AIPP at a glance

The Asia Indigenous Peoples Pact (AIPP) is a regional organization founded in 1988 by indigenous peoples’ movements as a platform for solidarity and cooperation. AIPP is actively promoting and defending indigenous peoples’ rights and human rights, sustainable development and management of resources and environment protection. Through the year, AIPP has developed its expertise on grassroots capacity building, advocacy and networking from local to global levels and strengthening partnerships with indigenous organizations, support NGOs, UN agencies and other institutions. At present, AIPP has 47 members from 14 countries in Asia with 7 indigenous peoples’ national alliances/networks and 35 local and sub-national organizations including 16 are ethnic-based organizations, five (5) indigenous women and four (4) are indigenous youth organizations.

Through our Indigenous Women (IW) programme, AIPP aims to empower indigenous women through networking, education and capacity building activities with the overall goal for indigenous women to assert, promote and protect their rights as women and as indigenous peoples.

Our Vision

Indigenous peoples in Asia are fully exercising their rights, distinct cultures and identities, are living with dignity, and enhancing their sustainable management systems on lands, territories and resources for their own future and development in an environment of peace, justice and equality.

Our Mission

AIPP strengthens the solidarity, cooperation and capacities of indigenous peoples in Asia to promote and protect their rights, cultures and identities, and their sustainable resource management systems for their development and self-determination.

AIPP Programmes

Our main areas of work among the different programmes are information dissemination, awareness raising, capacity building, advocacy and networking from local to global. Our programmes are:

• Human Rights Campaign and Policy Advocacy
• Regional Capacity Building
• Environment
• Indigenous Women
• Communication Development

AIPP is accredited as an NGO in special consultative status with the UN Economic and Social Council (ECOSOC) and as observer organization with the United Nations Framework Convention on Climate Change (UNFCCC), Convention on Biological Diversity (CBD), Green Climate Fund (GCF), Global Environment Facility (GEF) and the World Intellectual Property Organization (WIPO). AIPP is a member of the International Land Coalition (ILC).

PHILIPPINES

Indigenous Peoples in ASEAN

Asia Indigenous Peoples Pact

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Asia Indigenous Peoples Pact

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<th>Description</th>
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<tr>
<td>ABCI Inc.</td>
<td>A. Brown Company Incorporated</td>
</tr>
<tr>
<td>AGUMIL Inc.</td>
<td>Agusan Milling Incorporated</td>
</tr>
<tr>
<td>ALCudev</td>
<td>Alternative Learning Center for Agricultural and Livelihood Development</td>
</tr>
<tr>
<td>AEC</td>
<td>ASEAN Economic Community</td>
</tr>
<tr>
<td>AICHR</td>
<td>ASEAN Inter-governmental Commission on Human Rights</td>
</tr>
<tr>
<td>APAEC</td>
<td>ASEAN Plan of Action for Energy Cooperation</td>
</tr>
<tr>
<td>APG</td>
<td>ASEAN Power Grid</td>
</tr>
<tr>
<td>ASEAN</td>
<td>Association of Southeast Asian Nations</td>
</tr>
<tr>
<td>APECO</td>
<td>Aurora Pacific Economic Zone and Freeport Authority</td>
</tr>
<tr>
<td>ASEZA</td>
<td>Aurora Special Economic Zone Authority</td>
</tr>
<tr>
<td>ARMM</td>
<td>Autonomous Region of Muslim Mindano</td>
</tr>
<tr>
<td>BIMP-EAGA</td>
<td>Brunei Darussalam-Indonesia-Malaysia-Philippines East ASEAN Growth Area</td>
</tr>
<tr>
<td>BULIF</td>
<td>Bungkatol Liberation Front (indigenous paramilitary group)</td>
</tr>
<tr>
<td>CADT</td>
<td>Certificate of Ancestral Domain Title</td>
</tr>
<tr>
<td>CALT</td>
<td>Certificate of Ancestral Land Title</td>
</tr>
<tr>
<td>CLOA</td>
<td>Certificate of Land Ownership Award</td>
</tr>
<tr>
<td>CSOs</td>
<td>Civil society organisations</td>
</tr>
<tr>
<td>CGIP</td>
<td>Consultative Group for Indigenous Peoples</td>
</tr>
<tr>
<td>CPLA</td>
<td>Cordillera People’s Liberation Army</td>
</tr>
<tr>
<td>DAR</td>
<td>Department of Agrarian Reform</td>
</tr>
<tr>
<td>DENR</td>
<td>Department of Environment and Natural Resources</td>
</tr>
<tr>
<td>DSWD</td>
<td>Department of Social Welfare and Development’s</td>
</tr>
<tr>
<td>DILG</td>
<td>Department of the Interior and Local Government</td>
</tr>
<tr>
<td>DoT</td>
<td>Department of Tourism</td>
</tr>
<tr>
<td>Abbreviation</td>
<td>Full Form</td>
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<td>--------------</td>
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<tr>
<td>DAP</td>
<td>Disbursement Acceleration Program</td>
</tr>
<tr>
<td>EO</td>
<td>Executive Order</td>
</tr>
<tr>
<td>FPIC</td>
<td>Free and Prior Informed Consent</td>
</tr>
<tr>
<td>GIS</td>
<td>Geographic Information System</td>
</tr>
<tr>
<td>IPsEO</td>
<td>Indigenous Peoples’ Education Office</td>
</tr>
<tr>
<td>IPRA</td>
<td>Indigenous Peoples Rights Act</td>
</tr>
<tr>
<td>IPTF</td>
<td>Indigenous Peoples Task Force</td>
</tr>
<tr>
<td>JAO</td>
<td>Joint Administrative Order</td>
</tr>
<tr>
<td>KATRIBU</td>
<td>Kabataan para sa Tribung Pilipino (indigenous peoples’ advocacy organization)</td>
</tr>
<tr>
<td>KAMP</td>
<td>Kalipunan ng mga Katutubong Mamamayan ng Pilipinas (a national alliance of indigenous peoples’ organizations)</td>
</tr>
<tr>
<td>LRA</td>
<td>Land Registration Authority</td>
</tr>
<tr>
<td>LGUs</td>
<td>local government units</td>
</tr>
<tr>
<td>IPMR</td>
<td>Mandatory Representative of the Indigenous Peoples</td>
</tr>
<tr>
<td>MOA</td>
<td>Memorandum of Agreement</td>
</tr>
<tr>
<td>NCIP</td>
<td>National Commission on Indigenous Peoples</td>
</tr>
<tr>
<td>NEDA</td>
<td>National Economic and Development Authority</td>
</tr>
<tr>
<td>NIPAR</td>
<td>New Indigenous People’s Army for Reform (indigenous paramilitary group)</td>
</tr>
<tr>
<td>NIPAS</td>
<td>National Integrated Protected Areas System</td>
</tr>
<tr>
<td>NIA</td>
<td>National Irrigation Authority</td>
</tr>
<tr>
<td>NPA</td>
<td>New Peoples Army</td>
</tr>
<tr>
<td>NGOs</td>
<td>non-government organisations</td>
</tr>
<tr>
<td>OPAPP</td>
<td>Office of the Presidential Adviser on the Peace Process</td>
</tr>
<tr>
<td>PAMANA</td>
<td>Payapa at Masaganang Pamayan (program which is part of the Philippine Development Plan)</td>
</tr>
<tr>
<td>PAFID</td>
<td>Philippine Association for Intercultural Development</td>
</tr>
<tr>
<td>Acronym</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
</tr>
<tr>
<td>PIA</td>
<td>Philippine Information Agency report</td>
</tr>
<tr>
<td>PIDS</td>
<td>Philippine Institute for Development Studies</td>
</tr>
<tr>
<td>TFIP</td>
<td>Philippine Task Force for Indigenous Peoples’ Rights</td>
</tr>
<tr>
<td>SAPA</td>
<td>Solidarity of Asian Peoples Advocacy</td>
</tr>
<tr>
<td>SONA</td>
<td>State of the Nation Address</td>
</tr>
<tr>
<td>SKIPNet</td>
<td>Stop the Killings of Indigenous Peoples Network</td>
</tr>
<tr>
<td>PANLIPI</td>
<td>Tanggapang Panligal ng Katutubong Pilipino (Legal Assistance Center for Indigenous Filipinos)</td>
</tr>
<tr>
<td>TFG-BF</td>
<td>Task Force Gantangan-Bagani Force (indigenous paramilitary group)</td>
</tr>
<tr>
<td>TAGP</td>
<td>Trans-ASEAN Gas Pipeline</td>
</tr>
<tr>
<td>TNCs</td>
<td>transnational corporations</td>
</tr>
<tr>
<td>TABAK</td>
<td>Tunay na Alyansang Bayan Alay sa Katutubo (indigenous peoples’ advocacy organization)</td>
</tr>
<tr>
<td>TVIRD</td>
<td>TVI Resource Development Philippines, Incorporated</td>
</tr>
<tr>
<td>UNDRIP</td>
<td>UN Declaration on the Rights of Indigenous Peoples</td>
</tr>
</tbody>
</table>
A. Introduction

The countries that comprise the Association of Southeast Asian Nations (ASEAN) are homes to a big number of indigenous peoples. The indigenous peoples in the ASEAN region have been historically marginalized and up to the current period are classified as second-class citizens in their respective countries where their inherent rights and general human rights are violated. Although the ASEAN has made some progress in integrating human rights in its general framework, the recognition of indigenous peoples’ rights in the region is still a challenge.

