions of our natural patrimony and wealth. At least 1.44 million hectares of the country's designated Protected Areas (PA) overlap with ancestral domains.

The overlap between Key Biodiversity Areas (KBAs), which, unlike PAs, are not strictly protected by law, and ancestral domains under CADTs represent 1.35 million hectares or 29% of the total area of KBAs. More particularly, ancestral domains overlap with 75% of our country's remaining forest cover, corresponding to 5.26 million hectares.

The Philippine Archipelago is considered one of the richest in terms of biodiversity. Its archipelagic nature has allowed for the evolution of more than 52,177 described species, making the Philippines one of the 17 biologically richest and megadiverse countries in the world. A megadiverse country must have at least 5,000 species of endemic plants and most border marine ecosystems (UNEP-WCMC, 2020).

Unfortunately, the Philippines is also one of the 25 biodiversity hotspots and is considered a global biodiversity disaster area (Pedragosa, 2012).

Estimating the ecosystem values provided by these forests within ancestral domains using figures in an environmental defenders study (Dulce et. al., 2021), an annual value of at least PHP 1.09 trillion in terms of carbon capture, water provisioning, soil conservation, and non-timber forest productivity is generated.

There are various other social gains from the protection of forests within ancestral domains, including the reduction of risk of floods and other geohazards; the conservation of biodiversity, which subsequently has agricultural, health, and other economic uses; and the control of pollution, among others.

Marginalization, Discrimination

Despite the abundance of their lands and the ecosystem services they protect and nurture, and which others in turn enjoy, IPs are among the most marginalized sectors in Philippine society. A 2022 study published in the Philippine Journal of Science (PSJ) analyzing the nutrition and health status of IPs, based on the 2013 National Nutrition Survey and 2015 Updating Survey, found that more than half of IPs belonged to the poorest quintile, or 20% of the Philippine population, while a further 20% belonged to the second poorest quintile (Duante et. al., 2022).

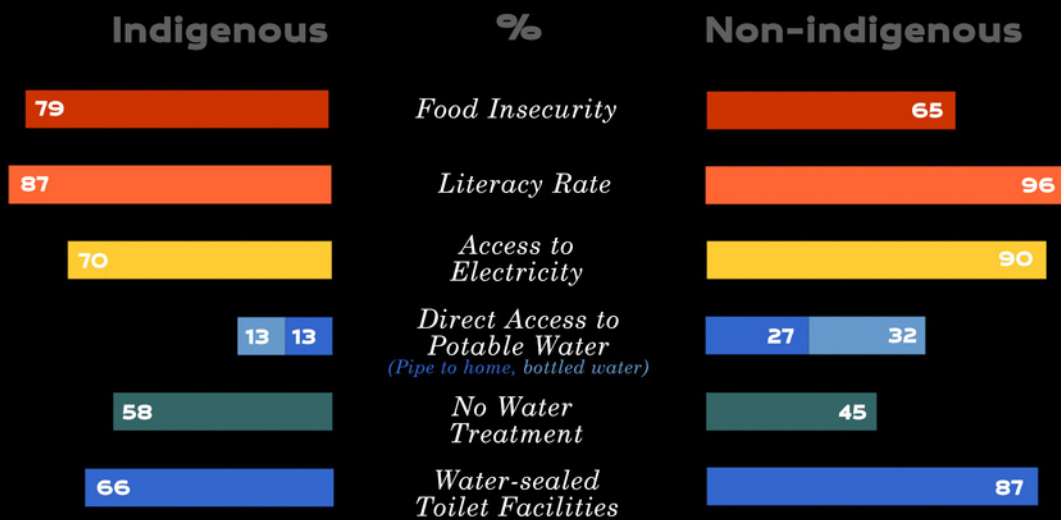
We looked at the Philippine Statistics Authority's 2021 poverty incidence data (PSA, 2022) from regions (excluding highly urbanized city centers) located in the major ethnographic areas identified by the IPRA, and which previous studies estimated to have at least 40% of their population as indigenous. By contrasting them with the poverty incidence in Greater Metro Manila Area (GMAA) and the national average, we can see significant disparities (see table on right).

While the identified indigenous regions in Luzon have lower poverty incidence compared to the national average, they are significantly higher compared to the urbanized regions in Greater Metro Manila. Meanwhile, indigenous regions in Mindanao far exceed the national average.

The PSJ study further notes that an average of 79% of IP households surveyed were food-insecure, significantly higher than non-IP households with an

Select Regions from Major Ethnographic Areas	Poverty Incidence
Cordillera (excluding Baguio City)	8.9%
Cagayan Valley	11.7%
Northern Mindanao	19.2%
Davao (excluding Davao City)	18.7%
Caraga	25.9%
Total Average	16.9%
Greater Metro Manila and National Average	
Metro Manila	2.2%
Southern Tagalog	7.2%
Central Luzon	8.3%
National Average	13.2%

Three of every four indigenous people belong to the *poorest* and *poor* quintile of the population.



average of 65%. This means IPs suffering various nutritional deficiencies such as chronic and acute malnutrition, underweight prevalence, stunting, anemia, iodine deficiency, among others.

Similarly, IPs have greater difficulties accessing public services. The PSJ study found that an average of just 30% of IPs are able to reach tertiary level education, and just 8% are able to graduate from college. A study by the Philippine Institute for Development Studies (Reyes et. al., 2017) demonstrates how, compared to the Philippine population's Christian majority, IPs have lower literacy rates (86.8% compared to 95.5%).

