

Joint Submission by Indigenous Peoples Organizations for the Consideration of the Government of the Republic of the Philippines

Submitting organizations: The Panaghiusa Philippine Network to Uphold Indigenous Peoples Rights (Panaghiusa Philippine Network) comprising 25 organizations, and Indigenous Peoples Rights International (IPRI)

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The Panaghiusa Philippine Network to Uphold Indigenous Peoples Rights (Panaghiusa Philippine Network) is a broad national network of Indigenous Peoples' (IPs) organizations and support groups established in January 2021. The network works to defend IPs' rights, strengthen the campaign for justice to victims of criminalization and other human rights violations (HRVs), and call to end the culture of impunity that persists in the Philippines.

Panaghiusa is led by a National Coordinating Committee, composed of ten (10) national, regional, or local Indigenous Peoples organizations and IP rights advocacy organizations that leads the broad network¹:

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Indigenous Peoples Rights International (IPRI) is a global indigenous non-for-profit organization established in 2019 and legally registered in the Philippines. IPRI works in the protection of Indigenous Peoples rights coordinating and implementing the Global Initiative to Address and Prevent Criminalization, Violence, and Impunity Against Indigenous Peoples and the Legal and Sanctuary Fund among other activities.

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A. Introduction

1. Indigenous Peoples in the Philippines number between 15 and 17 million people and occupy more than 5 million hectares of ancestral domains across 30 million hectares of the country. Although these resource-rich ancestral territoriesⁱⁱⁱ should meet the needs of Indigenous communities, majority of indigenous peoples remain impoverished and marginalized.

2. Indigenous Peoples' practices and commitment to protecting their customary lands and resources have made them a target of persecution as a result of their opposition to development projects pursued without their Free, Prior and Informed Consent (FPIC). The country's economic targets favor businesses and allow the expansion of foreign and private large-scale projects for large scale mining, hydropower dams, infrastructure, agribusiness, and logging, all of which threaten Indigenous Peoples' land rights and self-determination and undermine indigenous customary land practices. These rights are legally protected under the Indigenous Peoples Rights Act (IPRA) including the requirement for FPIC. In fact, Indigenous Peoples are being sidelined in decision-making resulting to expropriation and displacement when businesses take control of ancestral territories.ⁱⁱⁱ Violence is more likely to occur when indigenous leaders and community members speak out against large projects. The leaders and communities asserting their rights and opposing destructive projects are often labeled as terrorist, communist, anti-government and are thereby harassed, intimidated, arrested and detained with trumped up or false charges and

some are even killed. Indigenous peoples' ways of life and sustenance are often ruled to be illegal or incompatible with conservation laws, resulting in the restriction of traditional indigenous practices, arrests, detentions, forced evictions, and other human rights violations.² This is unnecessary and disproportionate given that the overwhelming evidence is that Indigenous Peoples' traditional management systems are more effective than State-based laws and processes, all the more so where the latter disregards their rights and FPIC.

3. In the recent years since the 3rd cycle of the UPR review on the Philippines the situation of Indigenous Peoples has not at all improved. Sadly, it was even worsened with the onslaught of the COVID19 pandemic. Indigenous Peoples face institutionalized marginalization as a result of historical rights violations. This is aggravated by the government's inept and delayed response to the pandemic, and its failure to provide adequate and basic services to IPs during a health emergency. For example, 15 indigenous persons were arrested and detained for illegal assembly (due to restriction imposed due to COVID) when they were trying to stop the entry of supplies of a mining company that has violated the FPIC of affected communities and whose permit has already expired at that time.

B. Assessment of implementation or non-implementation of the recommendations of UPR III

4. A total of 103 of the 257 recommendations received by the Government of the Republic of the Philippines (GRP) were accepted and supported at the adoption of its UPR outcome at the 3rd cycle, 36th Session of the Human rights Council in September 2017. The State explained that it had implemented these recommendations or was in the process of implementing them, while 154 recommendations were noted.^{iv} Most of the recommendations have not been implemented by the GRP. For this submission, the information will focus on the recommendations affecting Indigenous Peoples

Acceptance of International Norms

5. The GRP only noted the recommendation to ratify international conventions to which the country is not yet a party (No. 133.1; A/HRC/36/12/Add.1, Gabon), and the International convention for the Protection of all Persons from Enforced Disappearance (No. 133.2 – A/HRC/36/12/Add.1, France; 133.3 – A/HRC/36/12/Add.1, Angola/Iraq/Japan/Kenya/Montenegro/Sierra Leone). Between 2017 and 2022, the GRP has not ratified any new international convention, and even withdrew from the Rome Statute.

