



Teetebba



ANNUAL REPORT 2006



Tebtebba

Indigenous Peoples' International Centre for
Policy Research and Education

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Victoria Tauli-Corpuz
Raymond A. De Chavez
Joji Carino

Editor

Raymond A. de Chavez

Lay-out and Cover Design

Raymond A. De Chavez

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Indigenous peoples' delegates from all over the world, left, successfully lobbied for the passage of the UN Declaration on the Rights of Indigenous Peoples during the UN Human Rights Council's 1st session (June 19-30, 2006) with a vote of 30 "yes" against 2 "nos."

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Top, indigenous women's training in Indonesia; middle, UNPFII Chair and Tebtebba Executive Director Victoria Tauli-Corpuz during the Opening Ceremonies of the 5th Session of the UNPFII in May; above, Joji Carino during the Asia Regional Indicators Workshop last October 2006.

2006 ANNUAL REPORT

By Raymond de Chavez* & Victoria Tauli-Corpuz**

A very historic development in the struggle for the recognition of the rights of indigenous peoples was achieved in 2006. The newly-established Human Rights Council, by a vote of 30 to 2, passed the UN Declaration on the Rights of Indigenous Peoples. This was a hard-won victory for indigenous peoples, after 11 years of intense negotiations with governments. The Declaration represents the minimum standards by which indigenous peoples demand governments to recognize their rights.

While indigenous peoples lobbied very hard for the Declaration's approval by the UN General Assembly in its ongoing sessions last October, a resolution deferring a call for a vote was submitted by the African bloc and eventually passed by the Third Committee of the UNGA. The UNGA represents the last stage in the tedious process of approval for the Declaration. Currently, indigenous organizations are strategizing and lobbying to convince governments to vote for the Declaration.

In the meantime, the Declaration will be used by indigenous peoples to actively assert their rights over their lands, territories, resources and their right to self-determined development.

These developments have been a major focus of Tebtebba's involvement in 2006. It played an important role in lobbying for the Declaration's approval in the

HRC and the efforts in the GA. It has actively campaigned for the popularization and awareness raising, not only of the Declaration, but also of the 2nd Decade Programme of the World's Indigenous People and of the rights of indigenous peoples as stipulated in international human rights laws (IHL) and national legislations. Several trainings have been held among indigenous organizations, as well as indigenous women's groups; and speaking engagements, dialogues, meetings and conferences have been maximized towards increasing understanding and support for indigenous peoples and their issues.

Continuing researches of Tebtebba have also directly supported this track. The Research Project on the Assessment of the World's Decade on Indigenous People, in particular, aims to conduct an analysis on government's implementation of the programs and priorities of the 1st Decade of the World's Indigenous People (1995-2004). The results may be used to guide the effective implementation of the 2nd Decade Programme.

Ongoing projects such as the Indigenous Peoples' Capacity Building Project on the Implementation of the CBD aims to capacitate indigenous peoples in being effective and co-equal partners in the implementation of the CBD programmes in the national and local levels. The project on Indicators Relevant for Indigenous Peoples, the

*Publications Desk Coordinator

**Executive Director, Tebtebba and UNPFII Chairperson

Convention on Biological Diversity and Millennium Development Goals, on the other hand, will develop a set of indicators to monitor the implementation of the CBD Strategic Plans and 2010 targets, and the MDGs.

Among indigenous women, Tebtebba has conducted a series of Training of Trainers (ToTs) on indigenous women, culture and indigenous rights to further build their capacity to assert their rights as indigenous peoples and as indigenous women. Efforts to strengthen indigenous women's organizations and networks, including the Asian Indigenous Women's Network (AIWN), is ongoing.

Indeed, the opportunities towards effectively asserting and recognizing indigenous peoples rights are becoming more favorable, though impediments to its full realization remain. Tebtebba, through the programmes that it has identified, will actively work towards maximizing these opportunities while building strong bonds with indigenous peoples and their communities.

Activities

The following were the major activities undertaken by Tebtebba in 2006:

Campaign on the UN Declaration on the Rights of Indigenous Peoples and the 2nd Decade of the World's Indigenous People

On June 29, 2006, the Human Rights Council, in its first session, approved the adoption of the UN Declaration of the Rights of Indigenous Peoples. This historic vote is a culmination of 11 years of struggle by indigenous peoples to have their basic human and collective rights recognized by nations. The Declaration represents the minimum standards by which government should recognize indigenous peoples' rights and aspirations. Tebtebba played a very active role leading to this historic vote through its Executive Director, together with several indigenous leaders and organizations.

The campaign on the Declaration's adoption and on the 2nd Decade of the World's Indigenous People was a major focus of Tebtebba in 2006. As early as January, Tebtebba was already involved in several strategy meetings, together with other indigenous organizations and governments, to deal on how to

effectively get the then-Draft Declaration approved in the newly-established UN Human Rights Council which was to have its meeting on June 19-30, 2006.

In the 1st Session, Tebtebba made several interventions to press for the body's approval of the Draft Declaration. Specifically, Victoria Tauli-Corpuz, Tebtebba's Executive Director and concurrent Chair of the UNPFII, wrote and presented the Asia Caucus position calling for the non-support of a resolution to defer its adoption and instead to call for a vote now. Lobbying was done among government representatives to the body, specifically among Asian governments.