The PSJ study further finds that an average of 70% of IP households have access to electricity, compared to 90% for non-IP households. Only 13% of IP households have direct access to potable water via pipelines, and only 13% source their water from mineral/bottled water, compared to non-IP households, of which 27% are connected to pipelines and 32% source from mineral or bottled water. These are considered the highest quality among improved water source types.

There are other water sanitation problems that beset IPs. An average 58% of IP households do not treat their water prior to drinking. An average 66% of IP households have water-sealed toilet facilities, which prevent foul odors and flies from rising from the pipes, as opposed to 87% for non-IP households.

A clear manifestation of the pressures brought about by discrimination against IPs is the disappearance of their languages. Data from the Ethnologue (Katig Collective, n.d.) indicate that of the 175 indigenous languages in the Philippines, 48 (or 27% of the total) are at risk; 35 languages are considered endangered; 11 are on the brink of extinction; and two are already extinct. IPs are driven to shed their native tongues to shield them from discrimination and persecution, and larger societal pressures that make their language a liability.

'Lacking recognition'

A Menuvu participant from Wao, Lanao del Sur said that because they aren't recognized, they hardly receive government aid. He added that the youth in their area no longer wear their traditional clothing because they are ashamed of them, and they have grown wary of discrimination.

An Erumanen Menuvu participant shared that they faced continuing discrimination in the use of their mother tongue. That is why teachers in their place are working on the orthography of the language to eliminate language discrimination.

Women and Children

A review of the extractive industry's impacts on women (Velasquez, Quirino & Taqueban, 2020) found that indigenous women who assert their rights and ways of life versus environmental destruction face grave danger. In Nueva Vizcaya, indigenous women of a Tuwali community protesting against mining corporation OceanaGold Philippines, Inc. were forcibly restrained by the police (Flores-Obanil, 2020). Indigenous women are targeted not only as defenders of rights, but also as women challenging gender norms: taking leadership positions and being at the forefront of community assertions. In many communities, women environmental defenders (WEDs), who have a deep appreciation of the life-giving force of nature, lead the fight to manage their natural resources (Abano, 2020).

The multiple, overlapping impacts pose considerable and immediate challenges to women in communities. The issues are inextricably linked, entangling women who are already saddled with multiple burdens in maintaining households and supporting community actions: poverty, lack of education and access to basic services, encroachment on ancestral lands, displacement, and conflicts. All these exacerbate women's situation and condition.

Women leaders from the Higaonon indigenous people (Cagayan de Oro and Misamis Oriental), the Subanen (Zamboanga), the Talaandig (Bukidnon), the Erumanen Menuvu (North Cotabato), and



Dumagat women actively participate in a paralegal training around the Kaliwa Dam. Photo by LRC

the Menuvu (Agusan del Sur) shared how they faced multiple abuses and injustices on top of their struggles as indigenous persons:

- Lack of educational assistance for indigenous children and youth
- Impact of the Covid-19 pandemic on indigenous children, aggravating their lack of access to education
- Implementation of the no-birthing-at-home policy that puts women in even more danger because of the lack of government-certified birthing attendants
- Red-tagging
- Women are used as "decoration" or as a tourist attraction
- Loss of shelter and livelihoods due to disasters
- The disaster response of the government is biased against IPs
- Lack of basic social services and livelihood support
- Unorganized indigenous women are not able to access government support
- Lack of free legal assistance to IPs
- Lack of awareness of IP rights and IPRA among indigenous women and communities
- Lack of mental health care and social pension for indigenous persons with disabilities

The past two years of the Covid-19 pandemic underscored the increasing pressures of the challenges experienced by indigenous women and children. It was harder for them to access basic services, revealing short-term, selective and discriminatory relief assistance (LRC, 2021).

“Nawawalan ng karapatan ang mga bata dahil nagkakaroon ng diskriminasyon kung hindi pa sila vaccinated.”

Lumad Woman Participant



Teduray Sulagad harvest festival feature their agricultural bounty. Photo by Ronito Modbeg/LRC

Resource Exploitation

The debate continues whether natural resources exploitation is beneficial or detrimental to communities; in other words, if it redounds to development. This largely depends on how natural resources are regarded—abundance or dependence, and which development ends are given importance and priority: human or economic (Lashitew & Werker, 2020). In this debate, the entrapment of IPs in chronic poverty and oppression reinforces the idea of 'resource curse,' where natural resource-rich areas suffer from less economic growth, less democracy, and less development outcomes (Sachs & Warner, 1995). It also highlights the mainly economic-driven development framework of the government, resulting in not only the exploitation of resources but also of people.

In the Philippines, Environmentally Critical Projects (ECPs), or projects appraised to have significant risks of negative environmental impacts under our country's environmental impact assessment system, have a direct footprint of over half a million hectares of landscapes overlapping with CADTs.

As of June 2022, 83 out of a total of 410 ECPs listed by the Environmental Management Bureau (EMB, 2022) were situated within or close to lands under registered CADTs (see Table below). This covers 76 out of 255, or 30%, of total registered CADTs as of December 2021.

This means that one in every five ECP overlaps and consequently poses ecological risks to ancestral lands in the country, such as the massive disturbance and pollution of land, vegetation, waterways, air, climate, and biodiversity, among others.

