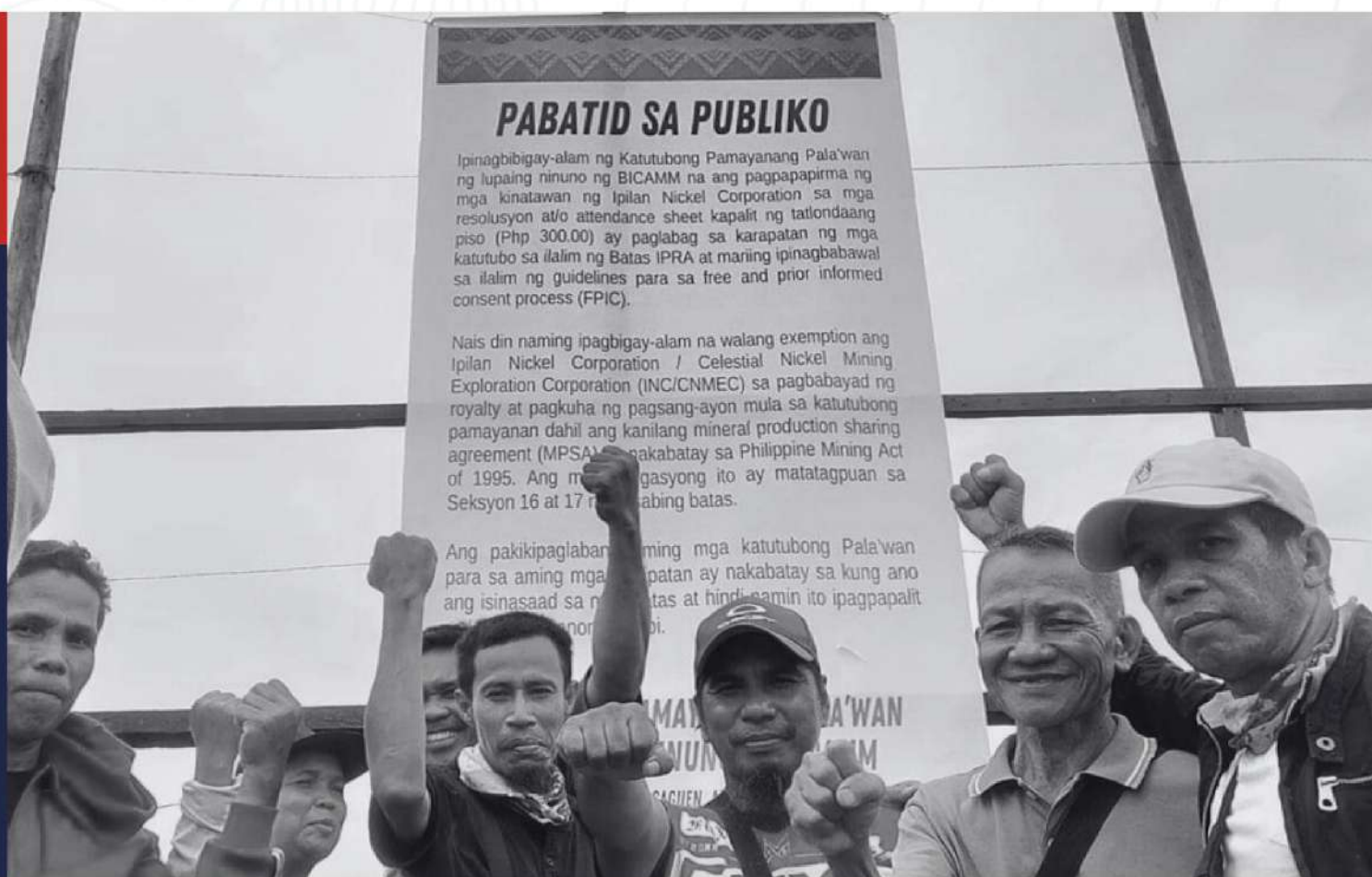


# ***INDIGENOUS PEOPLES OF THE PHILIPPINES:***

Country Report 2023



**INDIGENOUS PEOPLES RIGHTS AND ADVOCACY CENTER**



# INDIGENOUS PEOPLES RIGHTS AND ADVOCACY CENTER



## INSTITUTIONAL PROFILE



The Indigenous Peoples Rights and Advocacy Center, Inc. (IPRA Center), is an Indigenous Peoples' organization and a research, education, policy advocacy and resource center established to advocate for the rights and interest of indigenous communities.