Given these, indigenous peoples are recently engaging the ASEAN to push for the recognition and protection of their individual and collective rights. They formed the Indigenous Peoples Task Force (IPTF) and united themselves to be able to carry out lobby activities to the governments in the ASEAN region. The IPTF also collaborated with other civil society organizations (CSOs) working on the ASEAN and became active in the Solidarity of Asian Peoples Advocacy (SAPA).

The engagement of indigenous peoples with the ASEAN focused on their legal recognition as distinct peoples with collective rights as already recognized internationally. They have been actively providing recommendations during the drafting of the ASEAN Human Rights Declaration, which was eventually adopted in November 2012. There is very limited participation and engagement of indigenous peoples’ organizations in the Philippines in the ASEAN, but a link was established with the ASEAN Inter-governmental Commission on Human Rights (AICHR) representative Ambassador Rosario Manalo.

Despite the above-mentioned engagement, the AICHR and the ASEAN as a whole have not moved forward significantly in recognizing indigenous peoples and their rights. The adopted ASEAN Human Rights Declaration, aside from falling below international standards with its flawed principles, has failed to include provisions recognizing indigenous peoples’ rights. It is totally inconsistent with the fact that all ASEAN member states have voted in favor of the adoption of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), and most of the member states have also signed and ratified key human rights conventions and treaties. Some member-states have legislation and/or policies that recognize indigenous peoples and their rights yet were not able to assert the explicit inclusion of provisions pertaining particularly to indigenous peoples.

The Philippines voted for the adoption of the UNDRIP and has existing legislation on indigenous peoples’ rights, yet has not been successful in lobbying for the inclusion of indigenous peoples’ rights in the Declaration. Many member states in the region are continuously disregarding indigenous peoples and mostly use the term “ethnic minorities” and not accepting that most, while not all, ethnic minorities they refer to fall under the criteria of indigenous peoples under international law and policies.

The ASEAN, at present, is geared to complete its economic integration by the end of 2015. It envisions a single market and production base, a highly competitive economic region with equitable development, fully integrated into the global economy.

This study aims to present the situation of indigenous peoples in the Philippines and
draw out the potential impacts of the ASEAN integration on indigenous peoples. It includes the profile of indigenous peoples and an evaluation of national legislations which impact on indigenous peoples. This report aims to provide recommendations to policy makers and relevant bodies at the national and regional levels for consideration with respect to indigenous peoples’ views and positions on the ASEAN integration.

B. Who are the Indigenous Peoples in the Philippines?

The indigenous peoples in the Philippines are groups of people who had been able to maintain or practice their traditional life ways which they inherited from their ancestors. They are distinguished due to their claims to territories termed as ancestral domains in which they lived and nourished since time immemorial. According to the National Commission on Indigenous Peoples (NCIP), there are 110 ethno-linguistic groups in the country who are considered indigenous\(^1\). They belong to tribes and communities found mostly in hinterlands and mountains, some in valleys, plains and coastal areas. Their life ways still persist up to this day despite the country having been under the colonial control of the Spanish, Americans and the Japanese. The dominant Filipino culture, values and world view at present were greatly influenced by the Spanish and Americans such as religiosity, giving high regard to the English language, need for education to achieve better economic standing and faith in the present system of governance.

Indigenous peoples are also described in the Indigenous Peoples Rights Act (IPRA) as:

“A group of people or homogeneous societies identified by self ascription and ascription by others, who have continually lived as organized communities on community-bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, become historically differentiated from the majority of Filipinos.”

B. 1 Population of Indigenous Peoples in the Philippines

There are many different estimates of the number of indigenous peoples in the Philippines and the population ranges from approximately 12 to 17% of the total national population. As of 1 January 2015, the population of the Philippines was estimated to be 102,333,484 (http://countrymeters.info/en/Philippines) with a population growth pegged at around 2% annual increase. At present there are around 12 to 17 million indigenous peoples. There has been no serious attempt by the government to study the population of the indigenous peoples and the different ethno-linguistic groups in the country.

The major groupings of indigenous peoples in the Philippines are: the Igorot of the Cordillera, Ayta (Aeta) of Central Luzon, Mangyan of Mindoro, Indigenous Groups in Palawan, Tumanduk of Panay, Dumagat of Aurora, Quezon and Rizal and Lumad of Mindanao. These groups are actually generic terms used to name the indigenous peoples of certain ethnographic regions.

These groupings have smaller groups which are

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\(^1\) The Tunay na Alyansa Alay sa Katutubo (TABAK), an indigenous peoples’ advocacy group, said that there are 160 indigenous ethno-linguistic groups.
# Population of Indigenous Peoples in Philippine Geopolitical Regions

*(Note: this was NCIP’s estimate as of 2007)*

<table>
<thead>
<tr>
<th>Regions</th>
<th>Population of Indigenous Peoples</th>
<th>Indigenous Groups in the Region</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cordillera Administrative Region (CAR)</td>
<td>1,470,977</td>
<td>Igorot (Bontok, Ibaloi, Kankanaey, Kalinga, Ifugao, Tingguian, Isneg, Yapayao)</td>
</tr>
<tr>
<td>Region I (Ilocos Region)</td>
<td>1,206,798</td>
<td>Igorot (Kankanaey, Ibaloi), Bago</td>
</tr>
<tr>
<td>Region II (Cagayan Valley)</td>
<td>1,030,179</td>
<td>Bugkalot, Aggay, Igorot (Kalanguya, Ibaloi, Kankanaey)</td>
</tr>
<tr>
<td>Region III (Central Luzon)</td>
<td>236,487</td>
<td>Ayta, Dumagat</td>
</tr>
<tr>
<td>Region IV (Southern Tagalog)</td>
<td>936,745</td>
<td>Dumagat, Mangyan, Palawan Indigenous Groups</td>
</tr>
<tr>
<td>Region V (Bicol Region)</td>
<td>213,311</td>
<td>Agta, Dumagat</td>
</tr>
<tr>
<td>Region VI (Western Visayas)</td>
<td>168,145</td>
<td>Tumanduk (Ati, Bukidnon)</td>
</tr>
<tr>
<td>Region VII (Central Visayas)</td>
<td>35,767</td>
<td>Ati, Bukidnon, Eskaya</td>
</tr>
<tr>
<td>Region IX (Zamboanga Peninsula)</td>
<td>1,203,598</td>
<td>Subanen</td>
</tr>
<tr>
<td>Region X (Northern Mindanao)</td>
<td>1,802,266</td>
<td>Higaonon, Manobo, Matigsalug, Tigwahanon, Talaandig</td>
</tr>
<tr>
<td>Region XI (Davao Region)</td>
<td>2,289,268</td>
<td>Bagobo, Obo Manobo, Mamanwa, Mandaya, Tagakaolo, Blaan, Kalagan, Mansaka</td>
</tr>
<tr>
<td>Region XII (SOCCSKSARGEN)</td>
<td>1,856,300</td>
<td>Blaan, Manobo, Bagobo, Obo, T’boli, Teduray Lambangian, Dulangan Manobo</td>
</tr>
<tr>
<td>Region XIII (Caraga)</td>
<td>1,004,750</td>
<td>Manobo, Mamanwa, Higaonon, Banwaon, Mandaya</td>
</tr>
<tr>
<td>Autonomous Region of Muslim Mindano (ARMM)</td>
<td>730,053</td>
<td>Teduray Lambangian, Subanen, Dulangan Manobo</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>14,184,644</strong></td>
<td></td>
</tr>
</tbody>
</table>
Indigenous peoples are located in all the sixteen administrative regions in the Philippines, although very insignificant in Eastern Visayas and the National Capital Region and in 66