If the coverage of other mining (MGB, 2022) and timber (FMB, 2010, 2017, 2020) tenements that are not yet listed as ECPs are included, 126 out of 255 or 49% of

ECP Type	Total Area (Ha)	Total ECPs
Logging	208,282.00	7
Mining	116,000.80	27
Infrastructure	98,882.80	6
Dams and Hydro Power	49,547.10	12
Fossil Fuels	19,254.00	10
Quarrying	5,230.01	8
Geothermal	3,101.00	2
Land Development	545.30	4
Industrial	362.83	7
TOTAL	501,205.83	83

1.25-Million Hectares*

21% *of registered ancestral domains have conflicting projects that pose hazards.*



■ Mining ■ Mining ECP ■ Logging ECP ■ Logging ■ Quarrying
■ Infrastructure ■ Dam ■ Fossil Fuels ■ Others

**Figure is not exhaustive*

CADTs will have land or environmental conflicts. At least 1.25 million hectares of these project areas will overlap with 21% of all formal ancestral territories. The computations also do not yet include indigenous territories that are not under CADTs or are under Native Title claims.

Extractive industries such as logging, mining, and quarrying constitute 51% of all documented ECPs within CADTs, encompassing 66% of the total land area covered by these projects.

Underpinning these tensions with and pressures on IPs and their ancestral domains is the weak implementation of the free, prior and informed consent (FPIC) process. The fraudulent acquisition of FPIC has been reported numerous times (Ingelson, Holden & Bravante, 2007), through bribery, at times by creating a fake 'council of elders' comprising individuals who do not even belong to the community (Ilagan, 2009). This state of affairs highlights that the protective mechanisms of the IPRA, of which FPIC is of utmost primacy, are being undermined.

'Unutilized land'

A Subanen woman leader was worried about Pres. Marcos's declaration that unutilized lands would be distributed. "Wala naman unutilized na lupa kung hindi ang ancestral domain at ang mga protected areas. Tumutulo na ang luha ko para dito."

Mining

49% of mining projects in the Philippines are in conflict with registered ancestral domains. It is estimated that 449,576.81 out of a total of 916,474.08 hectares of approved mineral production sharing agreements (MPSAs), financial or technical assistance agreements (FTAAs), and exploration permits (EPs) in the Philippines are in conflict with registered CADTs, as of July 2022 (MGB, 2022; NCIP, 2021). This represents 126 out of all 255 CADTs.

An emblematic case is the 8,314.42-hectare copper-gold mine of OceanaGold Philippines, Inc. in Barangay Didipio, Kasibu, Nueva Vizcaya. The mine is situated within the 234,824-hectare Magat Forest Reserve that serves as headwaters of at least seven hydro power projects in the Cagayan Valley region (Proclamation No. 573, s. 1969; OGPI, 2013). Environmental data retrieved from OceanaGold reveal that 499 floral and faunal species can be found in the mining tenement area (AECOM, 2013), 110 of which are endemic and 25% of the faunal species are classified as rare or endangered.

Overview of OceanaGold's Didipio mine. Image captured from Google Maps



The area itself is owned by a community of the Tuwali indigenous people, who have borne the brunt of OceanaGold's environmental and human rights violations. Investigations from 2013 to 2021 have observed water pollution twice above safe levels for irrigation and eight times beyond safe levels for riverine organisms (Broad et. al., 2018), and found that 80% of all villagers are experiencing difficulties accessing clean water (IBON Foundation, 2017).

Community leaders from the Didipio Earth Savers' Movement (DESAMA), a local indigenous Tuwali group opposing the mine, are still reeling from trauma caused by the violent dispersal of their barricade on April 6, 2020, by local police. Some of them are still facing charges in court. Militarization has also intensified in their area. But all these issues have not dampened their collective resolve to oppose the mine.

Some groups of a B'laan indigenous community in Tampakan, South Cotabato, share the same determination to resist the continuing encroachment of Sagittarius Mines Inc. (SMI) on their ancestral domain. The proposed 10,000-hectare copper-gold mine is situated in an area assessed to have high ecological values, high groundwater vulnerability, high seismic risk, medium-high vulnerability to watershed stress, and medium social vulnerability (Sarmiento, 2020).

The community is divided, with at least three barangays supporting the Tampakan Gold and Copper Project (TGCP). But some are still hopeful that the mining project will not push through, with the local government's open-pit mining ban still in place.

What is often forgotten is that mining operations often also require and include deforestation. Tropical forests, under which category Philippine forests fall, are prime sites for mineral exploitation (Giljum, Maus, Kuschnig, et al., 2022). Mining projects also require the building of coal plants, to power the operations, contributing thus to the climate crisis.

Slaves in our own land

An Ayta participant from Zambales bemoaned their being "slaves in our lands," noting that mining encroachment has deprived them of their rights to their ancestral lands. Land conflicts and corporate encroachments have disunited leaders and community members, resulting in misunderstandings and, subsequently, conflicts. Some elders, they said, have been coopted by operators in the government and have become corrupt.

Deforestation

An overwhelming 87% of forest areas covered by large-scale logging are in conflict with registered ancestral domains. Some 636,095 hectares out of a total of 732,203 hectares of known Integrated Forest Management Agreements, or IFMAs (FMB, 2010, 2017, 2020; NCIP, 2021), large-scale forest tenements that function as timber plantations, are situated within registered CADTs. Notwithstanding its nomenclature, IFMAs encourage tree plantations rather than forests, plantations which are largely monoculture and have high impacts on the land, such as depletion of soil nutrients and of water supply.