² Op. cit.

Recommendations:

- Ratify International Labour Organization Convention 169
- Ratify the International convention for the Protection of All persons from Enforced disappearance
- Reinstate the ratification of the Rome Statute

Laws and Policy Implementation Gaps^v

6. The GRP accepted the recommendations to ensure that laws, policies and programmes aimed at protecting the human rights of Indigenous Peoples, among others are effectively implemented (133.30, A/HRC/36/12/Add.1, Cuba; 133.31, A/HRC/36/12/Add.1, Lao People's Democratic Republic). The primary legislation protecting Indigenous Peoples is the Indigenous Peoples Rights Act (Republic Act no. 8371) (IPRA).

7. IPRA has been in effect since 1997. More than 20 years since its adoption, the rights of Indigenous Peoples to their lands and resources, to self-determination encompassing their right to FPIC on all matters affecting their lives and their lands, territories and resources, remain to be disregarded most often in the context of business activities.

8. In 2019, the Bangsamoro Organic Law was enacted creating the formation of the Bangsamoro Autonomous region in Muslim Mindanao (BARMM). This law recognizes and adopts IPRA and explicitly mentions that the rights and benefits of non-Moro Indigenous Peoples (NMIPs) shall in no way be diminished. However, resolutions and ordinances are being issued by the regional government that violates the rights of around 127,000 NMIP's and deny them of their 208,258 hectares of ancestral domains located in the BARMM territory. BTA Resolution No. 38^{vi} that was issued on September sought to stop the delineation process to clearly identify the metes and bounds of the ancestral domain of the NMIPs towards the issuance of their Ancestral Domain Title that will secure their right over these lands. The Resolution not only impedes the full recognition of the rights of NMIPs but also tolerates the continuing killings and violence against Indigenous Peoples in their territories due to land and boundary conflicts. During the first half of 2021, eleven (11) NMIPs were reportedly killed, and their deaths were believed to be linked to disputes in ancestral territories.^{vii}

9. The Mining Act of 1995 has not been reviewed or reexamined (No. 133.71, A/HRC/36/12/Add.1, Haiti). The implementation of the mining law and the continuing mining operations in indigenous territories without their FPIC, resulted to land grabbing of indigenous lands, killings, threats and criminalization of Indigenous Peoples. In Didipio, Nueva Vizcaya for instance, the opposition of the community to the continued operation of the OceanaGold Philippines Inc. despite the expiration of their permit resulted to the

criminalization of fifteen individuals who were charged in court after they put up a blockade and tried to prevent the entry of company vehicles. In many other cases, the FPIC of Indigenous Peoples are not fully respected in the approval of mining activities or issuance of permits.

Recommendations:

- Facilitate the delineation of the ancestral domains of the NMIPs in the BARMM and the issuance of their Certificate of Ancestral Domain Title;
- Assess the implementation of the FPIC process to ensure the full respect of Indigenous Peoples' right to their lands and resources; and to self-determination;
- Review the Mining Act of 1995 and ensure its alignment to IPRA

Criminalization, Violence and Impunity Against Indigenous Peoples

10. Recommendation to take all necessary measures to provide adequate protection to human rights defenders and establish a protection mechanism for them were noted by the GRP (133.173, A/HRC/36/12/Add.1, Estonia; 133.178, A/HRC/36/12/Add.1, Luxembourg). Indigenous Peoples human rights defenders (IPHRD) suffer from many forms of human rights violations, including criminalization, vilification killings, arrests, torture and intimidation that are usually committed with impunity and lack of government action.