The Philippine government was hesitant to support the Declaration due to several reservations so Tebtebba lobbied hard to convince the representative to vote in support of the draft. This was a very disappointing position, considering that the Philippine law on indigenous peoples (Indigenous Peoples' Rights Act or IPRA) was based on the Draft Declaration. Several letters and resolutions addressed to different government agencies were immediately drafted and sent. Included also were several support statements of indigenous groups in the country to pressure the government to vote yes.

The Declaration was finally adopted by an overwhelming vote of 30 "yes" against 2 "nos." Unfortunately, the Philippine government did not vote, but instead abstained. The next stage was for the UN General Assembly to approve the Declaration in the General Assembly meeting later in the year. Tebtebba again campaigned for its approval. It held various activities and meetings with indigenous groups and government agencies and UN bodies, specifically in the Philippines. A pamphlet detailing the story behind the approval; the Declaration and the Decade Programme was printed by Tebtebba to help popularize the two documents.

In coordination with other Philippine indigenous groups and advocates, a 3-day meeting was held from August 7-9, 2006. This two-part activity (National Consultation on the 2nd International Decade of the World's Indigenous People; and Dialogue Between Indigenous Peoples, Government Agencies, the UN and Multilateral Organizations for the Implementation of the 2nd Decade of the World's Indigenous Peoples) was aimed at informing indigenous groups about the Declaration; pressuring government to vote for the Declaration in the UNGA;

‘(T)he opportunities towards effectively asserting and recognizing indigenous peoples rights are becoming more favorable, though impediments to its full realization remain.

UNPFII led by Chair Victoria Tauli-Corpuz, 2nd to the right, with Bolivian President Evo Morales, center.





Under the Indigenous Peoples' Capacity Building Project on the Implementation of the Convention on Biological Diversity (CBD), Tebtebba launched a series of national workshops including the Malaysia National Workshop, top. The Asia Regional Workshop on Indicators, above, was held in November 2006.

popularizing the Programme of the 2nd Decade of the World's Indigenous People and coming up with a national programme for its implementation; dialogue with government agencies, UN and multilateral bodies. This was a well-attended event, bringing together 26 indigenous organizations, and different government agencies (National Commission on Indigenous Peoples, Department of Foreign Affairs, National Anti-Poverty Commission, among others), as well as several UN bodies such as the UNDP, UNESCO, UNICEF. A declaration and a national programme of implementation was also drafted by indigenous organizations.

Parallel to this 3-day event, several meetings were conducted with other advocated and government agencies, such as the Commission on Human Rights, to educate them on the Declaration and gather support for a governments position. As a result, the NCIP came out with a resolution supporting the Declaration's approval during the UNGA.

During the International Day of Indigenous Peoples in August 9, Tebtebba also participated in the celebration and photo exhibit sponsored by the European Union.

As part of the campaign to popularize the Declaration and the Decade, a two-week IP Film Fest was organized by Tebtebba, in cooperation with the University of the Philippines. This was a successful activity to highlight the issues of indigenous peoples among the students, using film as the medium. Tebtebba is planning to replicate this activity to cover more schools in Baguio City.

From July to October, Tebtebba maximized the different meetings, forums and events to explain the Declaration and to lobby governments to support the adoption. These included several speaking engagements by the Executive Director in the US (Colby College and International Forum on Globalization teach-in "Indigenous Peoples' Resistance to Globalization"); as well as meetings with governments such as the Mexican government-sponsored meeting on the implementation of the Declaration.

During the UNGA's meeting in October, Tebtebba again actively lobbied for its passage. Unfortunately, the adoption was deferred to 2007 due to a motion filed by the African bloc.

Work on Traditional Knowledge, Biodiversity and CBD-related issues

This is a continuation of the two-year project, Indigenous Peoples' Capacity Building Project on the Implementation of the CBD, that aims to build indigenous peoples full and effective participation in decision-making about CBD policies, programmes and projects affecting them—including free, prior and informed consent and equitable benefit-sharing arising from the use of their resources and traditional knowledge; and strengthened implementation of government commitments under the Convention on Biological Diversity (CBD). Tebtebba participated in several strategy meetings on the CBD, as well as on the official meetings of the convention. Foremost of these are the meetings on Access and Benefit Sharing and Article 8j held in Granada, Spain in January; and the Conference of Parties 8th Meeting in Curitiba, Brazil. Tebtebba actively lobbied and intervened in both meetings. An Indigenous Educators Workshop, sponsored by Tebtebba and the International Indigenous Forum on Biodiversity (IIFB) was held in conjunction with the Conference of Parties (COP) Meeting.

Two national workshops, as part of the project, were held. The first workshop, the Philippine Roundtable on *Sui Generis* Protection of Traditional Knowledge and Intellectual Property Rights, was held in August as a follow-up to the one held in 2005. A Malaysia National Workshop, on the other hand, was held in October. Both workshops, as well as the Indigenous Educators Workshop, were well-attended by several indigenous organizations, discussing situations and strategies, including education work, relating to the CBD's implementation.

Work on Indicators Relevant for Indigenous Peoples

This area of work was identified by Tebtebba as

a major priority, as it deals with the identification of a set of indicators that are relevant for indigenous peoples that can be used to monitor the implementation of the CBD and the Millennium Development Goals. Tebtebba's work on indicators brings together two initiatives/processes: UNPFII and CBD. The UNPFII identified indicators work as one of its priority areas. During its 5th Session in May 2006, the UNPFII agreed on a series of regional workshops in Asia, Latin America and Africa on Indigenous Peoples' Poverty and Well-being.