IPRA Center envisions for indigenous communities with self-sustaining development directions guided by self-determined governance that is conscious of history, heritage, culture, customs, and traditions, while still being cognizant to the changing milieu of modernity.

Cover photo: Pala'wan IPs posing with their posted public notice on the non-exemption of Ipilan Nickel Corporation to the FPIC process.



# 2023: A YEAR OF IP STRUGGLE

The Philippines is a nation pulsating with cultural diversity. The country boasts a rich tapestry woven with the unique traditions, languages, and heritage of its Indigenous Peoples (IPs). Comprising over 110 distinct cultural communities, our groups are scattered across the archipelago, each bearing a resilient spirit that has withstood the test of time. From the lofty peaks of the Cordilleras to the lush landscapes of Mindanao, the IPs contribute to the vibrant mosaic of the Philippine identity. However, this diversity also brings forth a complex tapestry of challenges, with many indigenous communities grappling with issues of marginalization, land dispossession, and human rights violations.

Understanding the human rights condition of IPs requires an understanding of the historical injustice that we strive to correct. As we shed light on the human rights condition of the IPs in the Philippines, it is imperative to delve into the historical struggles that have shaped our existence and the current challenges they face. By understanding our intricate history and persistent resilience, we can better comprehend the urgency of addressing the pressing issues that confront these communities.

The entry of colonizers birthed seeds of dispossession, imposing foreign concepts of land ownership that contradicted the communal land practices integral to many indigenous cultures. The colonial era marked a tumultuous period for the Indigenous Peoples of the Philippines, as foreign powers sought to assert dominance and exploit the rich natural resources of the archipelago. The repercussions of

these colonial impositions lingered for centuries, leaving a legacy of land dispossession, discrimination, and cultural erosion.

In the early 20th century, the indigenous struggle found a glimmer of hope in the landmark *Carino v. Insular Government* ruling by the United States Supreme Court. In 1909, the case involved the dispossession of the Cordilleran's ancestral lands, challenging the legality of such actions. The court's decision, acknowledging indigenous land rights by virtue of the native title doctrine, set a precedent for recognizing the importance of ancestral domains and paved the way for future legal battles in defense of indigenous rights.

The post-Martial Law era in the Philippines brought about a renewed commitment to democracy and human rights. The 1987 Constitution, a product of this commitment, explicitly recognized and protected the rights of Indigenous Peoples. Article II, Section 22, and Article XIII, Section 6, emphasized the state's obligation to protect the cultural integrity of indigenous communities and recognize our ancestral domains and lands.

The culmination of these historical struggles materialized in 1997 with the enactment of the Indigenous Peoples Rights Act (IPRA). This landmark legislation aimed to address the historical injustices faced by IPs, recognizing our rights to ancestral domains, self-governance, social justice, and cultural integrity. IPRA represented a significant step towards ensuring the protection of indigenous rights within the legal framework of the Philippines.





IPRA Center Chairperson Marlon Bosantog consulting with the Pala'wan IPs of Brooke's Point, Palawan

However, the present landscape reveals persistent challenges. Landlessness and poverty persist, fueled by encroachment on ancestral domains, unsustainable resource extraction, and development projects that often disregard the rights and welfare of indigenous communities. The struggle for land rights is not merely economic but a battle for the preservation of our cultural heritage tied to ancestral lands.

Regrettably, constitutional and legislative safeguards have not shielded us from blatant human rights violations. The militarization of our lands, justified under the pretext of counterinsurgency efforts, has led to widespread displacement, harassment, and extrajudicial killings. Activists and community leaders advocating for indigenous rights face intimidation, arrest, and, tragically, assassination.

