

PHILIPPINE STATEMENT AT THE 12TH SESSION OF THE WORKING GROUP  
ON INDIGENOUS POPULATIONS, AGENDA ITEM 5 "REVIEW OF DEV'TS"

MADAME CHAIRPERSON,

THE PHILIPPINE DELEGATION JOINS THE REST IN CONGRATULATING YOU FOR YOUR RE-ELECTION AS CHAIRPERSON -RAPPORTEUR OF THIS WORKING GROUP, CONFIDENT AS WE ARE THAT UNDER YOUR CONTINUED GUIDANCE, EFFECTIVE AND FRUITFUL WORK WILL BE ACCOMPLISHED.

MADAME CHAIRPERSON,

WE WOULD LIKE BRIEFLY TO INFORM THE GROUP OF THE LATEST DEVELOPMENTS IN THE PHILIPPINES RELATED TO THE PROTECTION AND PROMOTION OF THE RIGHTS OF INDIGENOUS COMMUNITIES. BY PRESIDENTIAL ORDER, THE PHILIPPINES DECLARED 1993 AS THE "NATIONAL YEAR FOR FILIPINO INDIGENOUS PEOPLES" AND CREATED A NATIONAL COMMITTEE FOR THE INTERNATIONAL YEAR FOR THE WORLD'S INDIGENOUS PEOPLE.

THE PHILIPPINES CONTINUES TO STRENGTHEN THE AUTONOMOUS REGIONAL GOVERNMENTS IN THE SOUTH, IN MUSLIM MINDANAO, AND THE REGION OF THE CORDILLERAS IN THE NORTH OF THE COUNTRY, WHERE INDIGENOUS POPULATIONS ARE MAINLY FOUND. THESE REGIONS WERE ESTABLISHED THROUGH THE PASSING OF ORGANIC ACTS IN 1989. AMONG THE GUIDING PRINCIPLES AND POLICIES OF THESE ACTS ARE THOSE THAT REFER TO THE "RIGHT OF INDIGENOUS CULTURAL COMMUNITIES TO THEIR ANCESTRAL LANDS, CUSTOMARY LAWS AND CULTURAL HERITAGE" IN THE CASE OF THE CORDILLERAS, AND THOSE THAT ENSURE "MUTUAL RESPECT FOR AND PROTECTION OF THE DISTINCT BELIEFS, CUSTOMS, AND TRADITIONS OF THE INHABITANTS (OF MUSLIM MINDANAO) IN THE SPIRIT OF UNITY IN DIVERSITY AND PEACEFUL CO-EXISTENCE."

THE PHILIPPINE CONSTITUTION ITSELF STATES AS A POLICY, (UNDER SECTION 22 OF ITS ARTICLE II) THE RECOGNITION AND PROMOTION OF "THE RIGHTS OF INDIGENOUS CULTURAL COMMUNITIES WITHIN THE FRAMEWORK OF NATIONAL UNITY AND DEVELOPMENT."

MADAME CHAIRPERSON,

PURSUANT TO THIS POLICY, THE GOVERNMENT PROVIDES LIVELIHOOD AND OTHER SOCIAL INFRASTRUCTURE PROJECTS, MEDICAL MISSIONS, DEVELOPMENT AND TRAINING PROGRAMS, AND EDUCATIONAL ASSISTANCE TO MEMBERS OF THESE COMMUNITIES. IT ALSO FACILITATED THE ORGANIZATION OF 396 TRIBAL COUNCILS AND COOPERATIVES NATIONWIDE.

MOREOVER, THE RECOGNITION OF THE CULTURAL INTEGRITY OF INDIGENOUS CULTURAL COMMUNITIES IS AN INTEGRAL PART OF THE

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PHILIPPINE COMPREHENSIVE PEACE PROCESS.

MADAME CHAIRPERSON,

AT THIS WORKING GROUP'S SESSION LAST YEAR, NON-GOVERNMENTAL ORGANIZATIONS (NGOs) EXPRESSED CONCERN ON THE EFFECTS OF GOVERNMENT DEVELOPMENT PROJECTS, IN PARTICULAR, MINING AND LOGGING OPERATIONS, ON THE ENVIRONMENT, IN REGIONS WHERE INDIGENOUS POPULATIONS ARE FOUND.

