

LEGISLATIVE AGENDA OF THE INDIGENOUS PEOPLES

International Day of the World's Indigenous Peoples, August 9, 2011

House of Representatives

We, the indigenous peoples who met from 6-9 August 2011 to celebrate the International Day of the World's Indigenous Peoples, would like to present this Legislative Agenda which we have formulated and agreed upon.

We have seen that there are many laws which need to be reviewed to see how these are respecting the rights of indigenous peoples as contained in the UN Declaration on the Rights of Indigenous Peoples and the Indigenous Peoples' Rights Act. We also think there is a need to formulate some laws which will translate some of the international agreements signed by the Philippine Government into national laws. We thank the National Cultural Communities Committee of the House of Representatives for giving us this opportunity to celebrate this historic day.

The following are our proposals;

1. We strongly support the House Resolution 887 calling for the review of the 2006 FPIC Guidelines and the formation of a technical working group on the review of the said guidelines which is composed of NCC members, NCIP representatives, members of indigenous peoples' organizations and NGOs. We look forward to participating in commenting on the results of this review and the proposed new guidelines for FPIC, to ensure that our concerns are taken on board.
2. We call on Congress to pass another House Resolution to call for a review of how the IPRA has been implemented and its impacts on indigenous peoples. This will be the basis for the review of the IPRA, its IRR and executive orders.
3. We call on Congress to review existing laws which do not adhere to the rights of indigenous peoples as contained in the UNDRIP and the Indigenous Peoples' Rights Act. This includes, among others, the Revised Forestry Code, the Fisheries Code, the NIPAS Act, the National Land Use Act, the Biofuels Act, the Intellectual Property Code and the Climate Change Act.
4. We call for the repeal of the Mining Act of 1995 and call on Congress to consider the other proposed bills on mining which truly respect the rights of indigenous peoples to their ancestral lands, territories and resources.
5. We are aware that there are bills in Congress which include the Forest Resources Bill, the Sustainable Forestry Bill, the bills on National Land Use, etc. We call on those who are authoring these bills to conduct hearings with indigenous peoples because these will have direct impacts on the rights of indigenous peoples to their lands and their customary practices, laws and governance on ecosystem management.
6. We call on Congress to study the need to amend the Constitution to repeal the Regalian Doctrine which is embedded in many of the laws on land, land tenure and natural resource management. We believe this is the main weakness of the IPRA as it invokes this Doctrine which is totally

against the customary rights of indigenous peoples to their lands, territories and resources.

7. We call on the Congress to undertake a hearing on the continuing violations of the rights of indigenous peoples and make some resolutions which can strengthen the mechanisms to protect indigenous peoples from such violations. There should also be a review of Oplan Bayanihan.
8. We call on Congress to conduct a participatory review which will look into how the policies and programmes of various agencies working on education and culture are anchored on indigenous learning and knowledge systems, traditional knowledge, indigenous cultures and values and indigenous worldviews and respect for the rights of indigenous peoples to self-determination and culture.
9. We call on the Senate to ratify the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity.
10. We call on the Senate to ratify the ILO Convention 169 on Indigenous and Tribal Peoples.
11. We call on Congress to formulate legislation which will ensure that the implementation of the safeguards contained in the REDD Plus Decision of the Cancun Agreement of the UN Framework Convention on Climate Change. This decision calls for the protection of the knowledge and rights of indigenous peoples and local communities, non-conversion of natural forests, full and effective participation of indigenous peoples, land tenure issues and gender considerations, good forest governance and the need to set up monitoring and reporting systems to see how these safeguards are being addressed.

We will be formulating additional proposals and we hope the Congress is open to our submission of these as we develop them.

Thank you very much and we look forward to your responses to these proposals.