11. In 2020, Global Witness released a report identifying the Philippines as the third most dangerous countries for human rights defenders.^{viii} The Sandugo - Movement of Moro and Indigenous Peoples for Self-Determination, together with Panaghiusa Philippine Network,^{ix} documented 92 extra judicial killings, 160 victims of frustrated extra judicial killings; 227 illegal arrests, 27 reported cases of torture and 6 cases of enforced disappearance among Indigenous Peoples for the period 2016 – 2021.

12. The Special Rapporteur on the Situation of Human Rights Defenders repeatedly urged the GRP to enact a legislation to protect human rights defenders.^x Until now, no such law has been enacted.

13. Criminalization is manifested in the increased filing of trumped-up charges against IPHRD's who found themselves the subject of warrants of arrests, and parties to criminal and civil cases that are obviously unfounded. In March 2018, the Department of Justice (DOJ) filed a petition seeking to declare as terrorist organizations the Communist Party of the Philippines (CPP) and the New Peoples Army (NPA). The names of 600 individuals were included in the Petition as alleged officials and members of the CPP and NPA. A considerable number are indigenous activists including former UN Special

Rapporteur on the Rights of Indigenous Peoples, Victoria Tauli-Corpuz. The portrayal of IPHRD's as terrorists put them at risk of attacks, killings, and incarceration. Windel Bolinget, an indigenous activist, is a subject of red-tagging and trumped up charges. He was publicly portrayed as a recruiter of the NPA and a communist and was charged with murder for the reported death of an indigenous person.^{xi} All these accusations and charge are false. The case against him was later dismissed. However, military elements and official and staff of the National Commission od Indigenous Peoples (NCIP) continue to label indigenous human rights advocates and activists at communists and terrorists.

14. Indigenous Peoples also face criminalization of traditional livelihood and health practices. Traditional midwives assisting in home birthing in indigenous communities are being penalized and fined, despite the absence of health services and facilities in these communities. Access to natural resources for the communities benefit may also be criminalized as when two indigenous Mangyans were charged in court for cutting trees to be used to construct a public toilet.^{xii}

15. Red tagging^{xiii} is a popular form of vilification used against human rights defenders that put their and their families' lives and security at risk. In 2020, there were 92 incidents of red tagging of IPHRDs and members of indigenous communities, 28 indigenous organizations - 60 in total, including support organizations— and seven indigenous alternative schools. The 92 incidents do not include more than 200 undocumented and unnamed individuals who were also reported to have been red tagged.^{xiv} A total of 178 Lumad school facilities were shut down. Red tagging has led to 33 arrests and 14 killings.^{xv}

16. Indigenous youth and human rights advocates in the Cordillera experience severe online and offline red-tagging, further infringing on an individual's fundamental rights.^{xvi} They reported over 154 posts red-tagging youth and human rights groups from April to November 2021, posted by 17 different accounts and pages mostly belonging to or connected with police social media accounts, with posts reaching up to 13,800+ individuals. These posts range from imprecise and superficial ad hominem attacks to very accusatory, speculative, and worrisome ones. Similar harassments are experienced by volunteer teachers of alternative Lumad schools who are constantly portrayed as communists, NPA or terrorists.

17. Some local government units are taking actions against the red-tagging of IPHRDs by issuing public statements and resolutions. In Baguio City for instance, the local mayor publicly denounced red-tagging and directed the local police to take down any bills or posters or tarpaulins that are aimed to red-tag persons or organizations.^{xvii}

18. The GRP noted the recommendations to put a stop and to conduct investigation on allegations of extrajudicial executions, enforced disappearances, illegal arrests, etc. (133.100, A/HRC/36/12/Add.1, Costa Rica; 133.110, A/HRC/36/12/Add.1, Chile; 133.149, A/HRC/36/12/Add.1, Switzerland; 133.102, A/HRC/36/12/Add.1, France).

19. Extrajudicial killings, enforced disappearances, illegal arrests and detentions and other forms of violence have been reportedly committed by State forces and paramilitary forces. However, no independent and transparent investigation was ever conducted by the GRP. There is also no clear plan to eradicate these occurrences.