The symbiotic relationship between the state and big businesses exacerbates our plight. Corporate interests clash with our rights, leading to forced evictions, environmental degradation,

and a disregard for the delicate balance between economic development and cultural preservation. Mega-infrastructure projects, like dams and mining operations, often proceed without our free, prior, and informed consent, perpetuating a cycle of injustice.

As we embark on this annual report, we recognize the resilience, wisdom, and cultural richness of our indigenous leaders, elders, as well as the spirits of our ancestors. Our struggles, from the colonial era to the present day, form the backdrop against which we assess our current human rights condition. This report aims not only to unveil the challenges faced by our communities but also to amplify our voices and advocate for systemic changes that prioritize justice, equality, and the preservation of our cultural heritage.

In the face of adversity, we stand undeterred, a testament to the enduring spirit propelling our fight for human rights and justice.



# LANDLESSNESS AND POVERTY

The interconnectedness between landlessness, poverty, and the lack of direct state intervention forms a complex web that ensnares Indigenous Peoples in the Philippines, perpetuating a cycle of economic hardship and marginalization. While there is still no concrete data available from government sources outlining the poverty situation of the indigenous Filipino, the poverty trap present in geographically isolated and disadvantaged areas paint an approximation of the IPs economic situation. Understanding this intricate relationship is pivotal for devising comprehensive solutions that address the root causes of these issues.

Land is the lifeblood of many indigenous communities, serving not only as a source of sustenance but as the very foundation of our cultural identity. Landlessness, often a consequence of historical injustices and contemporary encroachments, has a profound impact on the economic condition of Indigenous Peoples. Without secure access to ancestral domains, communities are deprived of our traditional means of livelihood, such as agriculture, fishing, and hunting. This loss disrupts the delicate balance that once sustained these communities, pushing them into a precarious position where poverty becomes an unavoidable reality.

Landlessness begets poverty, creating a harsh reality where Indigenous Peoples find themselves economically disenfranchised. After centuries of being pushed to the mountains, the lack of access to fertile land for agriculture or natural resources for

sustainable livelihoods contributes to a cycle of poverty that is challenging to break. Most indigenous communities are relegated to kaingin farming and the harvesting of non-timber forest products as our primary source of income. As economic opportunities dwindle, education becomes a luxury, and basic necessities become elusive. Poverty, in turn, amplifies vulnerability, leaving indigenous communities exposed to exploitation and further marginalization.

The state, as a crucial actor, plays a pivotal role in either perpetuating or alleviating the economic challenges faced by Indigenous Peoples. Unfortunately, the lack of direct state intervention often exacerbates the existing issues. Policies and programs designed to protect indigenous land rights are inconsistently enforced, leaving communities vulnerable to land grabs by powerful interests, including large corporations seeking to exploit natural resources. The absence of robust social and economic policies tailored to the unique needs of indigenous communities further widens the economic gap.



Warning against illegal land-selling in the Tagbanua AD





The lack of direct state intervention reinforces the marginalization of Indigenous Peoples in broader economic systems. These communities often find themselves on the periphery of development initiatives, with little access to basic social services. This exclusion perpetuates a cycle of poverty, limiting opportunities for economic advancement and trapping Indigenous Peoples in a state of perpetual disadvantage.

Addressing the interconnected challenges of landlessness and poverty among Indigenous Peoples requires a multifaceted approach. State intervention should extend beyond token gestures and rhetoric, encompassing robust policies that secure and protect indigenous land rights. This includes stringent enforcement of existing laws, as well as the development of new legislation that aligns with the principles of free, prior, and informed consent.

Direct state intervention should not be solely regulatory; it must also focus on empowering indigenous communities economically. This involves providing access to education, healthcare, and economic opportunities that respect and integrate traditional practices.