The CBD, on the other hand, adopted a Strategic Plan and the 2010 target to significantly reduce the rate of biodiversity loss. In COP7, it came out with Decision VII/30 adopting a framework for Assessing Progress Towards the 2010 Target with provisional indicators. Goal 9 of the 2010 Target is to "Maintain socio-cultural diversity of indigenous and local communities," with two targets and the relevant indicators to be developed by the Open-ended Working Group on Article 8j and Related Provisions.

During the 4th meeting of the CBD's Working Group on Article 8j and Related Provisions held in January 2006 in Granada, Spain, indigenous peoples' organizations formed the IIFB Working Group on Indicators to respond to the immediate need to identify and test indicators relevant for the implementation of the Strategic Plan for the Convention on Biological Diversity, and its framework for monitoring achievement of the 2010 target.

Considering that these two processes are interconnected, it was agreed to coordinate these efforts, to ensure synergy and to avoid duplication of efforts. Thus, a coordinated plan was identified. Tebtebba was tasked by the Forum to conduct the Asia Regional Workshop, back-to-back with the planned workshop relating to CBD indicators. An International Coordinating Committee was identified with Tebtebba as a leading member.

The Asia Regional Workshop was held in November, with Tebtebba as the main organizer. Tebtebba also participated in several joint regional indicators workshop such as those of Africa and Latin America and thematic conferences such as on Sustainable Use (10c). The results, specifically of the the UNPF process would be presented in the 6th Session of the Forum in 2007.

The regional workshops will culminate in an International Experts Seminar to be held in the 1st

quarter of 2007, with a set of indicators as main output. Preparations were therefore undertaken such as the identification/field visits of possible venues, preparation of several documents, etc.

Pilot Project on Data Disaggregation, Review of the 1st IP Decade Implementation and Researches on Indigenous Peoples' Development and Situations

For 2006, several research projects that started in late 2005 were implemented. These researches cover data disaggregation, the 1st Indigenous Peoples' Decade Implementation, and indigenous peoples' development.

a. Data Disaggregation Pilot Project in Nueva Vizcaya, Philippines

The Data Disaggregation Pilot Project in Nueva Vizcaya started in mid-2005. This is funded by the UN Development Programme-Regional Indigenous Peoples' Programme. This pioneering project aims to develop instruments on disaggregation of data on indigenous peoples and pilot these in several indigenous communities. Survey instruments were finalized and tested in several communities in Nueva Vizcaya. The data gathered were analyzed and the results presented in a national consultation held in October. The consultation was a venue to report the findings and gather feedback from government agencies, indigenous organizations and advocates. This was a successful undertaken by Tebtebba to undertake quantitative research on indigenous peoples.

Two major outputs resulted from the project: A research methodology for data disaggregation focused on indigenous peoples in the Philippines, and a demographic and situation data on indigenous peoples in Nueva Vizcaya. As a result of this, the NCIP-Cordillera Region asked Tebtebba whether it can do the data disaggregation for the whole Cordillera. We politely turned this down, as we believe it is not our role to do this. This is an activity which should be done by the government and what we did was just to show that it was possible to be undertaken. As we did this in close coordination with the government body in charge of census and statistics development (National Statistical



Local officials attending the closing ceremonies for the UNESCO-funded Film-making Training, Tadian, Mt. Province, Philippines.

Coordination Board-NSCB), they helped in finalizing the questionnaires and analyzing the responses. We offered the NCIP Cordillera that we can train their personnel who will do this if they will undertake the said project.

b. Assessment of the Decade of the World's Indigenous People

The Research Project on the Assessment of the World's Decade on Indigenous People, on the other hand, aims to conduct an analysis on government's implementation of the programs and priorities of the 1st Decade of the World's Indigenous People. This project was undertaken with the International Centre for Integrated Mountain Development (ICIMOD) with support from IFAD (International Fund for Agricultural Development). The research covered five countries in South East Asia, namely, the Philippines, Thailand, Indonesia, Vietnam and Cambodia. Outputs consisted of five policy and programme analysis; two case studies; and one budget analysis. ICIMOD did five country studies in South Asia and some parts of China. These countries are India, Nepal, Bhutan and Bangladesh.

While the preparatory work was done in late 2005, the contracting of indigenous researchers, mentoring, field work and writing up of the outputs were accomplished in 2006. The country papers were presented for feedback in several national consultations that were held in July (Vietnam), August (Thailand and Indonesia), September (Cambodia) and October (Philippines). The results were then presented in a Regional Consultation held in Nepal last November. It was agreed in this workshop that Tebtebbba will publish the 10 case studies in two volumes and ICIMOD will publish the Executive Summary.

As a result of this project, Tebtebbba now has up-to-date information on the various country policies and programmes affecting indigenous peoples. A regional situation, based on these data, can therefore be formed. Networking with indigenous organizations and research networks were also accomplished, broadening the reach of the Indigenous Peoples' Global Research and Education Network (IPGREN).

c. Lumad Mindanao Introductory Book Project

The *Lumad Mindanao Introductory Book Project* aims to sensitize the general public on the the indigenous peoples (Lumads) of Mindanao,

Southern Philippines. The concept and research design was finalized in 2005. In 2006, community field work and research were undertaken with SILDAP, a partner NGO in southern Philippines, covering 13 indigenous tribes. Write-ups were finished. The next phase would be to transform these into popular materials in local dialects.

