



Kalipunan ng mga Katutubong Mamamayan ng Pilipinas (KAMP)
National Alliance of Indigenous Peoples' Organizations in the Philippines
Room 304 NCCP Building, 879 EDSA, West Triangle, Quezon City
www.katutubongmamamayan.org | 412-5340

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**Kalipunan ng Katutubong Mamamayan ng Pilipinas (KAMP) Statement
National Alliance of Indigenous Peoples in the Philippines**

Delivered by:
Argee Pya Malayao
National Coordinator, KAMP

Agenda Item 7: United Nations Declaration on the Rights of Indigenous Peoples

This statement, in behalf of our more than 600 networks and grassroots organization in the Philippines, would like to contribute more to the practices in our country, taking off from paragraphs number 92, 147 and 150 of the Summary Report of EMRIP based on the questionnaire on the UNDRIP implementation .

In the Philippines, the National Commission on Indigenous Peoples or NCIP continues to be a major concern in relation to the genuine recognition and respect of our inherent rights as indigenous peoples as enshrined in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP).

The NCIP is mandated by law, through the Indigenous Peoples Rights Act or IPRA, to promote and protect the rights and well-being of the indigenous peoples in the country. However, for 17 years since its enactment, the NCIP has not truly upheld indigenous peoples' rights. Instead, it served as a tool for perpetrating development aggression and massive natural resource extraction, systematic land grabbing, human rights violations, and violations to our right to self-determination, self-determined sustainable development, and collective rights to our land and resources.

The lone participation of indigenous peoples in extractive activities affecting us has been defined in the Free, Prior and Informed Consent (FPIC) provision of the IPRA. The NCIP has been instrumental in the entry of destructive projects in indigenous territories by facilitating the FPIC of indigenous peoples in favor of the corporations. These FPIC are usually acquired through manipulation, deceit, and coercion and with disregard to indigenous communities' customary systems and practices in decision-making. To date, there are a total of 251 approved large-scale mining projects covering 532,530 hectares of indigenous lands, most of which have anomalous FPIC. This is on top of ongoing operations and newly approved energy projects that destroy what is left of our natural resources and environment on which we depend on for survival. The NCIP generally supports these economic and development programs which are in conflict with the needs and capacity of the indigenous communities, and where the collective rights of the indigenous peoples have always been undermined for what they say is national development and the common good.

The NCIP, despite the existence of its Office of Empowerment and Human Rights, remains silent on the militarization of indigenous communities; and the unabated extrajudicial killings, enforced disappearances, harassment, forced evacuation, filling of trumped-up charges and other human rights abuses committed against indigenous peoples. As of April 2014, forty-four indigenous peoples have already been killed under the present administration since July 2010 and its Oplan Bayanihan Counter Insurgency Program and pretenses of peace and development. Many indigenous peoples who are asserting their rights to FPIC, self-determination, ancestral land and resources, and for human rights are politically vilified, are facing threats to their lives, and have mostly been the victims of human rights violations.

During a dialogue of our leaders with the NCIP in April 2012 to present our issues in the communities, as we were welcomed by its National Commissioner by the questioning us "Where is your land title?" We have heard this demeaning question for decades from land grabbers, big corporations and now from the mandated office to "protect and promote the interest and well-being of indigenous peoples."

In conclusion, the NCIP has for a long time failed to protect indigenous peoples' rights and well-being and instead worsens the violations of indigenous peoples' rights and human rights. It is for this reason that our organizations are now calling for the dismantling of the NCIP.

We forward these concerns to the EMRIP and its studies.

We would also like reiterate the following recommendations which we have in the past forwarded to various UN bodies including the UNPFII, CERD, UPR and Special Rapporteurs on Indigenous Peoples:

1. Recognize indigenous peoples' right to our ancestral lands and domains.
2. Ensure independence of the FPIC process through non-intervention by the NCIP, the company and military. Ensure that all necessary information for proper decision-making is provided to the community. Avoid using funds and projects to influence the FPIC process. Give primacy to the indigenous community's decision making systems, customary laws and recognized tribal councils over the NCIP-facilitated FPIC process.
3. We urge the Philippine government to repeal the Philippine Mining Act of 1995, revoke Executive Order 79 and support the passage of an alternative mining law in Congress that will uphold the rights of indigenous peoples and re-orient the mining industry to pursue a strategic and systematic national industry
4. To revoke Oplan Bayanihan, stop militarization of indigenous communities and human rights violations including extrajudicial killings, enforced disappearances and harassment of indigenous peoples, leaders, human rights defenders and their advocates. Immediately bring the perpetrators of human rights violations to justice, ensure indemnification for the victims and end the culture of impunity.