Recommendations:

- Ensure that IP victims of human rights violations have access to justice, and that the perpetrators are held accountable. Ascertain that IP victims of human rights violations, their families and communities are compensated and protected.
- Stop the unfounded red-tagging of legitimate indigenous leaders, organizations and networks by the Philippine Military, Police and National Task Force to End Local Communist Armed Conflict(NTF-ELCAC). Support the conduct of an independent review of the NTF-ELCAC and take appropriate actions in line with their duty to respect and protect human rights.
- Provide support for the indigenous birth attendants; establish accessible and culturally-appropriate birthing centers; decriminalize home-birthing; instead, provide IP women access to health centers.
- Invite the Special Rapporteur on extrajudicial, Summary or Arbitrary Executions to conduct a country mission.

Right to Self-Determination and FPIC

20. GRP simply noted the recommendation to preserve the ancestral lands of Indigenous Peoples (133.250, A/HRC/36/12/Add.1, Peru), yet it has a stronger obligation to ensure the rights of Indigenous Peoples over their lands, territories and resources with the existence of the national law – IPRA.

21. Indigenous Peoples' right to FPIC is protected by international law through provisions of a number of conventions and declarations, as well as by the IPRA. It is one way by which Indigenous Peoples can protect their substantive rights, e.g., defending land ownership and representation of their rights to self-determination. However, FPIC principles such as good faith are not properly or genuinely implemented in IP communities affected by development projects leading to land rights violations. ^{xviii}

22. In some cases, the FPIC processes do not take place before the issuance of permits by government agencies. Majority of affected indigenous communities are either unaware or have expressed concerns and opposition. Manipulation of the FPIC process has resulted in authorization by the NCIP of numerous projects particularly mining and dam construction in indigenous territories. Various forms of deception, coercion and manipulation have been observed in NCIP-facilitated FPIC processes in direct violation of IP rights. These include: incomplete information or misinformation about the project; improper IP representation through appointment of fake tribal leaders or “tribal dealers” who are then used to give their consent in the name of the community; signatures needed for FPIC are taken through signing of attendance sheets in events like the barangay assembly; forged signatures in consent forms or attendance sheets; deception, bribery and harassment of traditional leaders; military presence during barangay consultations, among others.^{xix}

23. In the case of the indigenous Isnags of Apayao province for instance, there is an overwhelming opposition by the indigenous communities against the construction of dams along their main river, the Apayao-Abulog river. The construction of the dams will inundate several villages, cultural sites, burial grounds, and will evict indigenous communities and deny them of their source of livelihood. Despite the opposition, a Memorandum of Agreement was signed for the construction of the first dam – Gened 1, between and among Pan Pacific Renewable Power Philippines, a group of indigenous persons who do not represent the communities, and the NCIP. Allegations of manipulation and collusion^{xx} towards the drafting of the MOA are left unanswered. The NCIP leadership, in a meeting on March 31, 2022 to discuss the complaint of the indigenous Isnags about the dams, insinuated influence of “communist” groups – a far cry from the main issues before them. As a result of the railroading of the FPIC process and undermining of community decisions, members of the opposition against the construction of the dams are being physically attacked, criminalized, and red-tagged.

24. In another case, the construction of the New Centennial Water Source-Kaliwa Dam Project (Kaliwa Dam Project or KDP)^{xxi} is strongly being opposed by the indigenous Dumagat-Remontado communities. Despite this, a MOA was signed and in many other cases, the NCIP designated “indigenous elders” as the representatives of the communities affected, to sign the MOA. These “indigenous elders” were not chosen by the communities through their traditional processes. FPIC process was done without full and effective participation of the indigenous peoples concerned. Again, those vocal in opposing the projects are being vilified and red-tagged, putting their and their families lives and security at risk.