Recognizing the intrinsic connection between landlessness, poverty, and the lack of direct state intervention is crucial for designing policies and programs that uplift indigenous communities, restore our economic agency, and foster a more equitable society where the richness of cultural diversity is genuinely embraced. The state, as a steward of justice and human rights, must act decisively to break the chains of economic disparity that persistently bind Indigenous Peoples in the Philippines.



# ADDRESSING THE PEACE PROBLEM

The presence of armed groups, including the NPA, has long been a significant challenge for indigenous communities. These groups often establish themselves within ancestral domains, leading to a complex dynamic where the safety and well-being of Indigenous Peoples are compromised. The NPA, although experiencing a decline in recent years, continues to pose a threat to the peace and security of these territories.

The proposed resumption of peace talks under the Marcos administration introduces a potential risk to ancestral domains. While peace talks aim to resolve conflicts, the manner in which negotiations unfold can impact the rights and autonomy of Indigenous Peoples. Past experiences indicate that the outcomes of peace talks may not always prioritize the protection of ancestral domains, leaving them vulnerable to exploitation or development projects that may not align with the best interests of the indigenous communities.

It is worthy of note that the Office of the Presidential Adviser for the Peace Reconciliation and Unity (OPAPRU) has put forth plans to convert areas once controlled by armed groups, including those within ancestral domains, into economic zones under its Public and Private Partnership for Peace Program (4Ps for Peace). While the intention may be framed as a means to stimulate national development, the implementation of such plans raises concerns about the potential negative impact on indigenous communities. Economic zones often attract large businesses, leading to land use changes, resource exploitation, and potential displacement of indigenous populations.

As history has already shown us, these proposed ecozones shall prioritize the interests of big businesses over the rights of the IPs. The potential conse-

quences include environmental degradation, loss of cultural heritage, and further marginalization of these communities. The economic development envisioned by the government might not necessarily translate into equitable benefits for the indigenous populations residing in these areas.

Addressing the peace and order situation in ancestral domains requires a balanced and inclusive approach. Meaningful dialogue with indigenous communities, recognizing our rights to self-determination, and incorporating safeguards to protect ancestral lands during economic development initiatives are essential. Any peace talks or economic development plans must prioritize the well-being, autonomy, and cultural integrity of Indigenous Peoples, ensuring that they are active participants in shaping our own destinies.

The intertwined issues of armed group presence, peace talks, and economic development plans within ancestral domains underscore the need for a nuanced and rights-based approach. Balancing the imperatives of peace and national development with the protection of indigenous rights is crucial to fostering a sustainable and just future for these communities.





# FPIC: CONSENT OR EXTORTION?



Protests of Pala'wan Indigenous Peoples against mining operations in Brooke's Point  
Photo from Rappler

The continuous disregard of IP rights by big businesses poses a profound and persistent challenge, with significant consequences for the well-being and autonomy of indigenous communities in the Philippines. This issue is multifaceted, involving the neglect of the Free and Prior Informed Consent (FPIC) process and the apparent powerlessness of the National Commission on Indigenous Peoples (NCIP) in the face of influential businesses backed by politicians.

The FPIC process, designed to ensure the protection of IPs' rights and our active involvement in decisions affecting our ancestral domains, is frequently undermined. Big businesses often exploit loopholes, manipulate the process, or outright disregard the necessity of obtaining free and informed consent from indigenous communities. This bastardization of the FPIC process not only violates the legal rights of IPs but also jeopardizes the delicate balance between development and cultural preservation.

The power dynamic between big businesses and IPs is exacerbated by the political backing these corporations often enjoy. The influence of politicians can tip the scales in favor of business interests, leaving the NCIP, the government agency mandated to safeguard indigenous rights, seemingly powerless. Politically connected businesses can exploit our relationships to sidestep regulations, allowing them to proceed with projects without genuine adherence to the FPIC process. At worse, there are even some politicians that treat the FPIC process and the benefits accorded to the IPs as landowners as a form extortion.