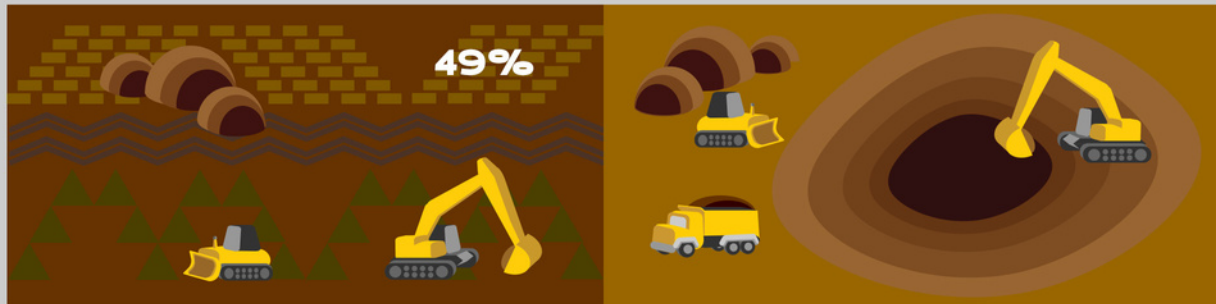
Indigenous communities continue to fight for their rights over their ancestral domains occupied by logging corporation M & S Company, under an IFMA that covers the towns of Lake Sebu, in South Cotabato, Esperanza in Sultan Kudarat, and Ampatuan in Maguindanao. Community leaders of the Taboli-Manobo S'daf Claimants Organization (TAMASCO), five clans from the Menuvu Dulangan, and the Teduray indigenous peoples have already filed a case to stop the illegal operations of the logging company.

The NCIP issued a cease-and-desist order in 2019, but M & S Company and the DENR did not comply with it. The IFMA-affected communities remain firm against M & S Company amid the threat of red-tagging and criminalization. Leaders continue to engage the company in formal dialogues with the NCIP and local government units.

Ironically, the Revised Forestry Code of the Philippines (PD 709), intended to protect Philippine forests, has often been used to criminalize IPs. Participants report their members have been arrested on the basis of PD 709, often under trumped-up charges to prevent their entry into

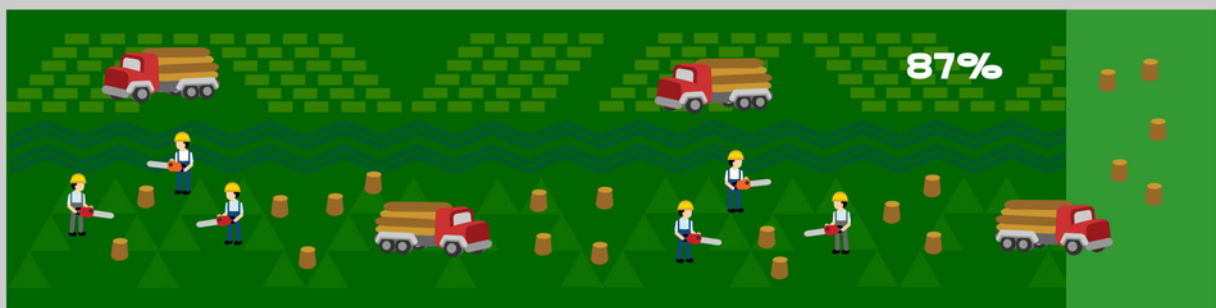
449,577 Hectares

of all approved mining tenements are in conflict with CADTs.



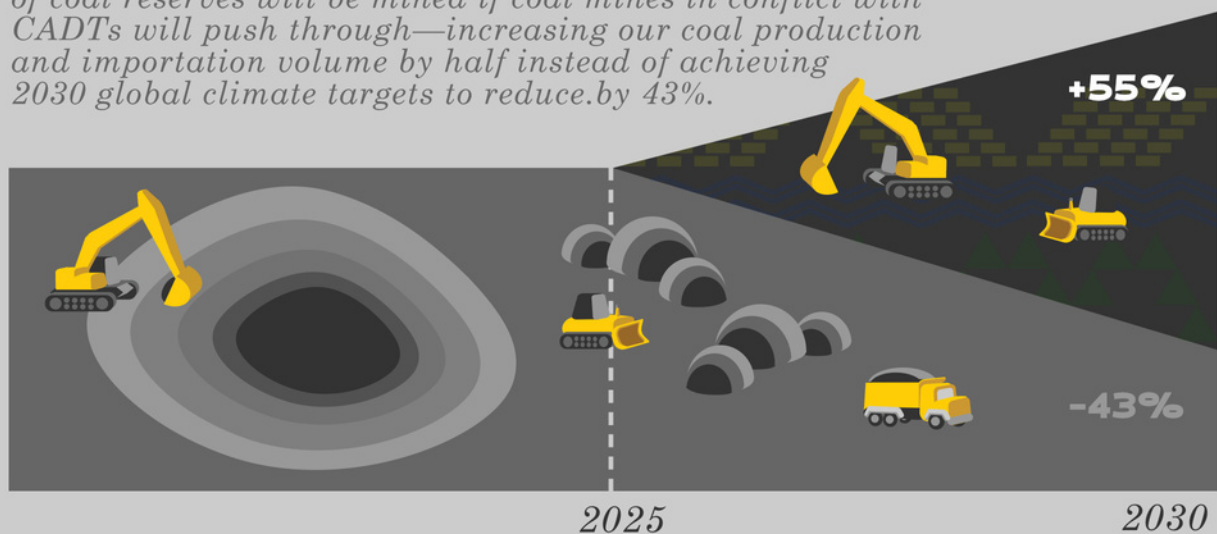
636,095 Hectares

of all monitored large-scale timber projects are in conflict with CADTs.



