

Item 5 (d). Human rights dialogue with the Special Rapporteur on the rights of indigenous peoples and the Expert Mechanism on the Rights of Indigenous Peoples

Emma Bridger

Save Our Schools, Iglesia Filipina Independiente, The United Society (USPG)

Save Our Schools, the Iglesia Filipina Independiente and The United Society (USPG) welcome the twentieth session of the United Nations Permanent Forum on Indigenous Issues.

Save Our Schools is a network of child-focused NGOs, church-based groups, including the Iglesia Filipina Independiente, USPG and other stakeholders, advocating for children's right to education.

Military attacks and indigenous school closures have intensified under President Rodrigo Duterte.

In 2017, the President told Lumad students:

“Leave. I'm telling those in the Lumad schools now, get out. I will bomb you. I will bomb your communities and your schools.”

Threats against Lumad schools have escalated since May 2017 when peace talks between the government and the so-called Communist insurgency failed and Martial Law was declared in Mindanao:

- In September 2017, at least 30 schools and 1,300 students were displaced in the military's continuing assault on Lumad schools.
- In June 2018, human rights monitors announced 532 attacks on Lumad schools since Duterte's inauguration.
- By July 2018, at least 33 schools had been closed and at least 4,600 students displaced.
- By March 2019, at least 70 of 228 Lumad schools in Mindanao were closed with an additional 284 attacks on Lumad schools, and 26 having been seized and used as military camps despite the fact that International laws covering conflict situations expressly prohibit the use of public infrastructures such as schools for military purposes.
- By May 2020, a total of 178 Lumad schools had been forcibly closed. Many of these schools were violently destroyed by military and paramilitary forces.
- By 2020 not less than 30 Lumad volunteer teachers face fabricated and trumped up charges.

The motivation for such violence is clearly articulated by a young Lumad student who stated:

“They want to close the schools because they want to establish plantation and mining sites within the Lumad ancestral lands. The government, with these corporations, does not want to provide education to the Lumad people, so they can continue to easily trick and cheat the Lumad into handing over their ancestral lands and not practice their indigenous rights.”

In their efforts to continue their education, Lumad have formed Bakwit, or evacuee schools. However, persecution persists and government forces have violently raided the schools in Cebu and Mindanao and the school in Manila remains under threat. Most recently, on 15 February 2020 the Philippine National Police Office Region 7, the Department of Social workers and development

(DSWD 7), Alamara and members of LGU talaingod barged into the bakwit school Cebu and illegally arrested students and teachers, some of whom remain detained as we speak. The Department of Defence also ended an accord with the University of the Philippines, who have been hosting the Bakwit school in Manila, which now allows state forces to enter the campus without prior notice. This is particularly dangerous for students and teachers red-tagged as terrorists for their defence of their schools and ancestral lands.

The abuses of Lumad Indigenous People in the Philippines amounts to attempted cultural genocide through extra-judicial killings and forced removal from their ways of life, belief, spirituality, access to food, medicine and culturally and contextually appropriate education. Lumad are not the only Indigenous people affected by this systemic abuse.

The anti-terror law about which the United Nations Human Rights Council has raised concerns now facilitates this abuse. However, The Council's current solution, as articulated in Resolution 45/33 Technical cooperation and capacity-building for the promotion and protection of human rights in the Philippines, is to continue observing the situation without any form of independent investigation. This resolution has been widely criticised and described by Filipina Senator Leila de Lima as "tantamount to absolving a murderous regime of its crimes against humanity."

In this context, we strongly urge those present today to:

- Support civil society in their call for an independent review of the human rights situation in the Philippines at the upcoming 51st session on The Human Rights Council. Ensuring that such a review includes the voices and experiences of Indigenous People and takes into account the government's use of paramilitaries and practice of 'red-tagging'.
- Consider urgent, targeted sanctions against the Filipino government including the cessation of all sales of military and surveillance equipment until such as time as states can be sure this equipment is not being used to oppress Indigenous people and human rights defenders.
- Consider a request to the International Criminal Court to expand their investigation to include the so-called 'war on terror', the cultural genocide of Indigenous people in the Philippines and the systematic and persistent illegal dispossession and destruction of the environment.