While the NCIP is entrusted with the responsibility of protecting ancestral domains and ensuring the welfare of indigenous communities, it is hampered by several factors. Insufficient resources, bureaucratic inefficiencies, and, at times, political interference undermine the agency's ability to effectively champion the cause of IPs. The result is a situation



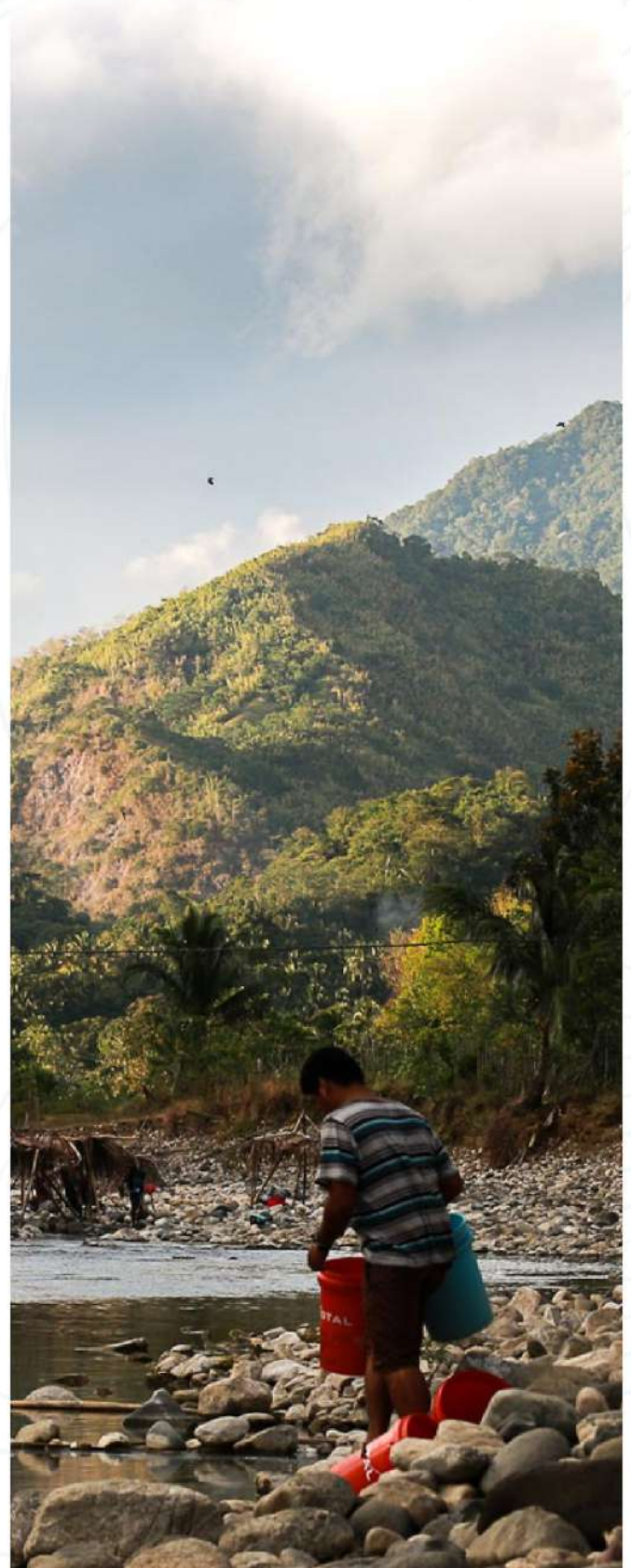
where the very institution mandated to protect indigenous rights is rendered ineffective in the face of powerful business interests.

The consequences of disregarding the FPIC process and the perceived powerlessness of the NCIP are dire for IP communities. Forced evictions, environmental degradation, loss of livelihoods, and erosion of cultural heritage become rampant. The well-being and socio-economic stability of indigenous communities are jeopardized, and the promises of inclusive development and protection of our rights remain elusive.

The lack of accountability for businesses that neglect the FPIC process perpetuates a culture of impunity. Without consequences for violating indigenous rights, big businesses may continue to prioritize profits over ethical and legal considerations. The absence of robust enforcement mechanisms allows this cycle to persist, further marginalizing indigenous communities.