Capacity Building on Indigenous Peoples' Rights and Development

Making indigenous peoples aware of their rights and entitlements in international human rights laws is a continuing priority of Tebtebbba in its vision of empowering indigenous peoples. In 2005, a series of training on Indigenous Peoples' Rights and International Human Rights Law (IPR/IHL) were held in the Philippines and in several countries. The importance of this training is reflected in the numerous requests of indigenous groups to hold trainings in their areas. In 2006, trainings were held in North East India (in April) and in South Africa (October).

In NorthEast India, the indigenous peoples present in the training stated that this was relevant and very timely. Apart from international instruments, national and local laws and policies affecting indigenous peoples were also discussed to show the particular situations in the national level. In fact, the participants drafted a Shadow Report as an output of the training. With the help of Fergus Mackay, a renowned indigenous lawyer who was a trainor in Tebtebbba's previous trainings, the report was further finalized and later submitted to the Committee on the Elimination of Racial Discrimination (CERD). The Southern Africa training, on the other hand, was undertaken in coordination with the William Langeveldt, a member of the UNPFII. This was attended by 18 indigenous representatives.

In September, Tebtebbba's Executive Director was a trainor in a training on IPR and development specifically for UN personnel. This training is important in raising awareness of the staff of various UN agencies on the rights of indigenous peoples and on what is development for indigenous peoples.

IPR/IHL is also incorporated in several indigenous women's training held in the Philippines, Indonesia, North East India and Bangladesh.

Development of the module on IPR/IHL is

Participants of the North East India Training on Indigenous Peoples' Rights and International Human Rights Law



ongoing. A draft has already been submitted for review. A resource kit, on the other hand, is being compiled. These priorities have been identified to ensure systematization of training on IPR/IHL. Tebtebba also participated in an indigenous peoples' meeting in Arizona, USA last November to discuss curriculum development for indigenous peoples' rights..

Capacity Building on Indigenous Women

Building indigenous women's capacities to understand their rights as indigenous peoples and as indigenous women; building their capacities to elaborate their issues and demands; and strengthening their networks and organization is also a continuing priority of Tebtebba in 2006. A project, with the support of NOVIB, was implemented with the aim of developing and testing a training module on indigenous women's rights and development. This was undertaken with the Asian Indigenous Women's Network (AIWN) and the gender desk of Tebtebba.

A draft module was done and this was used in the four Training of Trainors (ToTs) that were successfully held in Siocon, Philippines (June), in Indonesia (June), in North East India (November) and in Bangladesh (August). The participants were trained on IPR/IHL, with focus on instruments relevant to indigenous women such as the CEDAW (Convention on the Elimination of Discrimination Against Women), given women orientation, among others. Participants also inputted on their present situations to give a picture of the state of indigenous women in their countries.

These trainings bore fruit in terms of re-echoing what has been learned to other indigenous women participants. In Indonesia, two other trainings on indigenous women's rights were conducted; in the Chittagong Hill Tracts, five trainings were held; and in the Philippines, one training was conducted among indigenous women of Siocon in Southern Philippines.

In November, a select number of indigenous women that were previously trained gathered in a regional consultation held in Philippines. The purpose of the consultation was to gather lessons learned in the trainings conducted and come up with a module on indigenous women.

Tebtebba has also been active in strengthening indigenous women's organizations and highlighting

their issues. Through its gender desk, which is concurrently AIWN's Secretariat, it highlights situations on violence against women and sex trafficking, among others. A first issue of the AIWN magazine focusing on building indigenous women's capacities was published in 2006. Another project, that shall serve as information material, has been initiated with the help of Rights and Democracy (RnD) and AMAN (the indigenous network in Indonesia). The Information Sheet on Asian Indigenous Women will be published in popular form in 2007. Several meetings, researches and write ups have already been done as part of this process.

In several international forums, Tebtebba helped highlight indigenous women's issues. It participated in the Commission on the Status of Women session in March and helped bring some indigenous women to the meeting. The situation of violence against indigenous women was also shared during an Asia Pacific meeting with the UN Special Rapporteur on the Violence Against Women held in Nepal last September.

Networking and Strengthening Indigenous Peoples' Organizations, Networks and Formations and Highlighting Urgent Indigenous Issues

The Indigenous Peoples' Global Research and Education Network (IPGREN) was further strengthened in 2006. IPGREN is a loose network of indigenous researchers and organizations established to train, develop and strengthen indigenous peoples' capacities to undertake research based on their own priorities. The researches that were undertaken by Tebtebba would not have been successfully accomplished without the help and active support of IPGREN members and indigenous researchers. On the other hand, the research projects also served as venue to further reach out to new indigenous research partners that are potential IPGREN members.

The Research Project on the Assessment of the World's Decade on Indigenous People is a concrete example of how IPGREN was able to broaden its ranks, while at the same time, providing mentoring and support to indigenous researchers. At the start of the project, there was difficulty in identifying contacts that can help as partners to undertake the national research components. Eventually, new contacts with indigenous organizations or NGOs with IP advocacies were



Tebtebba helped support the Arts and Crafts Project of the indigenous Subanen women of Siocon, southern Philippines.



Tebtebba supported a campaign among the Subanens of Mindanao, southern Philippines in the assertion of their land rights.

established. Series of meetings and consultations were undertaken with Tebtebba to unite the partners with the objectives and research methodology. During the research component, tight coordination was also set up. The national consultations also served as capacity building for local partners on how to organize, network with government agencies and other NGOs, and conduct these meetings. Overall, the results were positive. Tebtebba's network with new organizations and researchers was increased, specifically in the Mekong Delta area (Vietnam and Cambodia). At the same time, local partners also took cognizance of the help and support that Tebtebba provided during the project.