610-M Metric-Tons

of coal reserves will be mined if coal mines in conflict with CADTs will push through—increasing our coal production and importation volume by half instead of achieving 2030 global climate targets to reduce by 43%.



plantations encroaching on their ancestral lands. The Supreme Court has since refined the appreciation of indigenous forest stewardship and resource utility, giving consideration to indigenous history, patterns of cultural practices, and indigenous use of forest and land (People v Sama et. al 2021).

Coal

When Sarangani Energy Corp. (SEC) built its coal-fired power plant in Maasim, Sarangani province, it promised that the project would bring development to the municipality. But this was not the case for the Sandag clan, one of the B'laan communities affected by the coal plant. Clan members reported experiencing skin rashes and respiratory health problems when the coal plant started operating. There were nights when they could hardly sleep from the loud noise from the coal plant. Their harvest also decreased due to changes in soil fertility.

The TAMASCO community in Lake Sebu, on the other hand, is being threatened by the coal mining projects of San Miguel Corporation subsidiaries Daguma Agro Minerals, Inc., Sultan Energy Philippines Corporation, and Bonanza Energy Resources, Inc. Despite the open-pit mining ban, the South Cotabato Sangguniang Panlalawigan has endorsed the coal operating contracts covering 9,000 hectares.

The Intergovernmental Panel on Climate Change (IPCC) has determined that global carbon emissions must already peak by 2025 and be reduced by 43% by 2030, if we are to limit global warming to within 1.5C and therefore avoid the worst effects of climate change (Cooper & White, 2022). Coal mines such as San Miguel's, which are situated in CADT areas, are estimated to have reserves of up to 610 million metric tons (DOE, 2021a, 2021b, 2022; NCIP, 2021), and would instead increase our combined coal production and importation volume by 55% if mined by 2030.

Tourism

Indigenous peoples from the Maporac Aeta Organization (MAO) in Pampanga, Katutubong Agta-Dumagat-Remontado na Binabaka at Ipinagtatanggol ang Lupaing Ninuno (TCD/SAGIBIN-LN) in Quezon, and the Decabobo Katutubong Tagbanwa in Palawan.

The common challenges they identified were the lack of recognition of their rights over their territories, unregulated entry of migrants, engaging the NCIP and other government agencies involved in tourism, and access to financial assistance and other support services. They also fear that indigenous peoples' control over their ancestral lands will diminish as the government intensifies its tourism program.

All three indigenous organizations want to promote their community-managed eco-ethnic tourism programs that focus on protecting and preserving their ancestral domain and resources.

“Hindi kinikilala ang pagiging sagrado ng aming lugar. Eto yung mga lugar na aming pinagdadasalan.

Etong mga sagradong lugar na ito ay di na sagrado kasi ang sagrado samin, ay mga IP lang dapat ang nakakapunta.”

Dumagat Participant



A Teduray mother and child participating in the traditional Sulagad farming system. Photo by JA Demigillo/LRC

Endangered

Many IPs have bravely resisted the siege of big business and government projects upon their ancestral domains, but the struggle is fraught with many dangers. Cross checking data from monitoring efforts of various groups, we have documented at least 45 IPs killed over the period of 2019 to 2021 (Global Witness, 2020, 2021, 2022; Sandugo, 2022; Loyukan, 2021). A 67% spike in killings can be seen in 2021 compared to the steady plateau over the prior years, indicating a worsening human rights situation.

Land grabbing and conflict with ancestral domains was the root of contention for the most number of IPs killed, at 17 or 38% of the total. The province of Maguindanao, where the Teduray people have long struggled to assert their ancestral domains (Lacorte, 2022), was the epicenter of violent killings where a third of all the documented murders were perpetrated.

The Teduray are among the non-Moro Indigenous Peoples (NMIPs) in the Bangsamoro Autonomous Region of Muslim Mindanao (BARMM), along with the Lambangian, Kirentiken Menuvu, Menuvu Dulangan, and Higaonon peoples. They all share similar issues, such as red-tagging, dispossession due to armed conflicts and evacuation, land grabbing by corporations and migrants, and issuance of titles (CLOAs) within ancestral domains.

Many indigenous groups decry the highly politicized selection process of Indigenous Peoples Mandatory Representatives (IPMRs) at all levels. Legitimate community leaders are marginalized due to local officials appointing their favored indigenous representatives. The CADT claim of the Teduray and Lambangian indigenous peoples under the Timuay Justice System is still pending because of a cease-and-desist order under Resolution 38 issued by the Bangsamoro Parliament.