Addressing this issue requires a systemic overhaul. Strengthening the NCIP, ensuring its independence, and providing it with the necessary resources are crucial steps. Additionally, creating an environment that holds businesses accountable for their actions, reinforcing the legal framework protecting IPs, and fostering transparent and inclusive dialogue are imperative to rectifying the power imbalance and safeguarding the rights of indigenous communities.

The continuous disregard of IPs' rights by big businesses reflects a systemic failure that requires urgent attention. Empowering the NCIP, holding businesses accountable, and fostering genuine respect for the FPIC process are vital steps towards fostering a more just and equitable relationship between business interests and the rights of Indigenous Peoples in the Philippines.



Kaliwa Dam  
Photo from The Guidon



# HB 9608: THE LEGISLATIVE DEATH OF IPRA

House Bill 9608 represents a critical and alarming challenge to the rights of IPs in the Philippines, posing a significant threat to the legal safeguards established by IPRA. The implications of this bill extend far beyond mere governmental reorganization, as it seeks to dilute the mandate of the NCIP and potentially strip indigenous communities of their power over ancestral domains.

At the heart of the issue lies the attempt to dilute the NCIP's mandate, particularly concerning the delineation of ancestral domains and return these powers to the Department of Environment and Natural Resources. The proposed changes suggest a reduction in the authority of the NCIP, compromising its ability to effectively safeguard the rights of IPs in determining the boundaries of their ancestral lands. This dilution raises concerns about the diminished role of the NCIP in ensuring fair and just delineation processes.

Perhaps more troubling is the provision within House Bill 9608 that grants the power to cancel ancestral domains previously recognized by the NCIP. This introduces an unsettling level of uncertainty for indigenous communities that have long relied on these legal titles to secure their ancestral lands. The cancellation of recognized ancestral domains could lead to displacement, loss of livelihoods, and a severe erosion of the cultural heritage deeply tied to these territories.

The most striking aspect of House Bill 9608 is its potential to undermine the power of indigenous communities over their ancestral domains. By diluting the role of the NCIP and allowing for the cancellation of recognized titles, the bill

essentially weakens the legal foundation that empowers IPs to assert control over their ancestral lands. This undermines the very essence of the IPRA, which was designed to protect and uphold the rights of indigenous communities.

The repercussions of House Bill 9608 extend beyond the dilution of IP rights; they also pave the way for big business interests to exploit natural resources within ancestral domains. With weakened oversight from the NCIP and the potential cancellation of recognized ancestral domains, businesses may find a free pass to exploit these lands without genuine adherence to the principles of free, prior, and informed consent. This poses a severe threat to the environmental sustainability and cultural integrity of indigenous territories.



HB 9608 sponsor Rep. Romualdo  
Photo from HOR



House Bill 9608, if enacted, has the potential to render the Indigenous Peoples Rights Act a dead letter law. By dismantling the very mechanisms designed to protect the rights of IPs, the bill not only weakens the legal framework but also sends a message that the rights and autonomy of indigenous communities can be sacrificed in favor of political horse trading and business interests. This undermines the spirit of the IPRA and the broader commitment to promote, protect, recognize, and respect the rights of IPs.

IP Communities and the civil society movement now face a critical juncture in opposing House Bill 9608. Advocacy efforts are essential to expose the consequences of this proposal and to emphasize the importance of upholding the rights and dignity of

indigenous communities. The bill, if enacted, could set a dangerous precedent that weakens legal protections for IPs not only in the Philippines but also globally.

House Bill 9608 poses a severe and imminent threat to the rights of Indigenous Peoples in the Philippines. The potential dilution of the NCIP's mandate, the cancellation of recognized ancestral domains, the bastardization of the FPIC process, and the undermining of IP power over these lands jeopardize not only the legal framework established by the IPRA but also the fundamental rights and cultural heritage of indigenous communities. Urgent and collective action is required to oppose this bill and safeguard the principles of justice, equity, and respect for Indigenous Peoples' rights.



