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**Intervention in relation to Agenda Item 3: Study on best practices and examples in resolving land disputes and land claims, in relation to the National Commission on Indigenous Peoples of the Philippines**

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*Endorsed by: ASIA INDIGENOUS PEOPLES CAUCUS*

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Thank you Madam Chair. Good morning everyone.

This is a joint statement of the Cordillera Peoples Alliance, National Alliance of Indigenous Peoples Organizations in the Philippines (KAMP), Stop the Killing of Indigenous Peoples in the Philippines network, BAI National Network of Indigenous Women’s Organizations, Innabuyog alliance of indigenous women’s organizations in the Cordillera region, Kalumaran alliance of indigenous peoples’ organizations in Mindanao, and Tumanduk.

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 of 1997, to promote and protect the rights and well-being of the indigenous peoples in the country. However, for 17 years since its establishment in 1997, 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 NCIP has been instrumental in the entry of destructive projects in indigenous territories by manipulating the Free Prior and Informed Consent of indigenous peoples, and with disregard to indigenous communities’ customary systems and practices in decision-making. To date, there are 251 newly 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 of mining and energy projects that destroy what is left of our natural resources and environment on which we depend on for survival.

The NCIP likewise remains silent on the militarization of indigenous communities; and the unabated extrajudicial killings, enforced disappearances, harassment, forced evacuation 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. Many indigenous peoples who are asserting their rights to FPIC, to ancestral land and resources, and for human rights are politically vilified and facing threats to their lives as in the case of Cordillera Peoples Alliance members in northern Philippines.

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 reiterate the following recommendations which we have in the past forwarded to various UN bodies including the UNPFII, EMRIP, 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. 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.

Thank you everyone for your attention.