Support for the Chittagong Hill Tracts Capacity Building Project in Bangladesh, in cooperation with local CHT organizations such as the Adivasi Forum and Trinamul, was also conducted in the year. Tebtebba helped in bringing the project staff for a month-long study/exposure programme to build their capacities in organizational, research, gender work, among others. Tebtebba's desks sat down with the CHT project staff to share experiences and give inputs and suggestions. The gender desk, for example, has been tasked to help formulate the project's gender programme and support the planned trainings.

In the Philippines, Tebtebba helped in looking for support for different socio-economic projects of various indigenous peoples' organizations. With the help of the Regional Network for Indigenous Peoples (RNIP), Tebtebba helped facilitate and mentor an Herbal Tea Project of the Montanosa Research and Development Center (MRDC) and the community of Pidlisan in Sagada, Cordilleras; and an Arts and Crafts Project among the women of Siocon in southern Philippines. In Nueva Vizcaya, Tebtebba is actively helping the formation of an indigenous organization called DAPON that aims to serve as an education, research and advocacy center for several indigenous groups in the north.

With the support of UNESCO, Tebtebba undertook a project on film making. Its objective was to train indigenous film makers to document their situations and issues. For this project, Tebtebba was able to involve several indigenous organizations and a local college.

Tebtebba continues to be an active member of the EED Task Force on Indigenous Peoples (EEDTFIP). It attended several planning meetings held in April

and October. Tebtebba was assigned to help in the ongoing research on Genetically Modified Organisms (GMOs) and High Yielding Varieties (HYVs) and its impacts on indigenous peoples; and in its publications work. The series of indigenous peoples' consultations and dialogues held in August were undertaken with the support of EEDTF.

Tebtebba, in 2006, also actively projected and supported campaigns on urgent indigenous peoples' issues, specifically in the Philippines. These issues involved the political killings and the lumads' (indigenous peoples of Mindanao) assertion of their land rights. The number of politically-motivated killings in the Philippines reached an alarming level in 2006. With the government's all-out war policy against the communist insurgents, several activists, including indigenous leaders and members of indigenous organizations were abducted or assassinated. This climate of impunity has galvanized civil society and indigenous groups to actively campaign against the killings. Specifically in July, a known human rights activist and respected indigenous doctor, Dr. Chandu Claver, was subjected to an assassination attempt in Kalinga province. While he survived the ambush, his wife, Alice, was however killed. Indigenous organizations in the country, including Tebtebba, helped project this killing and the political killings as a whole, in several international forums and help draft several statements condemning the killings.

In Mindanao, Tebtebba helped support a campaign among the Subanens of Mindanao in the assertion of their land rights. The Subanens are faced with the entry/operation of the mining company TVI (Toronto Ventures Inc.) of Canada on one hand, and the ongoing secessionist war between the government and the Moro Islamic Liberation Front (MILF), on the other. Their campaign aims to educate several Subanen communities on the assertion of their rights to land and territories; and specifically regarding the ongoing peace negotiations with the government and MILF, ensure that their rights to lands and territories are recognized by both parties.

Active Engagement with the different UN bodies

a. United Nations Permanent Forum on Indigenous Issues (UNPFII)

The UNPFII is a major component of Tebtebba's

lobbywork and advocacy. In May 2006, Tebtebba's Executive Director, Victoria Tauli-Corpuz, was again voted as Chairperson of the Forum. Among Tebtebba's activities in the Forum included the following:

- i. Holding side events - Three side events were organized by Tebtebba. One was on Indigenous Peoples and the Impacts of Globalization. This was organized with the International Forum on Globalization. The second was the side event on Indigenous Peoples and the International Financial Institutions and the third was on the Convention on Biological Diversity;
- ii. Interventions on several agenda items - Tebtebba helped write and deliver several interventions of the agenda items of the Forum. These included intervention by the Asia and indigenous youth caucuses; on indicators work, on the 2nd Decade of the World's Indigenous People, on the UN Draft Declaration, among others;
- iii. Participation in indigenous caucus meetings and activities — Tebtebba participated in the Indigenous Peoples Caucus and was an active member in the Asia Caucus and the Indigenous Youth Caucus. It also helped organize the well-attended Asia Reception which is a good venue to network with both indigenous organizations and government representatives;
- iv. Lobbying and networking — Tebtebba set several meetings with different indigenous organizations and advocate groups to discuss future work and joint undertakings.

b. Human Rights Council

As stated above, the newly established Human Rights Council was a major venue to lobby for the approval of the UN Declaration on the Rights of Indigenous Peoples. Tebtebba's Executive Director wrote several interventions and actively engaged with several government representatives, specifically from

Asia, to convince them to vote for the Declaration during its 1st Session held in June 2006.

c. Convention on Biological Diversity

As stated previously, Tebtebba actively participated in several meetings of the Convention on Biological Diversity. These meetings were the Working Group on Article 8j held in Spain in January and the 8th Conference of the Parties Meeting held in Brazil last March. Interventions on agenda items were also delivered by Tebtebba. Aside from these, Tebtebba helped organize together with the IIFB, several parallel events, such as strategy meetings and the educators' workshop in Curitiba, Brazil

Lessons and Challenges

The factors involved in successfully undertaking Tebtebba's activities and the challenges ahead include the following:

Good working relationship with indigenous organizations and advocate groups.