**Below is a table showing their brief description and geographic location.**

<table>
<thead>
<tr>
<th>Major Indigenous Grouping</th>
<th>Brief description</th>
<th>Where can they be found in the Philippines (regions/provinces) and known smaller groups (in italics)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Igorot</td>
<td>* literally means people from the mountain (derived from the words “i-” a prefix indicating where one came from and “golod” which means mountain. * compose most of the population of the Cordillera Administrative Region</td>
<td>CAR, Ilocos Region, Cagayan Valley Kankaney, Bontok, Ifugao, Kalinga, Ibaloy, Tingguian, Isneg/Yapayao</td>
</tr>
<tr>
<td>Ayta</td>
<td>*The Ayta are of Austronesian origin. *greatly affected by the eruption of Mt. Pinatubo in 1991</td>
<td>Central Luzon (Zambales, Tarlac, Pampanga) Mag-indi, Mag-anchi (based on language)</td>
</tr>
<tr>
<td>Dumagat</td>
<td>* literally means seafaring people but now mostly live in the Sierra Madre mountains</td>
<td>Aurora, Quezon Province, Rizal Agta, Alta, Dumagat-Remontado</td>
</tr>
<tr>
<td>Mangyan</td>
<td>* original inhabitants of Mindoro Island</td>
<td>Oriental Mindoro, Occidental Mindoro Hanunuo, Alangan, Gubatnon, Iraya, Bubid, Bangon, Tadiawan</td>
</tr>
<tr>
<td>Palawan Indigenous Groups</td>
<td>* Original inhabitants of Palawan Island and other nearby islands such as Cuyo, Colion, Busuanga,</td>
<td>Palawan Province Palawan-an, Tagbanwa, Cuyonin, Calamianen, Tan’t Bato, Batac, Ken’uy</td>
</tr>
<tr>
<td>Tumanduk</td>
<td>* Collective name for indigenous peoples who live in the Panay Island of the Visayas</td>
<td>Ilo-ilo, Capiz, Aklan Ati, Bukidnon</td>
</tr>
<tr>
<td>Lumad</td>
<td>* means “indigenous” or native in the Bisaya language, the un-Islamized indigenous peoples in the Mindanao island. * Largest grouping of indigenous peoples in the Philippines</td>
<td>Regions IX, X, XI, XII, XIII and ARMM Subanen, Blaan, T’boli, Mandaya, Mansaka, Teduray, Higaonon, Manobo, Bagobo, Bukidnon, Tagkaolo, Ubo, Banwaon, Kalagan, Dibabawon, Talaandig, Mamanwa and Manguangan</td>
</tr>
</tbody>
</table>
provinces. The most common geographical and topographical locations of indigenous peoples are in mountainous areas. A significant number can also be found in plains and coastal areas. Some indigenous peoples live in densely populated cities such as Tuguegarao, Angeles, Baguio, Davao, Pagadian, Butuan and Metro Manila where they live as urban poor with occasional and informal labor as main sources of income.

Philippine indigenous peoples can be distinguished from the rest of the Philippine population in their communities where they still practice traditional economic activities and cultural expressions. Many of them still perform rituals and chants to call on spirits of nature and ancestors in good times and in bad. They still practice community level cooperation in agriculture and in times of disaster or great need.

**B. 2 Indigenous World View on their Ancestral Land versus the State View**

The indigenous peoples consider their lands and territories as inheritance from their ancestors and it means life to them. The forms of land ownership are diverse, ranging from communal, to semi-communal, to private. Rights to land are acquired primarily through investment of labor and actual improvements on the land. Access to and control of land and resources are traditionally regulated through customary laws, which evolved in the communities through time. Land is viewed as a collective legacy to be maintained across many generations since it is the source of life and livelihood for its occupants.

This is in contrast with the state’s policies and laws where generally, indigenous peoples’ ancestral lands are mostly part of the public domain and at the government’s disposal unless applied for Torrens titling. For the state, the land can be viewed as a commodity and can be sold or leased with legal instruments entailing cash outlay. The laws that govern classification and registration of lands are the Public Land Act, Forestry Code, Mining Act of 1995, the National Integrated Protected Areas System Act (NIPAS). Even the IPRA did not provide for the repeal of these laws while it is provided in section 56 that land claims, upon IPRA’s enactment, shall be recognized.

**B. 3 Persistence and Disintegration of Traditional Livelihood and Indigenous Culture and Practices**

As indigenous peoples develop their life ways as self-determined or imposed by the wider society, there are currently several degrees of persistence and disintegration of livelihood sources. Most of the indigenous peoples in the Philippines are presently employing a mix of subsistence and cash economy. One can still see the traditional rice terraces in the Cordillera and

---

2 This was still a law during the American colonization and the Commonwealth government in the 1930s.
3 This was a presidential decree by the late dictator Ferdinand Marcos
kaingin or swidden\textsuperscript{4} farms. In many indigenous communities, rice and root crops are usually produced as staple food for subsistence. However, at present, many of them see the need to diversify livelihood and income sources in order for them to address other family daily needs. Many engage in producing seasonal vegetables depending on what is in demand in the market or like in Benguet and in Bukidnon, where vegetables are produced and marketed in large scale. Some venture into small scale mining which is a source of cash for them. Income from vegetables and minerals are spent for other essentials such as meat, condiments, salt, medicine, clothes and other household needs. There are still hunting activities where indigenous peoples are able to get wild boar, deer and other wild animals for food but these are very seldom at present.

The above is true for indigenous communities found in the ancestral domain and far from the town centers where commercial business is dominant. In communities that are hosts to large scale mining and plantations, the people either become workers for the foreign enterprises or are forced to look for seasonal farm labor and manual labor in construction sites and other enterprises in town centers and bigger cities since their land for traditional livelihood and production is reduced or taken away for development or business interests.

The indigenous peoples who live in the cities and town centers have mostly commercial, formal and informal employment as they do not own land and resources to pursue their traditional livelihood. Those who were able to attain higher levels of education are formally employed in public and private enterprises as professionals while some find themselves in the informal sectors or as skilled workers in factories.

The indigenous peoples in the Philippines are more known for their unique culture as shown in various cultural expressions such as songs, dances, handicrafts, among others. Songs of the different indigenous groups usually tell stories of heroes, gods, spirits, forces of nature, heroic feats of warriors and intense struggles against outside incursion. The dances, which are performed with music from instruments made of different materials such as wood, bamboo and brass metal, showcase movements that illustrate the natural environment like the eagle dance in the Cordillera and monkey dance in Ayta communities. Handicrafts are either weaving of colorful clothes like the Tinalak of the Tboli and Ikat of the Ifugao, or beaded accessories with intricate designs which are common among different communities in Luzon, Mindanao and other islands.

\textsuperscript{4} An agriculture system where a part of mountain or forest is cleared and burned for shifting cultivation purposes.
preparation and planting and thanksgiving ritual for harvest. Some of the existing thanksgiving festivals are the Gotad of the Tuwali Ifugao in Kiangan, Begnas of the Kankanaey in Sagada, and Samayaan of the Erumanen ne Menuvu in Bukidnon and Cotabato. At present, rituals are also performed to ask the spirits’ approval, guidance and protection whenever an individual, or persons who are not part of any indigenous group enter the community.

B. 4 Varying Status of Customary Laws and Indigenous Socio-political Institutions

In maintaining control of their land, the management of resources, the maintenance and development of their culture, dealing with issues and matters of importance in their respective communities, indigenous groups around the country still practice and apply their traditional governance and justice systems and customary laws. Customary laws embody the responsibilities of indigenous peoples to protect their ancestral lands and the natural resources. These laws are crucial and instrumental in the maintenance of order and harmony among indigenous communities (Carino, 2013). Customary laws are ensured to be observed through socio-political institutions that also administer a tribe or a community’s relationship with others. Some known socio-political structures are the Erumanen ne Menuvu indigenous political structure, bodong in many parts of Kalinga, Abra, and Mt. Province, Dap-ay of the Kankaney in Mt. Province; and Kastifun of the Blaan. These institutions are directed by traditional leaders such as the pangat, panglakayen, fulung, timuay, matanum, datu, among others.