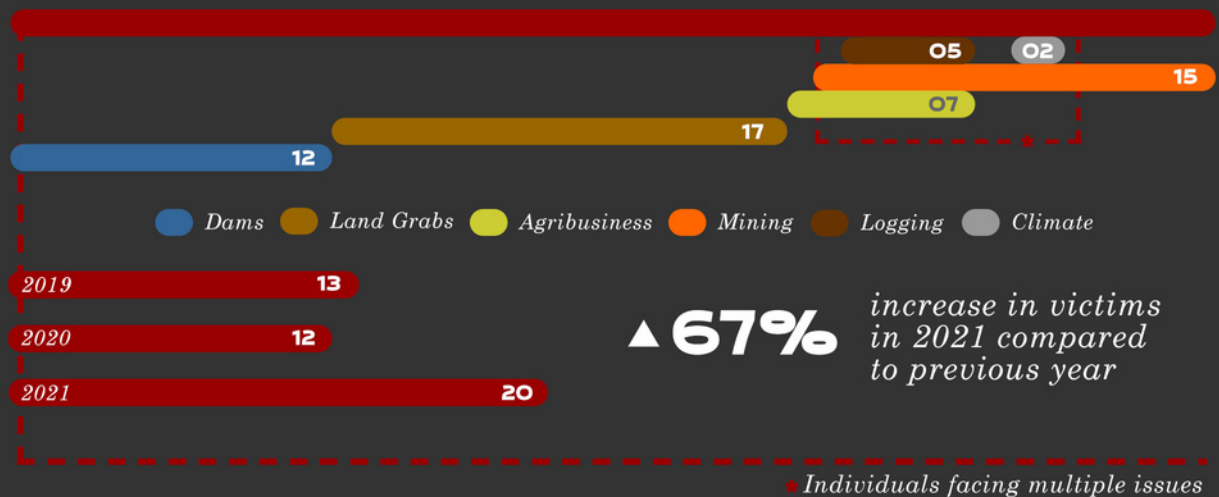
The NMIPs are pushing for the Indigenous People's Code, which recognizes their identity and rights as IPs. They also wish that government would support their Sulagad farming system.

Mining and quarrying were found to have been the second biggest driver of IP killings, linked to 15 or 33% of monitored victims. A major hotspot is the Andap Valley Complex in Lianga, Surigao del Sur, which is threatened by both metallic and coal mining projects encroaching on the ancestral lands of the Manobo Lumad (Marcos & Mordeno, 2018).

Big dams are the third significant driver, with 12 or 27%, and have been linked to high-profile massacres, such as the Tumandok Massacre, where nine Tumandok people were simultaneously

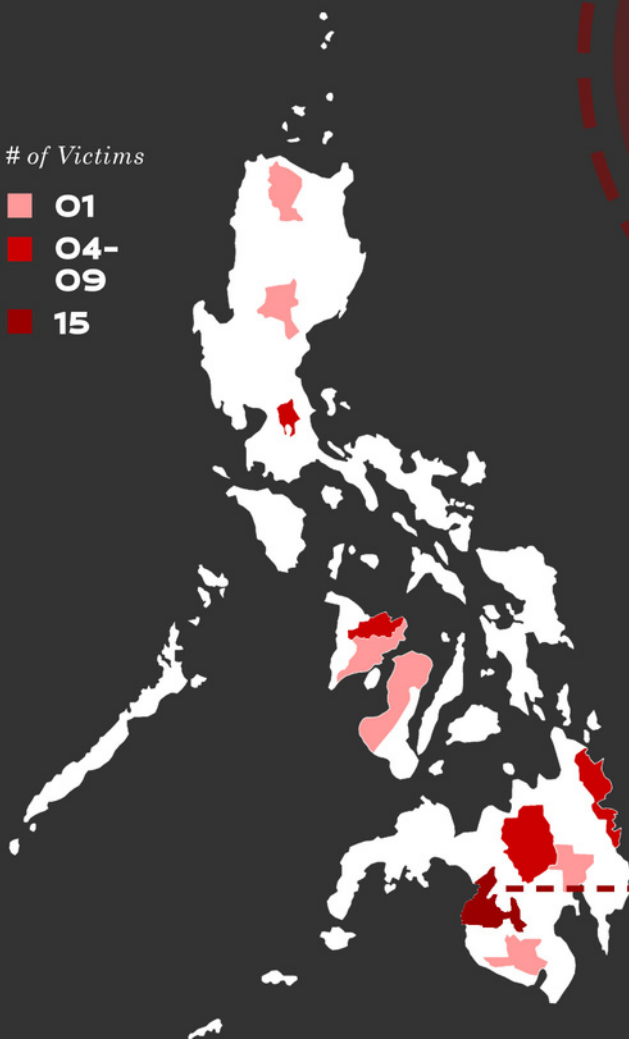
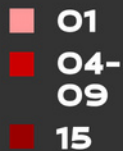
45 IPs killed

from 2019-2021 linked to various land and resource grabbing issues



The Spread of Impunity

of Victims



610

indigenous people suffer various nonlethal human rights abuses

for every **01** indigenous defender killed



Teduray ancestral lands in Maguindanao are currently the biggest hotspot of IP killings in PH.

killed in coordinated police-military operations (Aurelio & Burgos, 2021); and the Bloody Sunday Massacre that took the lives of four indigenous defenders, two of whom opposed the controversial Kaliwa Dam project (Quismorio, 2021).

These killings of indigenous defenders were linked to reported land and environment conflicts that cover an estimated 680,005.96 hectares of forests, watersheds, mineralized lands, and agricultural lands situated in or close to ancestral lands.

Extrajudicial killings are just the tip of the iceberg. Documented data from Sandugo (2022) further reveals that various nonlethal human rights violations perpetrated in the same time period affected a total of 27,430 IPs.

This means that for every indigenous person killed, 610 more suffered various other human rights abuses. These figures are not exhaustive, as many more violations are likely underreported, especially in inaccessible conflict areas.