Several activities would not have successfully pushed through without close collaboration with several indigenous organizations. The initiatives include the series of dialogues and meetings on the Declaration and on the 2nd Decade Programme in the Philippines, which were co-organized with the Cordillera Peoples Alliance and the EEDTFIP, among others. The partners worked with a high level of trust. The various researches were undertaken with the participation of several indigenous organizations which Tebtebba has partnered with in the past, such as IMPECT of Thailand and AMAN of Indonesia for the 1st Decade Review.

Close working relationship with NGOs and advocates.

Several of the key activities that Tebtebba undertook were successful because of the support of non-indigenous NGOs and advocates. Tebtebba was able to establish good working relationship with NGOs and mobilize them such as Amnesty International in Canada, AFSC (Quakers in Canada, the US and Geneva), and the Canadian Labour Congress. These NGOs supported the lobby work of Tebtebba and indigenous organizations in working for the approval of the Declaration during the HRC session in June. In the Philippine, Tebtebba was able to establish working relationship with the Non-Timber Forest Products (NTFP) an NGO working with indigenous peoples in

“The successful research projects undertaken by Tebtebba was achieved by having been able to unite

Indigenous peoples successfully lobbied for the passage of the UN Declaration on the Rights of Indigenous Peoples at the UN Human Rights Council, June 2006.





Building staff unity and an opportunity to relax after a challenging year, Tebtebba Christmas Party 2006.

the Philippines and several Asian countries.

Good advocacy work with governments and UN agencies and multilateral bodies.

Years of lobby work and advocacy with various government agencies, UN agencies and multilateral bodies also helped in the success of several undertakings. Government agencies in the Philippines, for one, recognize Tebtebba's work and have involved themselves with its projects. The National Commission on Indigenous Peoples (NCIP) and the Commission on Human Rights (CHR) are some of these agencies that work with Tebtebba. In the international levels, the various UN agencies such as the CBD Secretariat, UNDP, UNESCO, ILO, IFAD have helped support some of the projects that have been launched. These include the Data Disaggregation Project (UNDP), the Film Making Training (UNESCO), the 1st Decade Review (with IFAD/International Fund for Agricultural Development), among others. In meetings and conferences, these bodies have helped fund or are active participants of these initiatives, such as in the Asia Regional Workshop on Indicators last November 2006.

The commitment and capacity of Tebtebba senior management and staff.

Tebtebba's staff continue to have a high level of commitment and dedication to the vision, mission, goals and objectives of Tebtebba. Regular assessments and planning help build staff unity and strengthen morale. Also, the staff have the capacity to adjust to the demands of the work, specially when new urgent activities arise.

The lack of staff to engage with other processes.

This remains a factor in 2006. While two additional staff were hired on a contractual basis to support several projects, the demands on Tebtebba, e.g., growing request for training and education, etc., continue to put pressure on the staff. The Executive Director has again been appointed as Chair of the Forum in 2006. While this is a very welcome development, this has also made her unable to attend to several meetings such as in the World Intellectual Property Organization (WIPO) and the World Trade Organization (WTO). There is therefore a need to develop capacities within the present staff to take on some of these responsibilities.

There should be clear and timely guidance in research work

The successful research projects undertaken by Tebtebba was achieved by having been able to unite with the research partners on the research objectives and the appropriate research methodologies needed. Mentoring by Tebtebba, in terms of the conduct of researches, review of papers and outputs proved very helpful in ensuring that the research objectives are achieved. This method also ensured that the indigenous partners' capacity to undertake research is further developed and enhanced.

The need to be more realistic in setting programme targets

While this has already been identified in the past year, there are still instances where plans have not materialized. Factors include new developments necessitating adjustments in activities and targets. Some of these are due to development beyond Tebtebba's control, such as the delay in the national workshops identified in the CBD project. The Bangladesh national workshop, for example, could not push through due to unfavorable political developments.

In terms of activities, there is a need to continue with the second phase of the CBD Capacity Building Project. The first 2-year phase is to end by early 2007. By then, all the national and regional workshops would have been undertaken, and educational resource materials and modules would have been gathered and drafted. The next phase would involve the finalization of the training materials and the development of resource kits; and the training of indigenous commission on how to effectively influence policies and the implementation of the CBD in their localities.

This thrust will support Tebtebba's plan to set-up the Indigenous Peoples' Training Institute. While this was already identified in 2005, the work towards the finalization and testing of training modules on IPR/IHL and on Indigenous Women, Culture and Indigenous Rights need to be fast-tracked, considering the growing number of indigenous organizations requesting education and training from Tebtebba. Resource kits should also be finalized and reproduced.

A pool of trainers must also be formed to help with the education and training work of Tebtebba. The series of education and training activities have been welcomed by several indigenous organizations, and as a result, there is a growing request for these activities in 2007.

The Gender Desk in 2006

By Ruth Sidchogan-Batani* & Eleanor Dictaan-Bang-aa**

2006 marked a year of much activities for the desk. It basically focused on capacity building efforts in response to the articulated need by indigenous women during the last Asian Indigenous Women's Conference in March 2004 and the Bangkok Preparatory meeting for Beijing and in some other fora. What follows is a report of the activities that the Gender Desk engaged in for the year.

Capacity Building

Country Trainings

The need for Capacity Building Efforts for Asian Indigenous Women was borne out of formal and informal discussions with indigenous women during the 2nd Asian Indigenous Women's Conference in March 2004 and the Bangkok preparatory meeting for Beijing +10. It is within this context that Tebtebba generated resources for a capacity building project for AIWN members from NOVIB. As the Gender Desk of Tebtebba was dealing with the Global Programme of the NOVIB, a primary requirement was to work with a Global NGO, hence Tebtebba took on the lead role with AIWN members as partners in implementing the project.

