



PHILIPPINES

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Statement delivered by

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**Sixth Session of the Permanent Forum on Indigenous Issues
on the theme “Indigenous lands, territories and natural resources”**

16 May 2007

Madame Chairperson,

the Philippine delegation joins the delegations
At the outset, ~~allow me, on behalf of my delegation,~~ ^{to} congratulate you on your re-election. Your outstanding work in steering the past sessions of the Permanent Forum, as well as your personal dedication to the cause of the indigenous peoples, has truly facilitated constructive discussions which resulted in fruitful outcomes and provoked new challenges.

This year, the Permanent Forum meets against the backdrop of what could be described as a turning point for indigenous peoples all over the world. The focus of the current session – “Indigenous territories, lands and natural resources” - could not have found a more fitting occasion than at this

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crucial period when the United Nations is at the heels of finalizing the consideration of the draft *Declaration on the Rights of Indigenous Peoples*.

Indeed, the issue of land lies at the core of indigenous peoples' lives. It is from ~~the~~^{their} land that indigenous peoples derive their identity, culture, integrity, and even their very survival. The Philippines has an estimated population of 12 million indigenous peoples who ~~occupy~~^{live in} 6 million hectares of ancestral domains, or about 20% of the total Philippine land area. As an important segment of the society, no less than the Constitution of the Philippines, particularly in Article II, Section 22 and Article XIII, Section 6, enshrines the right of indigenous peoples to land. This Constitutional provision is also the foundation of the Philippines' law on the rights of indigenous peoples, otherwise known as the *Philippine Indigenous Peoples Rights Act* of 1997 or *IPRA*. The passage of ~~the~~ law was not easy and it took tremendous courage and political will to do so because of opposition from many influential groups whose interests would be affected or diminished by returning ancestral rights to indigenous communities in the Philippines.

Madame Chairperson,

The law notwithstanding, the Philippine delegation submits and agrees that what is crucially important is its implementation. Issues relating to indigenous land ownership are never simple, especially if thorough consultations are to be had. Amidst many challenges, however, the government has already issued 57 Certificates of Ancestral Domain Titles with a total area of about 1.1 million hectares and 172 Certificates of Land Titles to indigenous peoples covering about 4.8 million hectares. To date, there are 150

Ancestral Domain areas and 512 Ancestral Land areas with an ongoing delineation and titling process, which would add a total of 3.3 million hectares of land for indigenous communities. The Philippines likewise acknowledges that the work does not end after securing land tenure. The Philippines has thus fast-tracked the provision of ancestral domain development blueprints, which are frameworks to guide indigenous communities towards the protection and sustainable development of ancestral domains. To illustrate, the government has formulated as least eighteen (18) Ancestral Domain Sustainable Development and Protection Plans, with clearly defined development priorities. Another eighty-four (84) of these plans are on schedule for completion within the year. These frameworks likewise function as tools for empowerment, as they promote capacity building and self-sufficiency through training, cooperative assistance, agro-industrial technology transfer and other support services for indigenous communities.

In this process, the government has promoted the rights of indigenous peoples to Free and Prior Informed Consent (FPIC), with the core concept that indigenous peoples shall, within their communities, determine for themselves policies, development programs, projects and plans to meet their identified priority needs and concerns. The Philippine government has thus already issued 671 Certificates of Precondition on applications without ancestral domain overlap and 67 Certificates Precondition with issued Free and Prior Informed Consent by indigenous peoples.

Madame Chairperson,

Achieving peace is a prerequisite for indigenous peoples to be able to live happily and with security in their lands. Overcoming the challenges to the peace processes between the government and non-state armed groups thus remains a paramount objective for the Philippines. Moreover, as part of the continuing strategy of a human rights-based approach to indigenous issues, the government continues to address the root causes of violations against the rights of indigenous persons and such effective measures both to prevent their occurrence and provide justice to its victims. Furthermore, part of securing this peace for indigenous peoples is the government's proactive role in the adjudication of cases of conflicts related to ancestral domain and property rights. For example, the National Commission on Indigenous Peoples has already issued "Rules of Pleadings" and has installed Regional Hearing Officers (RHOs) in its twelve regional offices nationwide. Moreover, the National Commission is also engaged in dialogues with other government agencies, such as the Department of Environment and Natural Resources and the Department of Interior and Local Government to harmonize conflicting laws, particularly on the delineation and titling of land, as well as the management of natural resources.

Madame Chairperson,

We are heartened to know that discussions in the inter-agency support group on indigenous issues are being enhanced. In the quest to ensure better lives for indigenous communities, the assistance that can be extended by various intergovernmental agencies, working within their mandate, can provide tremendous impact on the work of governments. We thus look forward to strengthened collaboration with the agencies so that the benefits of

the strategies we employ can redound to multiplied benefits for indigenous peoples. One area that we hope can be highlighted in this session's discussions is the issue of difficulty of collecting and establishing baseline data for indigenous peoples, particularly using ethnicity variables and parameters that describe ancestral territories. This is a crucial issue that presents a great challenge to national planning efforts. We are eager to listen to views and perspectives from all stakeholders to address this challenge.

Madame Chairperson,

I would like to emphasize that, as we embark on the Second International Decade of the World's Indigenous Peoples, it is the commitment of the Philippine government to improve on its performance of upholding and fulfilling the human rights and fundamental freedoms of Indigenous Peoples, as provided for in national law. The Philippines will also support the Second Phase of the UNDP Regional Initiative on Indigenous Peoples' Rights and Development that shall encourage cooperation among governments and indigenous peoples in the Asia Pacific Region. Finally, the Philippines earnestly hopes that a consensus can be achieved in the General Assembly on the draft Declaration on the Rights of Indigenous Peoples. At this point, it may ~~be~~^{look} difficult, but it is not impossible. There are yet several issues that need to be resolved – one of the major ones being the issue of lands, territories and natural resources. We therefore look forward to the fruitful and enlightening discussions in this current session of the Permanent Forum to help find a way forward to resolve these major issues.

Thank you.