Most, if not all indigenous communities have two political systems running their community affairs: the local government framed within the national system, and the traditional political structures such as council of elders, kastifun, ato, dap-ay, among others. Other indigenous groups have defense systems and warriors who are called mengor in Kalinga, and bagani in many Lumad groups. Like indigenous economic systems, their socio-political systems have varying degrees of persistence and disintegration. Some tribes have their own traditional governance system which may span a sitio\(^5\) or a cluster of barangays\(^6\). Most have co-existing systems in their communities but there are variations on the domination of one system over the other. There are also indigenous groups who completely use the national government system in all aspects of their community lives.

B. 5 Indigenous Natural Resource Management Systems and Practices

The relatively intact ecosystems where indigenous peoples live are due mainly to their natural resource management systems. For them, the ancestral land or domain comprises everything from land forms, bodies of water, flora and fauna, minerals, air and all natural resources. The holistic treatment of their lands enables them to take all necessary steps and methods to maintain the ecological integrity of their ancestral domain. Their resource management practices can be manifested in their agriculture and hunting/gathering activities which are mostly for subsistence. Land and environment are valued since these are the sources of sustenance.

Inherent is a reciprocal, i.e., symbiotic and

\(^5\) a small group of households in a village. Its name and its existence depends on physical cluster of houses in a specific area or location in a village.. some are called zones or purok and in indigenous communities, bear indigenous names

\(^6\) Smallest unit of the Philippine government structure
spiritual relationship between humans and the environment. Because of this, indigenous peoples have developed responsible practices for caring and protecting natural resources and by extracting only what is needed. (Prill-Brett, 2001)

Some concrete examples of natural resource management practices of indigenous peoples are the lampisa system in the domain of the Pidlisan tribe in Sagada, Mt. Province, muyung of the Ifugao, and seed banking practices in sustainable agriculture of the Blaan in Saranggani. The lampisa system is an excellent approach in maintaining and managing irrigation systems for rice production given the water’s limited source and uneven distribution (through its natural flow) to rice fields. The seed banking practices of the Blaan show the significant role that women play in sustainable agriculture and genetic resource conservation of traditional varieties of rice and other crops. The muyung, although not communally owned, adheres to controlled and need-based resource use and ensures that every tree felled from the woodlots is replaced by two new trees.

The ancestral domains of indigenous communities are always given precedence in the conservation and development of all natural resources. The indigenous peoples are stewards of the remaining watersheds and forests, and thus entitled to benefit from the fruits of this crucial role.

C. Legal Status of Indigenous Peoples in the Country

The 1987 Philippine Constitution, has provisions on the rights of indigenous peoples to their ancestral domains. Article XII, Section 5 of the Constitution states that: “The State, subject to the provisions of this Constitution and national development policies and programs shall protect the rights of the indigenous cultural communities to their ancestral lands to ensure their economic, social and cultural well-being. The Congress may provide for the applicability of customary laws governing property rights or relations in determining the ownership and extent of ancestral domain.”

The legal status of indigenous peoples in the country was more clearly defined by the enactment of the IPRA on October 29, 1997. This act was dubbed as a landmark legislation by other countries because such a law is rare and a huge feat when seen through the lens of the international community. This act provides for the indigenous peoples’ rights to their ancestral domain, self-governance and empowerment, social justice and human rights, and cultural integrity. This law also led to the formation of the National Commission on Indigenous People (NCIP), the government agency mandated to protect and promote the rights and recognition of indigenous peoples in the Philippines.

C. 1 Key Provisions of the IPRA

The provisions in the IPRA which have the greatest impact on indigenous peoples or indigenous cultural communities, are the Certificate of Ancestral Domain Title (CADT) and Certificate of Ancestral Land Title (CALT). Through these, indigenous peoples can acquire written proofs of their ownership of their ancestral lands. The CADT provides
for communal ownership while the CALT can accommodate individual property rights for a member of an indigenous group. In acquiring a CADT, an indigenous group (a tribe or sub-tribe in a certain land area) is required to do a survey and delineation of boundaries, present ethnographic evidence and genealogy of families and present pictures of sacred sites and other pertinent landmarks and features. In essence, this also encourages indigenous peoples to stick to conventional approaches of titling of lands which is opposed to their view that rights to land are acquired through labor, actual improvements to the land, and inheritance from ancestors.

The IPRA also provides for the requirement of Free Prior Informed Consent (FPIC) in projects and policies by government, corporations or individuals in indigenous peoples’ territories. The outcome of such process will be the Certificate of Pre-condition which is explained in Section 59 of the IPRA. This was also seen as a positive and strong provision of the IPRA which gives power to the indigenous peoples to determine whether they need or want a certain project or not.

On Mandatory Representation

A policy on local government representation without indigenous peoples competing in actual elections was implemented. This was in pursuant of the NCIP Administrative Order 1, series of 2009 and a Memorandum Circular from the Department of the Interior and Local Government (DILG) released on October 2010. The indigenous peoples’ mandatory representation are provided for, from the barangay to the provincial levels of government. Jointly implemented by the DILG and the NCIP, a mandatory representative of the indigenous peoples (IPMR) in certain Local Government Units (LGUs) take a seat in the council or the policy making bodies of these governing units. Although seen by many indigenous groups and support groups as a positive move by government, this is marred by the real nature of local politics in the country, characterized by corruption, patronage and tokenism. Many of the appointed IPMR are not chosen by indigenous peoples themselves but merely found favor with local government executives: barangay captains, municipal and city mayors and provincial governors.

C. 2 Policy Gaps and Challenges

Brief Critique on the IPRA and the FPIC process

Despite its enactment and immediate effect on state recognition of indigenous peoples’ rights especially to ancestral domains, the IPRA still adheres to the framework and concepts on land as introduced in the antiquated Regalian Doctrine. The application of this doctrine in the Philippines dates back to the Spanish colonization of the archipelago from the 17th to the latter part of the 19th century when the entire Philippines was declared as property of the Spanish Crown while land parcels were given to Spanish officials, religious orders and the local elite. This further developed during American colonization and until the present government system wherein the state issues titles for private land owners and all untitled lands are considered public land and therefore owned by the state. Section 56 of the IPRA shows this continued adherence to the Regalian Doctrine where “property rights within the ancestral domains already existing upon the enactment of the IPRA shall be recognized and respected.” These include mining claims and other private and government interests from past administrations
and even dating back to the American colonial period when formal land registration was first introduced and mining claims to individuals and corporations were issued.

Even the popular FPIC provision of the law is clearly violated in practice. In a study conducted by the Philippine Task Force for Indigenous Peoples’ Rights on FPIC, indigenous peoples in the Philippines face serious problems and challenges in the operationalization of the right to FPIC and self-determination. The FPIC process as defined and facilitated by the government through the NCIP is flawed and shows disrespect for the customary laws and indigenous values of indigenous peoples, despite its definition and provisions to the contrary. It has been manipulated to serve the interests of private corporations in violation of indigenous peoples’ rights. (Carino, 2013) The observed manipulations were bribery of key leaders of community, creation of fake council of leaders, filling up of attendance sheets without the people’s knowledge of the contents, and different voting processes which in essence divide the communities.

The evaluation on the NCIP and IPRA implementation that was conducted by professors at the University of the Philippines (UP)-Baguio, showed that the IPRA brought about disunities among the indigenous peoples and an increase in community-level boundary disputes (Cencia, 2011). The following were identified as having considerable influence on the NCIP’s institutional behavior and performance: a) presidential leadership and commitment to specific policy options; b) the nature of the agency’s relationship with other relevant governmental bodies; and c) the susceptibility or vulnerability of governmental bodies and decision-makers to external pressures from interest groups and other sources (Cencia, 2011).

C. 3 Conflicting Laws and Policies

Indigenous peoples face other problems in the legal and legislative arena such as the conflicting laws and policies that have adverse effects on indigenous peoples’ rights and their access to justice and benefits from national laws. The Mining Act of 1995, for example, railroaded the issuing of permits to mining investors who have interests over mineral-rich ancestral lands. As mentioned above, indigenous peoples’ rights to FPIC are being undermined as mining corporations with interests over indigenous peoples’ territories will do everything to make sure that the community will grant consent. Often, rules or procedures as stated in the FPIC guidelines are bent and even NCIP offices and staff involved are instrumental to or seemingly ignorant of such violations.