This project was designed to do the following:

- undertake training needs analysis of indigenous women in four countries;
- prepare training-modules based on the training needs identified;
- hold four [4] training of trainers [ToT] workshop seminars which focused on indigenous women's rights and international human rights law;

- hold a final consultation where the draft modules were presented and finalized.

There were four trainings conducted in four countries: North East India, Chittagong Hill Tracts in Bangladesh, Zamboanga del Norte in the Philippines, and AMAN partners in Indonesia.

To facilitate the identification of countries, Tebtebba worked with AIWN, a regional organization of indigenous women. Communities were referred to by the AIWN focal points. For Northeast India, the Gender Desk of Tebtebba coordinated with the Indigenous Women's Forum of Northeast India (IWFNEI); for the Chittagong Hill Tracts in Bangladesh, it coordinated with KMKS and the Hill Tracts NGO Forum (HTNF) in their Gender Programme under the the Maleya programme. For Indonesia, it coordinated with the Women's desk of Aliansi Masyarakat Adat Nusantara (AMAN).

A training module on Indigenous Women, Culture and Rights in its draft form was developed during the Asian Regional Consultation Workshop held in December 17-18, 2006.

Module Development

In coordination with the training and education desk, the gender desk identified Gender and Indigenous Women's Rights as a training that needs to be packaged as a module. This has the goal of coming up not only with a material for use during actual trainings but also as a resource kit since it contains materials and gender education

Toro indigenous women participants of the Indonesia Women's Training.



*Gender Desk Volunteer

**Gender Staff



The author giving an input on indigenous women's orientation for the CHT exposures.

frameworks/outlines being used by partner communities. To facilitate the module development, two in-house workshop consultation with an expert were conducted. At the same time, peer review and brainstorming were undertaken during these two workshops. This process of module

development was also enriched and tested in the country trainings undertaken under the Novib project.

Networking & Information Sharing/Lobbying and Advocacy

International Forums and Indigenous Women's Listserve

For networking and information-sharing, the desk participated in the Commission on Status of Women (CSW) in February till March and the UN Permanent Forum for Indigenous Peoples in May. CSW's annual session has the aim of reviewing progress made on the BPEA's critical concerns while the UNPFII has the task of providing expert advice and coordinating actions to promote the rights of indigenous peoples within the UN system and prepared and disseminate information on indigenous issues. As the desk also serves as the moderator for the AIWN listserve, information were sent to AIWN members specifically on the guidelines for the 50th Session of the CSW and the 5th Session of the UN Permanent Forum on Indigenous Peoples. Official intervention in the UNPFII, campaign statements and alerts regarding human rights violations and violence against women as well as information and updates on activities and/or of partners were circulated.

The desk also participated in the Pacific Regional Consultation with the UN Special Rapporteur on Violence Against Women and the UN Special Rapporteur on Freedom of Religion or Belief on September 11-12,

2006 in Ulaanbaatar, Mongolia. The sponsor of the activity were the Asia Pacific Women, Law and Development and the National Centre Against Violence (NCAV).

The consultation was participated in by 35 women from 22 countries around the region. The focus of this year's Consultation was on "Culture and VAW" which would form part of the annual report to the Human Rights Council in 2007. The discussions then focused on the contestability of "culture" its fluidity and contingent character. Women were highlighted not as "victims" but also the one who "construct" (i.e., the woman agency).

A paper on "Indigenous Women, Culture and Violence" was delivered by the desk. This served as one input to the SR report to the Human Rights Council. This was subsequently published in the APWLD report.

Information Kit

An "Information Kit on Indigenous Women of Asia," a joint project of AIWN and Aliansi Masyarakat Adat Nusantara (AMAN) in partnership with Rights and Democracy, was prepared and drafted during the year.

The Information Kit aims to highlights the work of indigenous women who are acting at the local, national and international levels in asserting their rights. This is a timely response to the challenges posed by the Second Decade of the World's Indigenous Peoples (2005-2014) as it focuses on the issues that impact on indigenous women in Asia as well as the strengths and sentiments of these women.

The Information Kit on Indigenous Women of Asia is an adaptation of the kit "Indigenous Women of the Americas," published by Rights and Democracy

In the various activities that the desk engaged in, the actual conduct of trainings at the grassroots level, which is central to capacity building, validates and remains the strength of lobby and advocacy work at the international arena.

Overall, in every activity of the Desk, lobbying, capacity building, advocacy, information sharing and networking are built in. The actual conduct of trainings, for instance already integrates networking and advocacy.

Learnings from the Data Disaggregation Pilot Project in Nueva Vizcaya, Philippines

By Abe Almirol*

As the UN adopted Resolution 59/174 proclaiming the Second International Decade of the World's Indigenous People which commenced in January 1, 2005, indigenous peoples worldwide have called for more concrete actions to advance their right to self-identify. The UN Permanent Forum on Indigenous Issues has agreed that disaggregation of demographic data on indigenous peoples is one such concrete step. Being counted in the official census as distinct group from the mainstream population is a step that would start succeeding steps that would enable the recognition of other basic rights, such as equal access to social services and the like.

Much have been written about the importance of disaggregating population data on indigenous peoples, yet very little information on how to approach it is available. The absence of data sets in official government census that would enable disaggregation of information about indigenous peoples moved Tebtebba Foundation to pilot an activity in one province in the Philippines. In this initiative, it was learned that the closest data available in the census that could disaggregate population by ethnicity is the "mother tongue" variable.