AT THE OUTSET, ALLOW US TO STATE THAT THE PHILIPPINE GOVERNMENT FULLY RECOGNIZES AND HAS INSTITUTIONALIZED THE IMPORTANCE OF PROMOTING INDIGENOUS PRACTICES FOR SUSTAINABLE DEVELOPMENT OF THE COUNTRY'S NATURAL RESOURCES. THE PHILIPPINES HAS ALSO ALWAYS BEEN IN THE FOREFRONT AMONG COUNTRIES WHICH STRONGLY SUPPORT INDIGENOUS RIGHTS AND THE RECOGNITION OF SUCH RIGHTS IN THE UNCED DECLARATION AND PLAN OF ACTION.

ON THE ISSUE OF MINING ACTIVITIES, MADAM CHAIRPERSON, NOTWITHSTANDING THE FACT THAT THE MINING INDUSTRY IS AN IMPORTANT DOLLAR EARNER FOR THE COUNTRY, MINING ACTIVITIES AND PROJECTS THAT WOULD AFFECT THE ENVIRONMENT ARE SUBJECTED TO STRINGENT REGULATIONS. FIRSTLY, AN ENVIRONMENTAL IMPACT STUDY FOR EACH PROJECT IS REQUIRED BY PHILIPPINE LAWS, AND EACH HAS TO PASS A VERY STRICT ENVIRONMENTAL IMPACT ASSESSMENT, WHEREIN THE PINPOINTED NEGATIVE CONSEQUENCES OF THE PROPOSED PROJECT HAVE TO BE PROPERLY ADDRESSED.

SECONDLY, PROOF MUST BE SUBMITTED OF THE PROJECT'S ACCEPTANCE BY THE COMMUNITIES DIRECTLY AFFECTED BY IT.

FINALLY, A CORRESPONDING CONTRIBUTION TO THE ENVIRONMENTAL GUARANTEE FUND IS REQUIRED TO ASSURE THE CONDUCT OF REHABILITATION PROGRAMS AFTER THE TERMINATION OF THE PROJECT. IF THE PROJECT IS FOUND TO HAVE COMPLIED WITH THESE THREE REQUIREMENTS, ONLY THEN IS AN ENVIRONMENTAL COMPLIANCE CERTIFICATE ISSUED. AFTER ITS ISSUANCE, THE GOVERNMENT'S TECHNICAL EXPERTS IN ITS FIELD OFFICES CONTINUOUSLY MONITOR THE PROJECT AS TO ITS COMPLIANCE WITH THE ABOVE-STATED REQUIREMENTS.

MADAME CHAIRPERSON,

THE GOVERNMENT HAS ALSO BEEN SENSITIVE TO THE CONCERNS OF THE LOCAL POPULATIONS IN LOGGING AREAS. LOGGING OPERATIONS HAVE BEEN BANNED, NOT ONLY IN THE MARAG VALLEY AS MENTIONED BY THE

NGOs, BUT ALSO IN ITS ENVIRONS. IN ITS STEAD, AN INTER-AGENCY TASK FORCE FOR THE REHABILITATION OF MARAG VALLEY HAS BEEN PUT UP TO WORK ON COMMUNITY-BASED SOCIO-ECONOMIC PROGRAMS TO ALLEVIATE THE PLIGHT OF THE AFFECTED COMMUNITIES.

AS WAS PREVIOUSLY STATED, THE TRADITIONAL CUSTOMS AND TRADITIONS OF THE INDIGENOUS PEOPLES IN MANAGING AND APPORTIONING LAND TO THEIR MEMBERS ARE RECOGNIZED, ENSHRINED AS THIS POLICY IS IN THE PHILIPPINE CONSTITUTION. THE GOVERNMENT'S POLICY IS CLEAR: WE SHALL PRESERVE AND MAINTAIN THE INTEGRITY OF ANCESTRAL DOMAINS AND ENSURE RECOGNITION OF THE CUSTOMS AND TRADITIONS OF THE INDIGENOUS COMMUNITIES.

IN AREAS WHERE ANCESTRAL LAND CLAIMS ARE MADE BY MIXED GROUPS, PRIORITY IS GIVEN TO INDIGENOUS GROUPS. NON-INDIGENOUS GROUPS HAVE THE OPTION OF CONFORMING WITH THE CONDITIONALITIES SET BY THE INDIGENOUS GROUPS IN ORDER TO BE ALLOWED TO STAY WITHIN THE COMMUNITY. OTHERWISE, THEY WOULD HAVE TO BE RELOCATED.

THE GOVERNMENT, AS A POLICY, IS OPEN TO CONTINUED DIALOGUE WITH INDIGENOUS COMMUNITIES FOR A MORE EFFECTIVE IMPLEMENTATION OF THE GOVERNMENT'S PROJECTS.

THANK YOU.