The NIPAS Act also shows the irony of protecting some important ecological areas of the country but denies the indigenous peoples the right to utilize resources found in declared protected areas such as medicinal herbs, wood for house construction and animals for food. The declarations of mountains, rivers, and other sites as protected areas are often done without proper FPIC or at least proper negotiations and information exchange with indigenous peoples about the implications of such declarations. Worse, there are cases where even protected areas in the ancestral domain are applied for by mining companies.

A case in point as mentioned above is the Citinickel Mining and the oil palm plantations in the southern part of Palawan. Mt. Mantalingahan, a protected and key biodiversity area, may be severely affected if operations of
these ventures will go unhampered. Another threatened biodiversity and protected area is Mt. Pinukis in Midsalip, Zamboanga del Sur, where there are also numerous mining applications and exploration activities.

C. 4 Conflict in Land Tenure Instruments

There are conflicting policies in the provision of different kinds of tenurial instruments such as Certificate of Land Ownership Award (CLOA), mining permits, logging concessions such as Industrial Forestry Management Agreement and timber licenses, and even Torrens titles for private individuals. The government agencies that issue these instruments are usually in conflict or contradict each other and many cases show that indigenous peoples and their CADTs are often at the losing end\(^7\). This often happens with regards ancestral domains of indigenous peoples especially prime agricultural lots, forest lands and mineral-rich lands.

A Joint Administrative Order (JAO) was signed by four government agencies namely the Department of Agrarian Reform (DAR), the Department of Environment and Natural Resources (DENR), the NCIP and the Land Registration Authority (LRA). This was named JAO 1 series of 2012 and aims to clarify, restate and interface the respective jurisdictions, policies, programs and projects of their respective agencies to address jurisdictional and operational issues between and among the agencies. With this JAO, there may be suspension of ancestral domain titling by the NCIP, issuance of Certificate of Land Ownership Award (CLOA) by the DAR, issuance of free patents by the DENR and registration of titles by the LRA. These major activities of the said agencies will push through once contentious issues are resolved by joint provincial, regional or national committees. According to indigenous peoples who are hopeful to acquire CADTs, the NCIP has clearly subjugated its quasi-judicial and decision making power to protect its constituents as they signed this Order. (Miclat, 2012 www.essc.org.ph)

C. 5 Provision of Basic Services

With regards to the provision of services, indigenous peoples are included as beneficiaries of government programs such as the Pantawid Pamilyang Pilipino Program or 4Ps which provides conditional cash transfers to poor Filipinos. The indigenous peoples are considered poorest of the poor and in need of cash support for the education of their children and housing and livelihood programs. However, there are negative experiences with the 4Ps one of which is, the Department of Social Welfare and Development’s (DSWD) requirement of birth certificates, which indigenous peoples find difficult to acquire. The cash is insufficient as many indigenous peoples spend much going to the centers where money is distributed. Likewise, some LGUs issue ATM cards to the beneficiaries, making it harder for indigenous peoples to access the much needed cash. Some even testified that there were cases of discrimination against indigenous peoples and misappropriation of financial assistance. Many organizations and support groups of indigenous peoples see the 4Ps as a band aid solution to the impoverished situation of indigenous peoples. At the same time, it is not sustainable being reliant on foreign loans, while reinforcing the culture of mendicancy and dole-out dependency of poor families.

\(^7\) When tenurial instruments are in conflict, the land area for the CADT of indigenous peoples are often sacrificed in favor of CLOA, and other tenurial instruments of the DENR.
Another project providing basic services to indigenous peoples is the Payapa at Masaganang Pamayan (PAMANA) program which is part of the Philippine Development Plan 2011-2016. This took effect following a joint memorandum circular by the DILG and the Office of the Presidential Adviser on the Peace Process (OPAPP). The projects under this program are granted to conflict-affected communities. According to the OPAPP, this is a complementary track to the ongoing peace negotiations (between the Government of the Philippines and the Moro Islamic Liberation Front and the National Democratic Front). Furthermore, it was designed to ensure that communities benefit from improved delivery of basic social services and are served by a responsive, transparent and accountable government. (OPAPP, 2012 [http://www.opapp.gov.ph/news/govt-formally-launch-pamana-program-peace-devt]) Many of the beneficiaries are indigenous communities in Mindanao and the Cordillera Administrative Region (CAR). The program is also seen as a counterinsurgency component as it is elements of the AFP who choose and prioritize those families whose members are former rebels who have returned to the government’s fold and it is the military that facilitates the awarding.

The infamous issue that the President is purportedly involved in, the controversial Disbursement Acceleration Program (DAP), has also directly affected some indigenous peoples because the PAMANA project is one of those funded by the DAP. Up to 172 million pesos of President Aquino’s controversial Disbursement Acceleration Program funds went to the Cordillera People’s Liberation Army (CPLA). This was after Aquino signed a Memorandum of Agreement (MOA) with the CPLA and subsequently released millions of pesos as “peace fund.” The MOA has been criticized by indigenous peoples’ groups as a pointless exercise, with the CPLA having already conceded and reintegrated into the government 24 years ago through the 1987 Peace Accord signed with Pres. Cory Aquino.

Indigenous Peoples’ Education

Currently, there are education projects and programs being granted to indigenous peoples through scholarships, establishment of indigenous education framework and partnership with NGOs who are setting up indigenous schools. Students are taught indigenous knowledge, appropriate technology and sustainable agriculture. The Department of Education, with their indigenous peoples’ education framework and curriculum are supportive of these efforts. The department has an Indigenous Peoples’ Education Office (IPsEO) and is implementing an Indigenous Peoples’ Education Framework.

The Alternative Learning Center for Agricultural and Livelihood Development (ALCADEV) is one successful case and it started from the efforts of an indigenous peoples’ organization in Surigao del Sur. However, in the communities where indigenous peoples’ schools such as ALCADEV are established, they are being harassed by military units and the schools vilified as rebel schools, or training grounds for the students to become New People’s Army (NPA) combatants.

8 An armed group in the Cordillera Region composed of former members of the New People’s Army which signed a peace pact with the late President Corazon Aquino. Many of its members are now integrated in the Armed Forces of the Philippines and they are also responsible for human rights violations against indigenous Cordillera communities.
D. Government Projects lined to the ASEAN Integration

The ASEAN Integration was initially conceptualized to build an ASEAN Community with three pillars: (a) Socio-cultural which focuses on human resources for labor in manufacturing, agriculture and services sector; (b) Political for security in the community and, (c) the economic community. Of these three, priority is given to the commencement and completion of the ASEAN Economic Community. The AEC and the ASEAN integration can also find its roots in the Brunei Darussalam-Indonesia-Malaysia-Philippines- East ASEAN Growth Area (BIMP-EAGA), a brainchild of former Philippine president Fidel V. Ramos which aims to have greater economic cooperation among the four ASEAN countries.

On November 20, 2007, ASEAN heads of state signed the declaration on the ASEAN Economic Community (AEC) blueprint. The Philippines was then represented by President Gloria Macapagal-Arroyo. Its Vision 2020 aims for the realization of a full ASEAN integration or the ASEAN community.

Food, agriculture and forestry products will be included in the single market and production base which will be set up as the culmination of the integration. Undoubtedly, this will take place in indigenous peoples’ territories which are the big sources of forestry products such as timber and non-timber forest products (bamboo, rattan, honey, etc). A regional market may be two-edged for them. They may earn more cash at a faster rate but they may lose control of the resources in their land as it may be appropriated by government and bigger businesses. At present there are no data on the government’s plan on this and no information yet on indigenous peoples’ lands to be used for these purposes. Some parts of the AEC blueprint which have long term adverse effects on indigenous peoples are On Energy Cooperation and Mining Cooperation. The ASEAN Plan of Action for Energy Cooperation (APAEC) 2010-2015 is the third series of implementation plan. It covers the energy component of the ASEAN Economic Community Blueprint 2015, such as, ensuring a secure and reliable energy supply for the region through collaborative partnerships in the ASEAN Power Grid (APG) and Trans-ASEAN Gas Pipeline (TAGP) including the promotion of cleaner coal energy efficiency and conservation, and renewable energy, including biofuels as well as nuclear energy as an option. The planned dam projects and coal –fired power plants may be considered and more aggressively pushed with the ASEAN integration to consider.

This is part of the Philippine government’s commitment and key strategy on the AEC. However, in a recent document by the Philippine Institute for Development Studies (PIDS), it stated that the government said that this is a big priority but only mentioned the need to expand the national grid. It did not mention specific projects aside from those earlier planned.