President Marcos with Senate President Zubiri and House Speaker Romualdez  
Photo from ABS-CBN



# THE STRUGGLE AHEAD

In the face of the complex challenges detailed in this annual report, a rallying cry emerges for the indigenous communities of the Philippines—a call to band together, unite in solidarity, and collectively organize against those attacking IPRA and those perpetrating discrimination against the very essence of our indigeneity.

The threats encapsulated in legislative proposals like House Bill 9608 demand a resolute response from indigenous communities. The proposed dilution of the NCIP's mandate and the potential cancellation of recognized ancestral domains underscore the urgency for a united front. It is a moment that requires collective action, a shared commitment to defending the hard-fought rights enshrined in the IPRA, and a steadfast dedication to preserving cultural heritage.

The indigenous communities, with our rich tapestry of traditions, languages, and resilience, possess a strength derived from generations of navigating adversities. Now, more than ever, it is crucial for these communities to harness this strength and channel it into a collective force for change. The challenges are formidable, ranging from land dispossession and poverty to the neglect of the Free and Prior Informed Consent (FPIC) process. Yet, the call to action is an opportunity to transform adversity into a catalyst for empowerment.

Organizing at the grassroots level becomes a linchpin for safeguarding the rights and dignity of Indigenous Peoples. By fostering strong community networks and alliances, indigenous communities can amplify their voices,

articulate their concerns, and resist the encroachments on their ancestral lands. Through collective organization, these communities can become architects of our destiny, active participants in shaping policies that directly impact our lives.

The attacks on IPRA and our indigeneity demand not only resilience but also strategic collaboration. Solidarity across indigenous groups can create a formidable front that transcends regional and cultural boundaries. In the spirit of unity, indigenous communities can share experiences, exchange knowledge, and build a collective narrative that resonates with policymakers and the broader public.

Engaging in dialogues with government agencies, civil society, and international organizations becomes imperative. These engagements can be platforms for articulating the unique challenges faced by indigenous communities, fostering understanding, and demanding accountability. As the indigenous communities organize, we become architects of our own advocacy, driving the narrative that defines the narrative surrounding our rights and aspirations.

Education becomes a potent tool for empowerment. By fostering awareness within our communities and beyond, Indigenous Peoples can dispel stereotypes, challenge misconceptions, and create allies in our struggle. Education empowers individuals to assert their rights, contributes to a collective identity, and strengthens the foundation upon which the defense of our indigeneity rests.



In the spirit of collective organization, indigenous communities can leverage technology and social media to amplify our voices. The digital realm offers a global stage for advocacy, enabling communities to connect with like-minded organizations, garner international support, and shed light on our struggles. The power of storytelling, conveyed through various mediums, becomes a tool for raising awareness and inspiring collective action.

As this report concludes, the challenge is clear: the indigenous communities of the Philippines must band together, organize themselves, and stand

resilient against the that seek to erode our rights. In unity lies strength, and in collective organization, the path to justice, equity, and the preservation of cultural heritage becomes clearer.

The journey ahead is arduous, but the indomitable spirit of resistance that lies within every indigenous community has withstood the test of time. In organizing, in unity, and in the unwavering commitment to defending IPRA, the indigenous communities find not only a shield against adversity but a beacon guiding them towards a future where our rights, heritage, and indigeneity flourish against all odds.



IPRAC Chairperson in consultation with IP Leaders of Buguias, Benguet





The **IPRA Center** provides technical, legal, and political platforms for the Filipino Indigenous Peoples and indigenous cultural communities from the highlands of Luzon to the forestlands of Mindanao, in pursuit of operationalizing and expanding their fundamental rights to ancestral domains and territories, social justice and political empowerment, cultural preservation and documentation, and self-determined governance and administration.

We seek for partners in providing services to indigenous communities in the Philippines. For more information on our community engagements, send us an email at [IPRAC.PHILS@GMAIL.COM](mailto:IPRAC.PHILS@GMAIL.COM)

