

15 April 2005

Her Excellency Gloria Macapagal-Arroyo
President, Republic of the Philippines

Honorable Ruben Lingating
Chairperson
National Commission on Indigenous Peoples

Dear Madame President:

We, the undersigned, are representatives of indigenous peoples groups, people's organizations, and non-government organizations from Luzon to Mindanao.

We have recently taken part in a National Workshop on Free Prior and Informed Consent (FPIC) sponsored by Tebtebba Foundation – Indigenous Peoples' International Centre for Policy Research and Education. This was held at the Sta. Catalina Spirituality Center in Baguio City, from 13-15 April 2005.

We are alarmed by the pattern of violations of the rights of indigenous peoples especially in relation to the conduct of the Free and Prior Informed Consent process under the Indigenous Peoples Rights Act. We are enclosing a document which contains a comprehensive set of recommendations on Free and Prior Informed Consent which emerged from the consultation. This document will be the basis for our future consultations with the NCIP on the New FPIC Guidelines.

We are aware that there is an existing process of revision of the regulations of the National Commission on Indigenous Peoples relating to Free and Prior Informed Consent. Given the widespread impact of this regulation on all indigenous peoples' groups around the country, we exhort that extensive consultations be conducted across the country on this matter and that more time be invested to ensure that indigenous peoples' groups be allowed to provide their input and comments be integrated in the regulation.

We invoke the right of the indigenous peoples to self-governance under Section 16 of Republic Act 8371 or the Indigenous Peoples Rights Act which provides that "indigenous peoples shall have the right to participate fully, if they so choose, at all levels of decision-making in matters which affect their rights, lives, and destinies..."

We also call on all relevant agencies of your administration to take immediate action on the violations of the rights of the Subanon in relation to the operation of

the Toronto Ventures Incorporated in Canatuan, Siocon, Zamboanga del Norte. In particular, the government should take immediate steps on the displacement of the Subanon in the area.

We demand the immediate cancellation of the FPIC given to the Coral Bay Nickel Corporation, permitting limestone quarrying and the operation of a Hydrometallurgical Processing Plant (HPP) in the ancestral lands of the Pala'wan indigenous communities of Bataraza, Palawan. These communities have been submitting petitions to the relevant agencies raising their opposition to the mining and the Hydrometallurgical Processing Plant that will destroy their ancestral lands.

These violations of indigenous peoples rights only show the blatant disregard of mining companies of the rights of indigenous peoples communities. These examples show the bankruptcy of the concept of responsible mining that the government is currently promoting.

The Philippine Government has obligations under our domestic law and under international human rights instruments to respect the rights of indigenous peoples. We expect the immediate action on the above critical concerns. Thank you.

In behalf of the signatories,

Victoria Tauli-Corpuz
Executive Director
Tebtebba Foundation

Cc: Honorable Rene Villa
Secretary of the Department of Land Reform
National Anti-Poverty Commission

Signed on 15 April 2005 by Representatives from the Following Indigenous Peoples' (IPOs) and Non-Government Organizations (NGOs):

1. **Tebtebba Foundation** (Indigenous Peoples' International Centre for Policy Research and Education) – IPO, Baguio City and the UK (United Kingdom), 1 Roman Ayson Road, 2600 Baguio City, Tel. +74 4447703, Tel/Fax. +74 4439459, Email: tebtebba@tebtebba.org
2. **Agtulawon Mintapod Higaonon Cumadon (AGMIHICU)** – IPO, Malaybalay City
3. **Apu Manglang Glupa Pusaka (AMGP)** – IPO, Barangay Tabayo, Siocon, Zamboanga del Norte
4. **Bangonen Undangan-Undanganen et Palaw'an (BUP)** – IPO, Iwahig, Bataraza, Palawan
5. **Benguet Golden Hills Exploration Small Scale Miners Association, Inc. (BGESSMAI)** – Camp 6, Kennon Road, Tuba, Benguet
6. **BPPI** – Bangsa Palawan Phils., Inc. (IPO, Municipality of Rizal & Bataraza);
7. **Cordillera Peoples' Alliance (CPA)** – IPO, Regional office in Baguio City; Baguio City Office; Offices in Bontoc, Mt. Province; Tabuk, Kalinga; Bangued, Abra;
8. **Environmental Legal Assistance Center (ELAC- Palawan)** – NGO, Puerto Princesa City, Palawan;
9. **Legal Rights and Natural Resources Center – Kasama sa Kalikasan (LRC-KsK)** – NGO, National Office in Quezon City, Luzon Office in QC, offices in Cagayan de Oro City and Davao City;
10. **Mangyan Mission, Inc.** – NGO, Mindoro;
11. **Mt. Palaopao United Manobo Tribal Council (MPUMATRIC)** – IPO, Manolo Fortich, Bukidnon
12. **Nasayaka'n Tariguna'y Bukidnon du't Kalindaan (NATABUK) Fed, Inc.** – IPO, Kibawe, Bukidnon
13. **Pwersa ng Samahang Katutubo ng Sumbiling (PUSAKA)** – IPO, Sumbiling Bataraza, Palawan
14. **Samahan ng Nagkakaisang Mangyan Alangan (SANAMA, Inc.)** – IPO, Naujan, Oriental Mindoro
15. **Southern Bukidnon Tribal Council of Elders (KKINAMATTA)** – IPO, Maramag, Bukidnon
16. **Subanon Federation of Tribal Council** – IPO, Brgy. Tabayo, Siocon, Zamboanga Del Norte
17. **Timpuyog Ti Mannalon Iti Kalinga (TMK)** – Farmers' Organization, Tabuk, Kalinga
18. **United Guilayon Peace and Development Organization (UGPDO)** – IPO, Magnao, Tabuk, Kalinga