Recognizing the limited global reserve of fossil fuels and unstable energy prices, the APAEC emphasizes strategies to further strengthen renewable energy development, such as biofuels, as well as the promotion of open trade, facilitation and cooperation in the renewable energy industry. Bio-fuels are included which may include large scale planting of oil palm, cassava and sugar cane for bio ethanol and jathropa. Many of these, particularly oil palm plantations are found in indigenous peoples’ territories. These may threaten indigenous peoples’ rights to their ancestral land as even
the Department of Environment and Natural Resources Secretary mentioned that 8 million hectares of idle and denuded lands may be good sites for oil palm plantations. (Lagsa, 2014, Philippine Daily Inquirer, http://newsinfo.inquirer.net/605424/8m-ha-eyed-for-oil-palm-plantations)

Although a moratorium on new mining applications is in place at present, the upcoming ASEAN integration may exert more pressure on the government to reconsider mining projects and show the people the invaluable contribution to the region’s economy. The Philippines is one of the countries in the ASEAN that has big mining operations and myriad applications by big foreign and local corporations. With a majority of applications and approved permits in ancestral domains, many indigenous peoples are bound to suffer once the Philippines fully commits its mining industry to the AEC framework. More than 500,000 hectares of ancestral lands are currently approved by the Aquino administration for mining activities.

Agriculture is another focus that the Philippines will push through in the ASEAN integration. According to the Department of Agriculture, they will utilize their AgriPinoy Framework which aims to integrate farmers into global value chains and match agricultural practices with international standards. According to IBON International, this will mean adherence to the standards followed by agricultural transnational corporations and may lead to higher prices, intensified importation and food insecurity especially to Filipino farmers including indigenous peoples.

The tourism industry is another potential seen by the Philippine government that may be developed for the ASEAN integration. Indigenous peoples may be implicated once this industry is fully integrated in the AEC setup. A Philippine Information Agency (PIA) report showed that some 30 Ifugao homes or households in the municipality of Kiangan have been trained on homestay where tourists are hosted by families to be able to exchange culture and provide better learning about the lives of people. But the Department of Tourism (DoT) used ASEAN standards in the training methods and for future and actual activities. (Codamon, 2014. www.news.pia.gov.ph). There is no information yet on future targets but the DoT still plans to hold same trainings in other municipalities and provinces in the Cordillera Region. It is not explicitly said in the article that it is in preparation for the ASEAN integration.

According to Arsenio Balisacan, director general of the National Economic and Development Authority (NEDA) in the same article, “ASEAN is now deemed as an ideal investment site and regional production hub. As the region becomes a more dynamic economic bloc, it becomes more attractive to the rest of the world as investors are expected to take advantage of economies of scale and the large number of consumers.” According to the PIDS, the Philippines is already advanced in the free flow of goods. This is felt particularly by vegetable farmers in Benguet where they find it hard to compete with imported vegetables which usually are lower priced than locally-produced ones.
E. Key Issues and Challenges

The key issues and challenges currently faced by indigenous peoples will probably see lasting impacts when the ASEAN integration comes into full swing. Many of the issues pertain to exploitation of indigenous lands and resources and adversely affect indigenous peoples’ well being and their rights to the land and natural resources. These key issues, which indigenous peoples of the Philippines are currently experiencing are far from sustainable development as defined by international agencies.

Large Scale Mining

Large-scale mining remains to be the main issue of indigenous peoples at present. Most of the land area covered by mining permits are found in indigenous peoples’ territories. Before President Benigno Aquino III passed the mining policy through Executive Order 79, there were already 281 approved applications covering a land area of 507,000 hectares which are found in ancestral lands of indigenous peoples. More than half of the total approved land areas are for mining. Many indigenous peoples fear that large-scale mining will cause massive environmental destruction and will strip them off their traditional livelihood and control of their ancestral lands. This is in clear contrast with the government’s view that mining is the driver of the country’s economic development. The Kalipunan ng mga Katutubong Mamamayan ng Pilipinas (KAMP), a national alliance of indigenous peoples’ organizations, asserts that mining does not address the underdevelopment of indigenous communities, instead it brings about displacement of people and loss of lives. (KAMP, 2014)

President Aquino’s pet mining policy, the EO 79 is actually a mere reiteration of the Mining Act of 1995. A broad group of environment and indigenous peoples’ advocates are calling for the repeal of the current mining act. Although the EO 79 declared moratorium on approval of applications, it still allowed the operations of existing large scale mines and newly-approved mining applications by the Aquino administration. It also provides increase in taxes and royalties but still needs new legislation from congress. The most dangerous provision of this EO is its streamlining of processes of applications where nationally-decided investments need not pass through local government approval as was the practice before the release of the EO. This clearly subverts local government authority over resources in their respective areas and invalidates moves by the LGUs to ban large-
scale mining or declare moratoriums on mining. Even those who put much hope on the passage of the EO 79 expressed disappointment as for example due to this EO, the much-tainted Xstrata SMI operations in SOCSKSARGEN region in Mindanao were cleared to operate an open pit mine because of the consequent invalidation of the ban imposed by the provincial government of South Cotabato. The EO 79 was also invoked in the demolition of the small scale miners and indigenous peoples’ homes and facilities to give way for TVI Resource Development Philippines, Inc (TVIRD)’s exploration activities.

Dams and Energy Projects

Another looming issue after a brief lull from the energy projects during the administrations of presidents Ramos, Estrada and Arroyo, is the aggressive push to revive energy projects. Today, there are at least 149 hydropower projects and 16 geothermal projects that have been built, are under construction, or are in the pipeline. Those still to be finished will inundate several indigenous communities. One of the largest is the Pulangi Dam V straddling the provinces of Bukidnon and Cotabato in Mindanao, and will affect at least 23 villages of Lumad and Moro people. These energy projects threaten the communities of indigenous peoples, Moro people and other settlers living near river systems and their livelihood and food sources.

Meanwhile, an estimated 17,000 Tumandok people are threatened with dislocation in a dam project mentioned in President Aquino’s State of the Nation Address in July 2014. The Jalaur River Multipurpose Dam is planned to be built in Calinog and will affect several surrounding municipalities in Iloilo. Contrary to the claim of the National Irrigation Authority (NIA) regional office, no genuine consultations were conducted with the Tumandok affected by the mega dam project. Several major flaws were raised in the FPIC process.

Other energy projects in indigenous communities aside from hydroelectric dams are coal-fired power plants and geothermal energy projects. One of these projects, the $300-million geothermal plant of the American Chevron Corporation, is endangering the Kalinga communities in Lubuagan and Tinglayan, Kalinga. Chevron is the mother company of the oil corporation Caltex and is one of the biggest oil and power companies and producer of geothermal energy. Also an investor in the project is the Aragorn Power and Energy Corporation.

The Palm Oil Industry and Proliferation of Plantations

The palm oil industry is slowly growing in the Philippines. There are currently 54,448 hectares planted to oil palm in the country. The palm oil market continues to expand both here and abroad. From its many uses, it is most exploited as source of bio-fuel. Palm oil production is best in countries with tropical climates like Malaysia, Indonesia, Thailand and the Philippines. At present, 90% of all palm oil comes from Indonesia, Malaysia and Thailand. Although oil palm plantations have existed in the Philippines since the 1950s, their aggressive expansion began only in the past decade and is starting to rise at present.

The promises made by palm oil producers and promoters are: they are easy to plant; are appropriate in tropical weather conditions and land types; and may help to alleviate poverty leading to peace and prosperity of communities. But this is not necessarily true given the case of two indigenous peoples’ communities in
Mindanao and in Palawan. Most of the country’s palm oil production can be found in Mindanao.

In Opol, Misamis Oriental, hundreds of Higaonons were forced out of their homes and farms with the encroachment of the A. Brown Company Inc. (ABCI) which took over the 2,000 hectares of ancestral lands. ABCI began its 800 hectare-plantation in 2010 in three towns in Bukidnon province and expanded into Misamis Oriental. The company is owned by Fil-Am spouses Walter A. Brown and Annabelle Brown who have other investments in mining, quarrying, energy, and real estate. The same is also happening to the Palawan people in the Southern part Palawan where the Agusan Milling (AGUMIL) converted kaingin (swidden farms) and forests to oil palm plantations in the municipalities of Sofronio Espanola and Brooke’s Point.