Type of Non-Lethal Human Rights Violation	# of Affected
Abduction	11
Bombing, Indiscriminate Firing, Aerial Bombardment	4,469
Coercion	46
Desecration of Remains	03
Destruction of Property	829
Enforced Disappearance	03
Forced Evacuation	17,517
Forced/Fake Surrender	40
Frustrated Killing	41
Illegal Arrest	29
Illegal Arrest and Detention	149
Illegal Search and Seizure	26
Physical Assault	26
Rape, Sexual Assault	02
Threat, Harassment, Intimidation	2,906
Torture	04
Trumped-up Charges	89
Use of Schools, Churches, etc. for Military Purposes	680
Violation of Domicile	560
TOTAL	27,430

Red-tagging rages

A Teduray participant observed that government forces treat them differently, labeling assertive leaders as "enemies." Community members are also being used to monitor the activities of the leaders in the community.

An Agta participant said they are treated like subversives, although they live peacefully in their ancestral land. One participant claimed the military was paid to destroy their farm lots and crops. Human rights defenders are red-tagged, causing some leaders not to conduct meetings for fear of being suspected of doing something unlawful. Some communities have been forced to draft partnership agreements with the army and the LGU to avoid red-tagging.

Participants from Pampanga, Quezon, and Palawan said they are also not spared from red-tagging and the so-called war on drugs. Some of their members were included in the Philippine Drug Enforcement Agency (PDEA) list. They submitted urinalysis results, but until now, they are still waiting for certification that they are not using drugs.

“Yung FPIC process nila di rin maganda... walang partisipasyon (ang mga katutubo)... Sabi nga di na sila tribal leaders (kung di) tribal dealers.”

B'laan Participant

“Pag kinonekta ka sa droga, parang sinisira na ang pagkatao mo.”

Ayta Participant

“Hindi naman tayo pinatay, pero pinatay nila ang ating kalayaan.”

Ayta Participant

“Masakit na ang kultura (na) nadidikit sa lupa na makita na ang tribu ay sinusweldohan na lang sa loob ng yutang kabilin (lupang ninuno). May edad na ang IPRA pero hindi pa rin naabot ang pakay nito.”

Kirenteken Menuvu Participant



Congress in session for SONA.
Photo by PCOO

Policy Prospects

SIPA 2022 participants were dismayed that IPs were left out of the State of the Nation Address (SONA) of President Ferdinand Marcos, Jr., even as he said that his government's roadmap would ensure that no one would be left behind. The SONA sets the tone of an administration's policy regime.

The president failed to present his plans on issues that matter most to IPs: human rights, including red-tagging; basic social services; peace and development; the role of IPs in environmental protection and climate resilience; and the government's strategies to achieve sustainable development.

The following are further concerns raised by participants during the SIPA:

- The government's energy plan will continue to promote projects such as the Kaliwa Dam, geothermal plants, and coal-fired power plants that have already adversely affected ancestral lands and IPs. The president mentioned renewable energy, but did not explain what would happen to coal plants that are still operating. Some participants were also apprehensive of the dangers of nuclear power plants; the president said that he was open to reconsidering nuclear energy.
- Although the president said he would not allow foreigners to have power over Philippine territories, participants asked what would happen to mining companies that exploit IPs' ancestral domains.
- The continued dependence on indirect taxes and lack of reform in the tax regime continue to burden and stand to result in a cost-of-living crisis for IPs who are already part of the poorest of the poor.
- The agrarian reform roadmap might put ancestral domains at risk again of being included in the land distribution program of the Department of Agrarian Reform. The participants were also concerned that government would only extend support to agrarian reform beneficiaries. The two impoverished and marginalized sectors, agrarian communities and indigenous peoples, must not have their interests be pitted against with each other, rather Government must work to resolve disjuncts in policies.