Recommendations:

- Ensure the respect and protection of the rights of indigenous Peoples to their lands, territories and resources by mining companies, agribusiness, commercial tourism, energy development, infrastructure projects among as provided by the Indigenous Peoples Rights Act (IPRA) and to be consistent with the UN Declaration on the Rights of Indigenous Peoples
- Ensure the proper conduct for acquiring the Free Prior and Informed Consent (FPIC) of Indigenous Peoples in projects that affects as affirmed in the Indigenous Peoples Rights Act (IPRA) and to be consistent with the UN Declaration on the Rights of Indigenous Peoples.
- Review all projects planned and being implemented in indigenous territories that have violated the rights of indigenous peoples to their lands, territories and resources, and to their Free Prior and Informed Consent and take appropriate measures to restore their ownership, control and management to their lands, territories and provide just and fair compensation in consultation to affected indigenous communities;
- Conduct impartial investigation and file administrative and other proper actions to government officials involve in the violation of the rights of indigenous peoples to the lands, territories and manipulation of FPIC

Anti-Terrorism Act of 2020

25. The Anti-Terrorism Act passed in July 2020 weakened human rights safeguards through its vague and broad definition of terrorism, among other draconian provisions of the law, which could be used to undermine constitutionally protected rights. It expands the legal definitions of terrorism beyond the usual targeting of violent acts, property damages and attacks on infrastructure, to include “speeches, writings, proclamations, emblems, banners, and other representations” that are perceived to intimidate the general public or the government. Mere intent to commit the prohibited acts in the law is punishable. Surveillance of individuals and organizations are also legalized, on mere suspicion of violating the law. If this law is fully implemented, fundamental freedoms of persons will be drastically curtailed, especially the right to life, liberty and security of persons.

26. The first persons to be charged under the Anti-Terrorism law are indigenous Aeta Jepoy Garung and one married to an indigenous woman, Junior Ramos-Urbano. Jepoy and Junior are civilians who were taken by the military along with three others including

two female minors, during a military operation in their community. They were tortured, used as guides, and later on charged in court.

Recommendation:

- Review the Anti-Terrorism Act of 2020 to ensure the full protection of human rights and fundamental freedoms; and the exercise of collective rights of indigenous peoples

Torture

27. The GRP noted the recommendation in relation to the implementation of the law on torture, the prevention of torture (133.120, A/HRC/36/12/Add.1, Angola; 133.013, A/HRC/36/12/Add.1, Spain) and the establishment of preventive mechanisms (133.27, A/HRC/36/12/Add.1, Republic of South Korea; 133.28, A/HRC/36/12/Add.1, Slovenia; 133.33, A/HRC/36/12/Add.1, Guatemala)

28. The Philippines has a law against torture and other cruel or inhuman and degrading treatment or punishment. However, this law has not been used to prevent torture, and there has been no national mechanism established to prevent the occurrence of torture.

29. On the other hand, indigenous persons have been subjected to torture and other cruel or inhuman and degrading treatment by State forces. In the case of four indigenous Aetas, the torture that they have gone through in the hands of the military is unimaginable, and the perpetrators were not made to account. Jepoy Garung, 30; Junior Ramos-Urbano, 19; Manuel Ramos, and two other female minors were forced to flee their homes due to military bombings and shootings on Aetas' ancestral territories. The men were taken by the military to a location where they were repeatedly interrogated, assaulted, and tortured for days. They describe being taken to the San Marcelino Police Station, where they, including the two female minors, were forced to ingest human excrement. At some point, two of them were hanged upside down. The victims claimed that they were forced to confess that they were CPP-NPA members during interrogation.

Counter-Insurgency

30. Indigenous Peoples are common victims in the implementation of the counter-insurgency program. Indigenous organizations, communities, and IP rights defenders are being targeted, red-tagged and criminalized as communist fronts. Many indigenous leaders are vilified as terrorists through social media accounts of police and military units. In some

areas, Indigenous peoples are pressured to “clear” their names by renouncing their membership in red-tagged organisations. Cases of trumped-up charges, illegal search, arrest and detention, bombing, strafing, harassment and killings of indigenous people have been documented. Some indigenous communities in the provinces of Agusan Sur, Surigao Sur, Davao del Norte and Bukidnon in Mindanao were forced to evacuate due to militarization, abandoning their homes, schools, farms and properties for fear of their lives. Lumad schools in Mindanao were closed. Health and relief services provided by civil society organizations to indigenous communities in conflict areas are being branded by the military as communist projects. In addition, indigenous women and girls have become prone to human rights violations and gender-based violence as a result of military presence in their communities.^{xxii}