In Mindanao, many of the Lumads’ ancestral lands are converted into mono-crop plantations of bananas, sugar canes and pineapples. Dole Philippines and Del Monte are the two large multinational companies that control the production, processing and distribution of these products. The case of the Pulangihon Manobo in Quezon, Bukidnon shows how indigenous peoples’ rights to their ancestral domain are disregarded even if the land has an application for a CADT. The land that they are claiming is recently planted with sugar canes and pineapples.

Special Economic Zones: Potential Export-Import Hubs

The upcoming ASEAN integration may have implications on special economic zones built on ancestral domains. In recent times, there are ongoing developments in Central Luzon, the APECO and Clark Green City.

The Aurora Pacific Economic Zone and Freeport Authority or APECO is in its completion stage.

The Angara clan, one of the most powerful political dynasties in Aurora, and the Korean Export and Import Bank aggressively pushed for the project, which was signed into law as Republic Act 10083 in 2010. APECO is an expansion of the Aurora Special Economic Zone Authority or ASEZA. The project covers 13,000 hectares and has affected 5,430 farmers, and the Dumagat people in Dibet and Casiguran. Among its features is the construction of a container port that will accommodate products from Isabela, Nueva Ecija, Nueva Vizcaya and Quirino.

Ayta people can already feel the effects of the imminent construction of the Clark Green City, also mentioned in the president’s State of the Nation Address (SONA). Certain displacement and human rights violations await the 2,000 Ayta people to give way for its construction. The Aytas will be forcibly relocated to settlements without appropriate livelihood, proper housing, and adequate access to social services. The ancestral domain of the Ayta includes the vast former US Clark Airbase complex which had been handed over to the Philippine government without addressing the historical injustice that occurred in the appropriation of this ancestral domain in the early 1900s without their free prior and informed consent.

Particular Issues of Indigenous Women

Generally, indigenous women bear the brunt of the effects of these key issues. The loss of food and livelihood sources due to destructive projects, also affect them and their children. Gender-related violence are more rampant in areas where there are projects such as mining and in areas which are heavily militarized.
The women and girls are subject to sexual harassment and even physical violence.

A glaring case is the rape of a girl by a military officer in Mankayan, Benguet where the Lepanto Consolidated Mining Company plans to expand its operation. Another is the massacre of Juvy Capion and two of her children in the area where Sagittarius Mines Inc. is holding exploration activities. These two cases reached national and even international attention while other possible cases remain unreported because indigenous women are scared or ashamed to go public with their experiences.

Destructive projects and militarization disrupt economic lives of indigenous communities. Many of these communities have women as agricultural experts, keepers of seeds of traditional crop varieties and food producers and managers. Overall, food security of communities is also affected especially if women are experiencing violence and loss of livelihood and food sources.

Extra-Judicial Killings and other Human Rights Violations

The key issues mentioned above resulted to the building and strengthening of organizations of indigenous peoples and developing and training of leaders who are capable of carrying out campaigns and speaking for the indigenous peoples on various issues affecting them. According to the SKIPNet, a network of indigenous peoples and human rights advocates, there are 46 documented killings⁹. Most were vocal leaders opposed to large scale mining applications and operations, large dams and plantations. A majority of the victims were from Mindanao where most of the military forces are deployed and the largest number of paramilitary armed groups are formed.

There is, up to the present, a systematic vilification of indigenous leaders as high ranking officials of the New People’s Army (NPA), members of the Communist Party of the Philippines and also as plain terrorists which has led to most of the killings. A case in point is William Bugatti, a peasant leader and paralegal worker in Ifugao who was under tight surveillance before his untimely death. He was killed after he was listed as one of the NPA leaders in the municipality of Tinoc.

Many of the leaders of different indigenous peoples’ organizations and communities are now being harassed and threatened and criminal charges are being filed against many of them. In CARAGA region in Mindanao, thirty seven leaders of the MAPASu and KASALO are charged with rebellion, frustrated murder, arson, illegal possession of firearms and explosives and malicious mischief. These include Jalandoni Campos and Genasque Enriquez, Manobo leaders and officers of KASALO. Enriquez was arrested but was immediately released after posting bail.

There are also incidences of bombings and heavy military operations in indigenous communities which often result to forced evacuations of indigenous peoples. The bombing incident in the municipality of Talaingod, Davao del Norte forced an entire Manobo community to evacuate and seek refuge in the city of Davao. Similar incidents also happened in Abra and Sagada, Mt. Province in the Cordillera Region. The latest military operation which also resulted into a gun fight between forces of the military and the New Peoples Army (NPA) resulted to

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⁹ Documented here means that the killings are with complete fact sheets/reports as recorded by local and national IP and human rights organizations.
the killing of two civilians in Lacub, Abra on September 4 and 5, 2014.

Many of the killings and other harassment activities done against indigenous peoples who assert their rights to ancestral land and self-determination are perpetrated by paramilitary groups. In localities where there are concentrations of indigenous populations, the paramilitary groups are the most vocal and active in the vilification, harassment and intimidation of indigenous peoples who oppose destructive projects. In Mindanao, 13 indigenous paramilitary groups continue to sow terror in the Lumad and peasant communities, harassing indigenous leaders and schools. Among these are the Bungkatol Liberation Front (BULIF), the New Indigenous People’s Army for Reform (NIPAR) under the 8th Infantry Battalion, Salakawan/Wild Dogs, a paramilitary group created by the 402nd Infantry Brigade, the Alamara in Northern Mindanao, and the Task Force Gantangan-­Bagani Force (TFG-BF) in Caraga.

F. Recommendations

Indigenous peoples in the Philippines are capable of genuine sustainable development. They have large amounts of resources and knowledge to make sustainable development a reality.

However national government policies are adversely affecting indigenous peoples’ rights to their ancestral lands and self determination, their cultural integrity and full maximization of indigenous knowledge. This has been part of the systemic neglect and marginalization of indigenous peoples in Philippine society.

The Philippine Mining Act of 1995 has already been slammed by indigenous peoples’ organizations and environmental groups yet the government still insists that it is a good law that will attract foreign investments to save the national economy. This law and other laws such as the NIPAS Act, Energy Power Industry Reform Act, among others, should be repealed or properly amended to uphold indigenous peoples’ rights to land and self-determination. With these must be legislations and policies that promote indigenous knowledge and practices in agriculture, natural resource management, important role of women in these, among others, as huge contributions to national development.

Militarization of indigenous communities must end as military activities often disrupt the people’s economic activities. The killings and systematic vilification of indigenous leaders and members of indigenous peoples’ organizations must be stopped and speedy justice served to the victims of these deeds.

Indigenous peoples must be given full rights to determine their desired path of development if the Philippine government wants genuine development of communities and the whole nation.

G. Indigenous Organizations, Movements, Alliances, and Networks

Indigenous peoples’ organizations in the Philippines have been formed primarily due to the issues confronted by indigenous peoples. The most sustained organizations were formed during the reign of President Ferdinand Marcos, when aside from the terror brought about by Martial Law, big projects with huge impacts on indigenous peoples were planned and forced on their communities. The victorious struggle against the Chico Dam project in Kalinga and Bontok territories in the 1970s is a testament to
the power of the indigenous peoples’ unity.

At present, indigenous peoples’ organizations are either asserting their rights through self-determined ways and through legal battles using laws such as the IPRA. However, there is very limited engagement with the ASEAN. In fact, only the Cordillera Peoples’ Alliance participated in negotiations with Ambassador Manalo of AICHR in the drafting of the ASEAN Human Rights Declaration.

With the upcoming ASEAN integration, it is very important that indigenous peoples directly engage with ASEAN bodies especially with the AICHR and voice out their views and situation in the midst of the economic integration and lack of institutionalised civil society engagement in the ASEAN Community-building processes.

National IP Organizations

There are currently two national indigenous peoples’ organizations in the country: the Kalipunan ng mga Katutubong Mamamayan ng Pilipinas (KAMP) and the Koalisyon ng mga Katutubong Samahan sa Pilipinas (KASAPI).

The KAMP is the national alliance of regional and provincial indigenous peoples’ organizations representing various indigenous communities in the whole Philippines. KAMP was formed in 1987 after a series of national consultative assemblies of tribal leaders that culminated in a “Sandugo” (one blood) pact in 1984. This was in response to the escalating violation of their individual and collective rights and the impending threat of massive dislocation posed by large-scale industrial development programs of the government. It is composed of 10 regional level organizations including the Cordillera People’s Alliance (CPA) and the Kusog.

On the other hand, the KASAPI represents sixty-four ethno-linguistic groups from 127 indigenous cultural communities. It is also a network of 16 regional and sub-regional federations comprising 250 community-based peoples’ organizations.