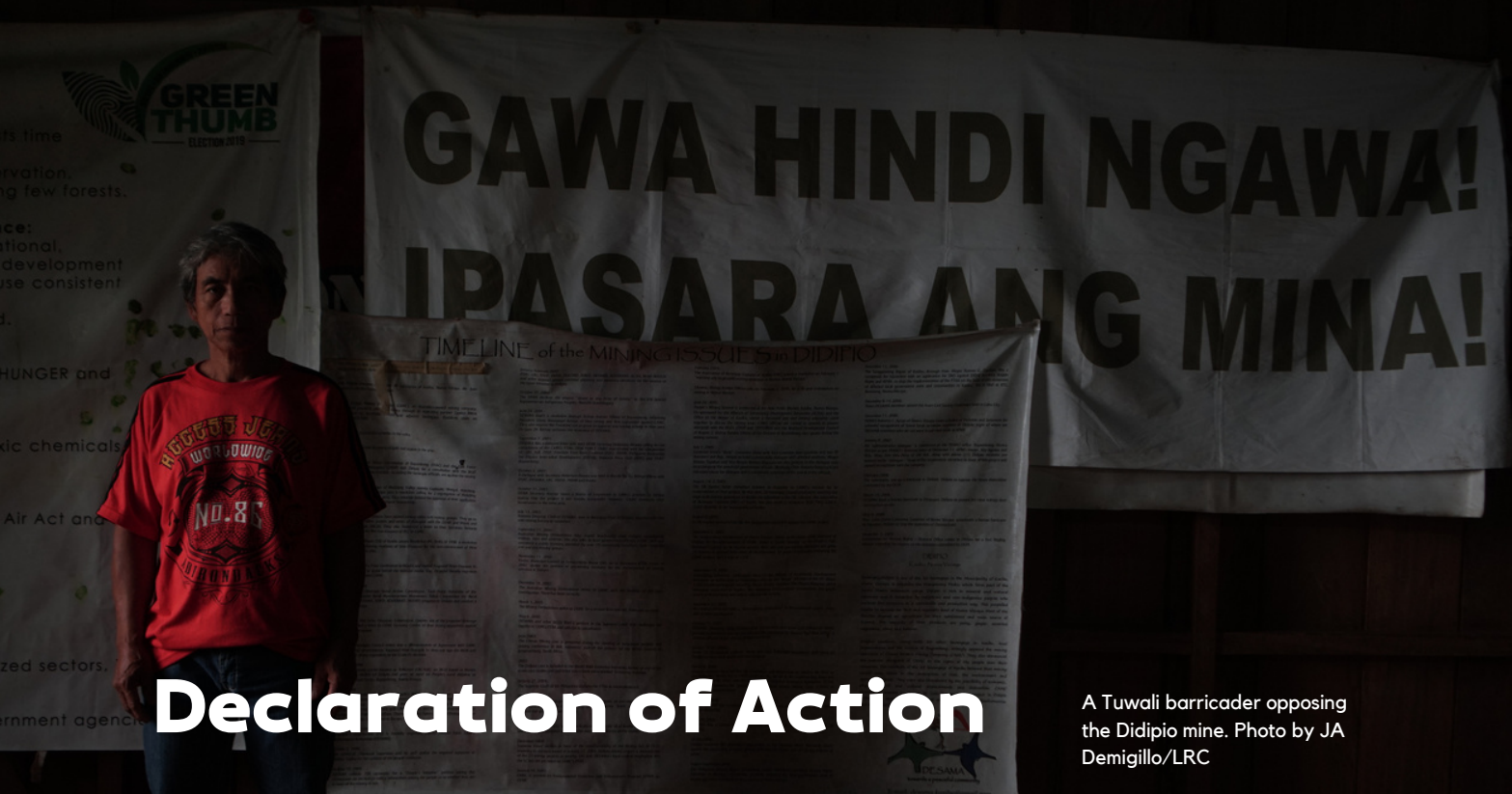
- The participants hoped the Marcos administration would provide scholarships and other educational assistance to indigenous youth and children. They also noted with disappointment that the Dep-Ed would continue using English as the medium of instruction which they believed would only hasten the process of cultural assimilation. The SIPA participants reiterated their demand that the new government should promote indigenous peoples' languages as the medium of instruction in their communities.
- Public-private partnerships (PPP) would only increase the vulnerability of indigenous peoples' territories to corporate encroachments. In past administrations, the representation of indigenous peoples in this kind of partnership has been absent.
- Few participants said they appreciated the President's commitment to promoting ecotourism, providing more health facilities, farm-to-market roads, and programs for OFWs and the agriculture sector.

“Masakit sa hanay naming mga katutubo ang di pagbanggit ng Pangulo sa kanyang SONA ang ganitong suliranin na kinakaharap ng mga katutubong mamamayan.”

Teduray Youth Leader

“I feel that Marcos doesn’t care for the indigenous peoples. He said that the creativity of the Filipino is truly world-class, but it seems that the government is giving more value to our traditional clothes than our identity.”

Teduray participant



Declaration of Action

A Tuwali barricader opposing the Didipio mine. Photo by JA Demigillo/LRC

The participants reviewed the SIPA 2021 Calls and Aspirations to determine what had been achieved after one year of engaging the Duterte regime. They reported that the Duterte regime failed to address the issues and concerns of IPs.

Red-tagging and other human rights violations remained a significant problem for most of them. Legitimate indigenous leaders are experiencing political exclusion, with LGUs installing their favored indigenous leaders as IPMRs.

Indigenous women are still struggling for equality. Tourism programs are causing unregulated entry of migrants into ancestral domains, and various extractive and destructive projects continue to encroach on indigenous lands as well. Non-Moro IPs continue to fight for their identity and rights in the BARMM.

Still, the present status of the IP Agenda did not dishearten the participants. Instead, they vowed to pursue it under the new government, even more so as they had been left out in the SONA.

The SIPA 2022 participants declared they would continue asserting their rights and strengthen their indigenous political structures (IPS). In sum, a participant from the Tinananen indigenous people, in Arakan, encouraged his co-participants to pursue their collective aspirations for their ancestral domains:

"Let us not be sad or dismayed. Focus on our rights. We are in our territories. Let us work together to solidify our collective strength as indigenous peoples. Let us not lose hope. We have our lands; we will defend our territories."

Proposed Strategies and Actions to Pursue the IP Agenda

O1

Strengthen IPs by building local and national alliances of IPs.

O2

Assert the right of IPs to participate in any consultations about projects that will be implemented in their communities. Assert their right to reject any project they consider detrimental to their lives, livelihoods, and the environment.

O3

Conduct lobby work to:

- a. Pressure the government to initiate efforts to harmonize IPRA and other laws that affect IPs. IPs should be part of this effort. Hold dialogues with NCIP, DILG, DENR, DAR, and other concerned agencies.
- b. Push the NCIP to fast-track issuance of CADTs and enforce regulations in selecting IPMRs.
- c. Get support from IP champions in Congress, local government units, and local legislative bodies for issues such as sustainable livelihoods for indigenous communities (including indigenous senior citizens); free healthcare for indigenous women and youth (including mental health); skills training for out-of-school youth; pension for indigenous senior citizens; impacts of tourism programs on indigenous women, youth, and children; recognition of Non-Moro IPs (NMIP) in the BARMM; and free legal assistance to IPs.

O4

Conduct strategy planning at the community level.

O5

Continue organizing the youth and women.

O6

Accredit IP organizations in the local development councils to give them opportunities to be represented in different committees.

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