31. Indigenous peoples in remote areas in the Philippines are often stigmatized and suspected of being members of the armed rebels- the New Peoples Army- NPA. This accusation leads to attacks, forced relocations, arbitrary arrests, and threats. Militarization has increased in recent years, and extrajudicial executions have increased significantly, especially in Mindanao.^{xxiii}

COVID-19 Impacts on Indigenous Peoples^{xxiv}

32. The marginalization of Indigenous Peoples was exacerbated by the government's insufficient and delayed response to the pandemic's impact and its failure to deliver adequate and basic services to IPs during the COVID19 health crisis.

33. Not all IP communities benefited from the Social Amelioration Program (SAP). In Mindanao, several single-parent homes expressed dissatisfaction with the lack of monetary support, while in Cordillera, cash aid for families who worked abroad was not available.^{xxv} Despite this, the Cordillera Administrative Region's Department of Social Welfare and Development (DSWD) announced the return of surplus SAP funds totaling PHP19,524,300 (US\$376,000), claiming that the cash aid had already been distributed to low-income families in their respective areas by Local Government Units (LGUs).^{xxvi}

34. Information and assistance from the government hardly reached Indigenous Peoples in GIDA. On the one hand, civil society organizations who wanted to provide relief goods to indigenous communities were prevented from entering these communities, or tagged as communists.

35. The lockdowns and restrictions in mobility likewise prevented Indigenous Peoples from accessing their farms and conducting livelihood activities. For IPHRD under threat, they

found themselves more vulnerable as they can hardly seek help and prevented from relocating and seeking sanctuary.

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ⁱ “The Philippines is one of the world's 17 mega-biodiverse countries, hosting two-thirds of the planet's biodiversity and roughly 70% to 80% of the world's plant and animal species. The Food and Agriculture Organization (FAO), a United Nations agency focused on international efforts to alleviate hunger, notes that the Philippines has 7.2 million hectares of forest ecosystems, accounting for approximately 24 percent of the total land area.” Convention on Biological Diversity. “Philippines - Main Details.” <https://www.cbd.int/countries/profile/?country=ph>

ⁱⁱ “It is the fifth most mineralized country globally.” Oxford Business Group. “Philippine government seeking investments in mining sector”. <https://oxfordbusinessgroup.com/analysis/rock-and-hard-place-despite-substantial-mineral-deposits-mining-rocky-ground>

ⁱⁱⁱ Report of the Special Rapporteur on the rights of indigenous peoples. “Regional consultation on the rights of indigenous peoples in Asia”. Human Rights Council Forty-fifth session. Pp. 7. September 14 – October 2, 2020. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/193/69/PDF/G2019369.pdf?OpenElement>

^{iv} Report of the Working Group on the Universal Periodic Review* Philippines (A/HRC/36/12/Add.1). Human Rights Council Thirty-sixth session. Pp. 2. September 11-29, 2017. https://www.upr-info.org/sites/default/files/document/philippines/session_27_-_may_2017/a_hrc_36_12_add.1_e.pdf

^v To address the theme: A41 Constitutional and legislative framework, specifically, 133.30 Ensure that laws, policies and programmes aimed at protecting the human rights of women, elderly persons, persons with disabilities and indigenous peoples are effectively implemented (Cuba); Source of position: A/HRC/36/12/Add.1; and, 133.31 Ensure that laws, policies and programmes to protect the rights of women, the elderly, persons with disabilities and indigenous people are effectively implemented (Lao People's Democratic Republic); Source of position: A/HRC/36/12/Add.1; 133.71 Reexamine the Mining Act of 1995 with a view to reinforcing its environmental provisions and sustainable development practices, which will help the mining industry to become one of the main contributors to the countries' wealth (Haiti), A/HRC/36/12/Add.1.

