

DECLARATION OF THE NATIONAL CONFERENCE ON THE EFFECTIVE IMPLEMENTATION OF THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

*University Hotel, UP Diliman Campus, Quezon City
7-10 August 2008*

We, 140 participants representing indigenous peoples communities, organizations and networks, NGOs, government agencies, UN bodies, agencies and programmes in the Philippines, gathered to celebrate the International Day of the World's Indigenous Peoples, August 9. We also celebrate the adoption of the UN Declaration on the Rights of Indigenous Peoples by 144 member-states of the UN General Assembly in 13 September 2007. This is a historic milestone for our struggles to get our rights respected and protected. In this conference we discussed ways for us to effectively implement the UNDRIP.

We reiterated that the UNDRIP “constitutes the minimum standards for the survival, dignity and well-being of indigenous peoples of the world” (Article 43). This does not establish new rights but interprets international human rights law as it applies to us, indigenous peoples, in the context of the historic injustices and marginalization we faced since colonization up to the present.

The sharing of the various programs, projects and activities undertaken by the participants increased our knowledge about what is happening at the local and national levels and the challenges they faced. These compel us to build the synergies and convergences for greater impacts. We discussed some of our serious concerns which are deterring and can further constrain the implementation of the Declaration. Some of these are the following:

- The Peace Agreement and the Memorandum of Agreement on Ancestral Domain which is to be signed in the near future between the Government of the Republic of the Philippines and the Moro Islamic Liberation Front (MILF). Lumads have not been included nor made aware of the contents of this Agreement and thus are very worried on the implications of this for them.
- The aggressive expansion of biofuel plantations (jatropha, sugar cane, corn, etc), hybrid and GMO crops which is contributing to the food crisis and which leads to the violation of our rights to our lands, territories and

resources.

- Climate change, and some solutions to this such as biofuel production, large-scale hydroelectric dams, etc., which are causing adverse impacts for us.
- Entry of foreign and local mining companies into our territories and the manipulative and devious ways used to obtain our free, prior and informed consent.
- The lack of resources (technical and financial) for the implementation of our self-determined development including the implementation of ancestral domain sustainable development plans and programmes.
- The continuing militarization of our communities leading to gross violations of our civil and political rights.

We discussed and agreed upon a Philippine Action Plan for the Implementation of the UN Declaration on the Rights of Indigenous Peoples which we will attach with this statement. We will disseminate widely amongst the participants and other indigenous organizations and communities and forward to all government agencies, UN agencies, programs and funds and other multilateral organizations, such as the European Commission and the Asian Development Bank, among others.

We consider the following as urgent actions which should be implemented as soon as possible:

- The need to convene a Mindanao-wide consultation organized and led by indigenous peoples which will look into the burning issues related to the imminent adoption of the GRP-MILF Peace Agreement and come up with recommendations which will be forwarded to the GRP and the MILF and other stakeholders.
- The need to review and undertake corrective actions on Certificates of Precondition on FPIC which were already released but are under question by the communities concerned and the need to review the NCIP Administrative Order No. 1, Series of 2006 on the FPIC Guidelines; and the need to establish an independent monitoring and redress mechanism to address complaints on FPIC.
- The need to systematize monitoring and documentation of violations of human rights of indigenous peoples.
- The need to undertake independent assessment of IPRA and make recommendations on how to ensure its more effective implementation and how it should adhere to the standards set by the UN Declaration on the

Rights of Indigenous Peoples.

- The need to include variables of ethnicity in the 2010 Census and for the National Statistics Office to promote data disaggregation on the state of indigenous peoples.
- The need for the government to immediately ratify ILO Convention 169.

We forward the following positions on the following critical issues:

1. GRP-MILF Peace Agreement and the proposed MOA on Ancestral Domain – We support the position of the Lumad peoples that their peace pact agreements with the Bangsamoro be respected and recognized by the parties and that the ancestral domains of the Lumads be excluded from the proposed Bangsamoro Juridical Entity (BJE).
2. We strongly oppose the expansion of biofuel plantations into indigenous peoples territories and the conversion of their traditional crops into biofuel crops and other commercial hybrid and GMO crops without their free, prior and informed consent.
3. We call for a moratorium of mining operations in indigenous peoples' communities whose free, prior and informed consent has been obtained under fraudulent circumstances.
4. We call for a continuing investigation of political killings and human rights violations against indigenous peoples and the provision of redress for their families and victims of these violations; and a stop to the militarization of our communities.

We announce the establishment of the Philippine Network for the Effective Implementation of the UNDRIP (otherwise known as the Philippine UNDRIP Network) which is composed of representatives of indigenous peoples' organizations and networks, NGOs supporting indigenous peoples, government agencies, UN agencies, programs and funds based in the Philippines, and other multilateral bodies such as the European Commission. The objective of this network is to ensure that the UNDRIP is effectively implemented and to enhance convergence and synergy-building amongst the members.

We affix our signatures to this Declaration and the Action Plan of the Philippine UNDRIP Network and we commit to implement this programme in the best way we can.