The difference between the two national organizations lies with the form of struggle that each takes. KASAPI seeks to maximize the NCIP as an agency that will promote indigenous peoples’ rights and welfare. Many of their member organizations had their ancestral domains delineated for processing of CADT. KAMP, however, is very critical of the IPRA. It considers the law and the agency that implements it as facilitators of the violations of indigenous peoples’ rights and they do demonstrations in front of NCIP offices in the National Capital Region and other regions and provinces. Both see weaknesses in the NCIP and the implementation of the law but KAMP is taking a stronger stance on the abolition of the agency.

There are also organizations of indigenous women in the Philippines. The Bai National Network of Indigenous Women in the Philippines serves as a campaign centre for indigenous women’s issues; it strengthens the capability of its network members in terms of organizing, education, research and campaigns; builds links with other indigenous women’s organizations in the Philippines and overseas. The KAMP also shares office and coordinates closely with indigenous peoples’ advocacy organizations such as the Tunay na Alyansa ng Bayan alay sa Katutubo (TABA), and Kabataan para sa Tribung Pilipino (KATRIBU).
Networks of Indigenous Peoples’ Organizations and Advocate Groups

Most of the networks involving indigenous peoples focus their campaigns on timely issues such as development aggression and human rights. The members in these networks are church people, academe, professionals, non-government organizations who advocate certain issues of indigenous peoples. One of these networks is the Defend Patrimony Alliance which strongly opposes large scale mining especially by transnational corporations (TNCs). At present, there is a network which calls for the stop of killings of indigenous peoples’ leaders, the Stop the Killings of Indigenous Peoples Network (SKIPNet). The newly formed Scrap the Mining Act Alliance is conducting a petition, signature campaign and lobby for new mining legislation.

The PhilUNDRIIP Network and Consultative Group for Indigenous Peoples (CGIP) are also networks which advocate for indigenous peoples’ rights. The Phil UNDRIP Network organizes activities during the International Day of the World’s Indigenous Peoples every year. In 2010, it submitted an indigenous peoples’ agenda to the then newly elected President Benigno S. Aquino III. This agenda was updated initially by the UNDRIP Network which included the two national indigenous peoples’ organizations, KAMP and KASAPI.

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List of Non-government Organizations

<table>
<thead>
<tr>
<th>Name of NGO</th>
<th>Brief Description</th>
<th>Programs</th>
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</table>
| 1. Philippine Task Force for Indigenous Peoples’ Rights (TFIP) | *A national network of 12 non-governmental organizations (NGOs) in the Philippines  
* supported by Bread for the World of Germany  
* Its member NGOs are involved in direct services and advocacy for indigenous peoples’ communities including sustainable agriculture, women’s rights, indigenous peoples’ education, appropriate technology, among others | * research, policy advocacy, information dissemination, capacity-building |

10 Those that are included in the list are the NGOs which the KAMP and TFIP have been working with or have been informed about.
<table>
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<tr>
<th>2. Anthropology Watch</th>
<th>* Composed of anthropologists, and other social scientists who work with and for indigenous peoples in the Philippines.</th>
<th>* research and capability-building assistance in gathering anthropological data for CADT application; capacity-building on community development planning; workshops on culture and gender sensitivity; assistance in 3D mapping; and production of Geographic Information System (GIS) materials for ancestral domain.</th>
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<tr>
<td>3. Philippine Association for Intercultural Development (PAFID)</td>
<td>* an institution with over 140 members and a multi-disciplinary staff of 42 engaged in the development of indigenous social organizations</td>
<td>* ancestral domain management; community-based natural resources management planning, community mapping, agro-forestry, technical services, policy advocacy</td>
</tr>
<tr>
<td>4. Tanggapang Panligal ng Katutubong Pilipino ((Legal Assistance Center for Indigenous Filipinos - PANLIPI))</td>
<td>* an organization of lawyers and indigenous peoples’ advocates.</td>
<td>* provision of legal expertise and assistance with institutional capacity development, ancestral domains delineation and resource management planning</td>
</tr>
<tr>
<td>5. Legal Rights and Natural Resources Center Kasama sa Kalikasan Friends of the Earth-Philippines (LRC-KSK)</td>
<td>* a policy and legal research advocacy institution whose main advocacy has been the recognition and protection of the rights of indigenous peoples and rural communities directly dependent on natural resources as essential components of any program on sustainable development, social justice and human rights.</td>
<td>* direct legal servicing, research and policy development, and volunteer/internship</td>
</tr>
<tr>
<td>6. LILAK Purple Action for Indigenous Women’s Rights</td>
<td>* collective of women’s rights advocates and feminists for indigenous women’s rights</td>
<td>* contribute in the building and raising awareness and understanding of rural and indigenous women on their rights, their roles and their potentials</td>
</tr>
</tbody>
</table>
References

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Power Point Presentations:

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INDIGENOUS PEOPLES HUMAN RIGHTS DEFENDERS NETWORK

The Indigenous Peoples Human Rights Defenders Network (IPHRD Net) is a platform for solidarity, coordination and support among indigenous human rights defenders and their organizations. Through the IPHRD Net, indigenous peoples human rights defenders can more effectively address human rights issues and violations wherever these occur by working with other indigenous peoples organisations, other human right organisations, and with regional and international human rights mechanisms and bodies.

THE FUNCTIONS OF THE IPHRDS NET ARE AS FOLLOWS:

1. Mechanism for exchange of information and updates relating to human rights of indigenous peoples
2. Facilitation of technical, logistics and other forms of support
3. Forum for planning, capacity building and skills enhancement of network members
4. Mechanism for strengthening solidarity and cooperation.

ACTIVITIES

1. Documentation of human rights violations against indigenous peoples for use in lobby and advocacy at all levels
2. Manage the database of human rights violations against indigenous peoples in Asia
3. Capacity-building on human rights documentation and advocacy
4. Awareness-raising on human rights, in particular the UN Declaration on the Rights of Indigenous Peoples
5. Advocacy on indigenous peoples issues at all levels
6. Networking with other civil society organisations to gather support on the issues and concerns of indigenous peoples
7. Facilitate direct support to indigenous peoples human rights defenders at risk.

www.iphrdefenders.net

Have you witnessed a human rights violation against indigenous peoples?

Are you an IPHRD at risk needing assistance?
Contact us at: www.iphrdefenders.net/index.php/request-for-assistance-form

The printing press has been established with support from the European Union’s European Instrument for Democracy and Human Rights
AIPP at a glance

The Asia Indigenous Peoples Pact (AIPP) is a regional organization founded in 1988 by indigenous peoples' movements as a platform for solidarity and cooperation. AIPP is actively promoting and defending indigenous peoples' rights and human rights, sustainable development and management of resources and environment protection. Through the years, AIPP has developed its expertise on grassroots capacity building, advocacy and networking from local to global levels and strengthening partnerships with indigenous organizations, support NGOs, UN agencies and other institutions. At present, AIPP has 47 members from 14 countries in Asia with 7 indigenous peoples' national alliances/networks and 35 local and sub-national organizations including 16 are ethnic-based organizations, five (5) indigenous women and four (4) are indigenous youth organizations. It also specifically aims to empower indigenous women through networking, education and capacity building activities with the overall goal for indigenous women to assert, promote and protect their rights as women and as indigenous peoples.

Our Vision
Indigenous peoples in Asia are fully exercising their rights, distinct cultures and identities, are living with dignity, and enhancing their sustainable management systems on lands, territories and resources for their own future and development in an environment of peace, justice and equality.

Our Mission
AIPP strengthens the solidarity, cooperation and capacities of indigenous peoples in Asia to promote and protect their rights, cultures and identities, and their sustainable resource management systems for their development and self-determination.

AIPP Programmes
Our main areas of work among the different programmes are information dissemination, awareness raising, capacity building, advocacy and networking from local to global. Our programmes are:

- Human Rights Campaign and Policy Advocacy
- Regional Capacity Building
- Environment
- Indigenous Women
- Communication Development

AIPP is accredited as an NGO in special consultative status with the UN Economic and Social Council (ECOSOC) and as observer organization with the United Nations Framework Convention on Climate Change (UNFCCC), Convention on Biological Diversity (CBD), Green Climate Fund (GCF), Global Environment Facility (GEF) and the World Intellectual Property Organization (WIPO). AIPP is a member of the International Land Coalition (ILC).