



PHILIPPINES

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Statement delivered by
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Madame Chair,

Thank you for giving us the opportunity to take the floor. We thank the authors of the study for their research on the legal framework and mechanisms in place in the Philippines to protect the rights of indigenous peoples. We appreciate the recognition that the Philippines offers an effective system of land claims and land dispute resolution concerning indigenous peoples that other countries can use as a model, as well as the recommendations on how to improve the system.

The National Commission on Indigenous Peoples (NCIP), headed by commissioners representing the seven (7) ethnographic regions in the country is mandated by the Indigenous Peoples Rights Act (IPRA) to delineate and recognize ancestral lands and domains and issue Certificates of Ancestral Domain Title (CADT) and Certificates of Ancestral Land Title (CALT).

Several challenges confront the agency as well as the indigenous peoples in the exercise of this mandate. These include complaints on legitimacy of owners, boundary conflicts and administrative processes.

In resolving these, it is important to note that the NCIP puts primacy on customary laws and practices. Section 65 of the IPRA provides that when disputes involve indigenous cultural communities or indigenous peoples (ICCs/IPs), customary laws and practices shall be used to resolve the dispute. This means that elders or leaders who are recognized by the community for their wisdom, impartiality and courage are given the primary opportunity to facilitate the proceedings, through their traditional laws and institutions.

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When the remedies under customary law are exhausted, the disputes/conflicts are resolved by the NCIP through its administrative and quasi-judicial processes. Recognizing the growing number of cases filed with the NCIP not just on land disputes and land claims, but also on violation of the rights of IPs, the NCIP has taken steps to ensure the speedy disposition of these cases:

First, it is in the process of simplifying its *Rules on Pleadings, Practice and Procedure*;

Second, it has established Regional Hearing Offices (RHOs) to decentralize and de-clog the dockets of the Commission; and

Third, it has issued the *Indigenous Knowledge Systems and Practices (IKSPs) and Customary Laws (CLs) Research and Documentation Guidelines of 2012*, to facilitate understanding of the customary laws and principles to be applied in the resolution of disputes and conflicts at the primary level.

Madame Chair,

The rights and protection of indigenous peoples is guaranteed by the Philippine Constitution and by law. Republic Act No. 8371, known as the Indigenous Peoples Rights Act (IPRA) recognizes indigenous peoples' inherent rights, including their right to self-determination, to ancestral domains and the applicability of customary laws governing property rights, to self-determined development and to the requirement that free prior informed consent be obtained in relation to any developments that have an impact on them.

Governments should continue to dialogue with and listen to the voices of its indigenous peoples. Recognition of their rights and aspirations will go a long way towards national unity and inclusive development.

May I reiterate that we have a well-knit system relating to our indigenous peoples and communities. This system continues to develop and be enriched by genuine, constructive dialogue and knowledge exchange between the government and all stakeholders, through fora such as this Permanent Forum and the upcoming World Conference on Indigenous Peoples, to which we commit our country's active participation and engagement.

Thank you.