^{vi} “Resolution Protesting the Delineation process in Maguindanao province urging the National Commission on Indigenous Peoples (NCIP) to Cease and Desist the delineation process and the proceeding for the issuance of the Certificate of Ancestral Domain Title in the province of Maguindanao, Bangsamoro autonomous Region in Muslim Mindanao”

^{vii} Legal Rights and Natural Resources Center & Timuay Justice and Governance. “Report on the Spate of Killings and Displacement of non-Moro Indigenous Peoples in the Bangsamoro.” Report submitted to the Commission on Human Rights.

^{viii} <https://www.globalwitness.org/en/campaigns/environmental-activists/last-line-defence/>; September 13, 2021.

^{ix} Panaghiusa is a broad national network of Indigenous Peoples Organizations in the Philippines and support groups. Established in January 2021, the term “panaghiusa” is a Visaya term, meaning “unity.”

^x Philippines: Expert urges Congress to enact Human rights defenders law; <https://www.ohchr.org/en/press-releases/2021/03/philippines-expert-urges-congress-enact-human-rights-defenders-law>, March 18, 2021.

^{xi} PHL1/2021 <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=25942>.

^{xii} Diosdado Sama y Hinupas and Bandy Msanglay y Aceveda vs. Peoples of the Philippines, G.R. No. 224469, January 5, 2021.

^{xiii} “the act of labelling, branding, naming and accusing individuals and/ or organizations of being left-leaning, subversives, communists or terrorists (used as) a strategy...by State agents, particularly law enforcement agencies and the military, against those perceived to be ‘threats’ or ‘enemies of the State’.” – Justice Marvic Leonen in his dissenting opinion in Zarate vs. Aquino III, G.R. No. 220028, Zarate v. Aquino III PONENTE N/A PETITIONER Bayan Muna Party-List Rep. Carlos Isagani Zarate, et al. RESPONDENT Benigno Simeon C. Aquino III, et al.

^{xiv} Philippines: Expert urges Congress to enact Human rights defenders law; <https://www.ohchr.org/en/press-releases/2021/03/philippines-expert-urges-congress-enact-human-rights-defenders-law>, March 18, 2021.

^{xv} Ibid.

^{xvi} Among rights violated include:

1. Right to not be detained solely because of his political beliefs;
2. Right to life, liberty, and security of person;
3. Protection from arbitrary arrest, detention, or exile;
4. Right to freedom of opinion and expression; and the,

5. Right to freedom of peaceful assembly and association.

^{xvii} Magalong bans red-tagging material in Baguio; <https://thebaguiochronicle.com/news/magalong-bans-red-tagging-material-in-baguio/>, March 22, 2022.

^{xviii} Cariño, Jill. "Country Paper: Land Rights of Indigenous Peoples in the Philippines." A paper presented for the Regional Exchange and Land Rights Strategy Building Workshop. Asia Indigenous Peoples Pact. December 14-16, 2021.

^{xix} Katribu et. al. 2019

^{xx} <https://nordis.net/2021/08/22/article/news/fpic-manipulation-collusion-on-apayao-dam-project-haunt-ncip/>, August 22, 2021.

^{xxi} The New Centennial Water Source-Kaliwa Dam Project (Kaliwa Dam Project or KDP) is a \$22 million Chinese-funded project with a 2% high annual interest over a USD 2M spending from the national treasury. It will be built on the ancestral domain of Dumagat-Remontados in the provinces of Rizal and Quezon. The project purports to address the increasing demand for water supply in Metro Manila, with a "*recent water crisis*" used to justify the project.

^{xxii} Asia Indigenous Women's Network, 2016. A Shadow Report Re: State of the Philippines, Combined 7th and 8th Report to the Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW)

https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/PHL/INT_CEDAW_NGO_PHL_24244_E.pdf

^{xxiii} Op. cit..

^{xxiv} To address the theme: E42 Access to health-care (general), specifically, 133.99 Maintain the protection of the right to life from conception to natural death (Holy See).

^{xxv} Philippine Task Force for Indigenous Peoples Rights (TFIP). "MALIN-AWA: A Report on the Situation of Indigenous Peoples and Covid-19 Pandemic". (unpublished)

^{xxvi} Agoot, Liza. "21 Cordillera LGUs return P19.5-M excess SAP aid" Philippine News Agency. May 29, 2020. <https://www.pna.gov.ph/articles/1104348>