Recognizing the importance of developing a methodology to address this concern, the UNDP Regional Centre in Bangkok through the Regional Indigenous Peoples Programme (RIPP) granted a small fund to undertake a pilot initiative in Nueva Vizcaya, Philippines.



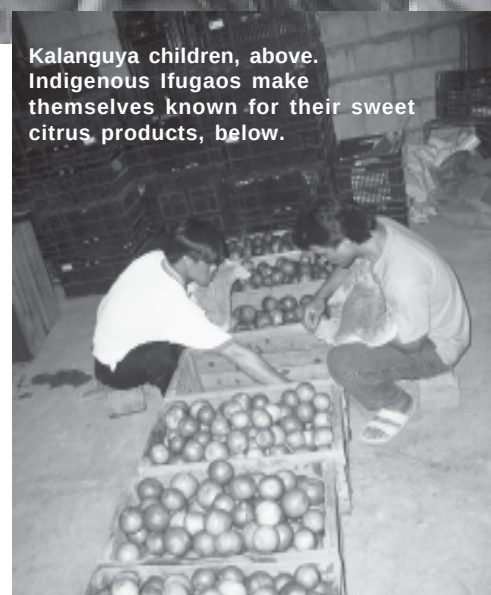
Key Steps of the Methodology Used

To generate a disaggregated data on indigenous peoples, the following 11-Step methodology was used in the pilot area:

1. Review of literature on Nueva Vizcaya and its indigenous peoples

The "Ammungan Profile," published by the Nueva Vizcaya Heritage Foundation in 1996, provided concise yet comprehensive information on the indigenous peoples of Nueva Vizcaya. This was supplemented by readings like "Ethnohistory of Northeast Luzon" by Felix Keesing and "The Ilongots" by anthropologist Renato Rosaldo and another book

Kalanguya children, above. Indigenous Ifugaos make themselves known for their sweet citrus products, below.



*Researcher, Tebtebba Research Desk



with the same title by Fr. Pedro Salgado, OP. The literature established information about the composition of the population in Nueva Vizcaya before and during the colonial period.

2. Review of existing population data (National Statistics Office, 2000 Census)

Derailed by the failure of Philippine Congress to enact a national budget on time, the scheduled 2005 midterm national census was reset several times. It was reported recently that the census will finally push through in 2007. Thus, the only available data that could be relied on is the 2000 Census. The 2000 data was used as a baseline to compare data from the household list gathered.

3. Gathering of village household list from local governments (275 villages)

The attempt to gather population data using the village household lists was initially thought as an easy alternative approach to doing a costly census. But it appeared later that the compliance of local officials to their mandate of maintaining an updated village household list extremely varies. One village is so systematic that data is available electronically and thus, the only effort needed is to consolidate the worksheets into a municipal and later, into a provincial database. Most of the villages hold a complete census handwritten in a record book that is maintained and updated by village health workers, who are using it to deliver basic health services. But it was soon found out that some villages—urban and rural alike, do not have any record at hand. The project timetable, initially set for six months, was extended to a year because villages with no data are yet to generate these lists.

4. Focused group discussions to validate secondary data

Subjecting available data to a focused group discussions has been a rewarding experience. The free-flowing exchange of information primed by data from existing literature surfaced deep sentiments of indigenous peoples against government's policy of assimilation. One interesting subject common in all discussion groups is the assertion of self-identity. For example, the whole outside world knew them as the "Ilongots" and recorded history likewise name them as the Ilongot and few other names. However, the association of the name Ilongot to the practice of headhunting was deeply resented by the present

generation. Thus, they unanimously agreed to self-ascribe as the "Bugkalot."

In another case, one segment of the Kalanguya group adopted the ascription Ikalahan because an American protestant missionary, Pastor Delbert Rice, asserted that "Kalanguya" was a derogatory word. But a large gathering of elders refuted Rice's claim and asserted their collective identity as the Kalanguya people. Existing literature used Kalanguya and Ikalahan interchangeably to refer to one and the same people.

The focused group discussion also explained how early migration of indigenous peoples shaped the present territories they are now occupying to date.

5. Identification of household's ethnic background by village key informants

Village key informants were effective in identifying the ethnicity of households found in the list. Their relative familiarity with the residents produces the same level of accuracy as a census, especially with regards to the information on ethnicity. The use of this methodology opened the idea that village data collection and management has the same level of accuracy if compared to a nationally coordinated census. This is possible if local officials and those engaged in data collection and management are properly guided and trained by the Philippine National Statistics and Census Board

6. Processing of village household lists to disaggregate population by ethnicity

The use of electronic worksheets makes data processing almost effortless. It is the encoding of handwritten household list that made the work difficult. The software SPSS 11.0¹ has the capability to handle more rows and columns than Microsoft Excel, thus, consolidating the whole data set into a provincial database have not been a problem.

7. Preparation of Survey Design and Questionnaire

The accuracy of a survey of this nature depend much on the cultural appropriateness of the questions asked. Translating the questions in a local language widely understood by target respondents helped much in placing the interview in proper context. The help of veteran census experts who worked with the government boosted the confidence of the project team. The questionnaire was pre-tested and further

improved before it was used.

8. Random selection of 600 indigenous households as survey respondents

This survey is a process which involved people who do not belong to indigenous communities. As such, surveys must acquire free, prior and informed consent (FPIC) of the communities. The right of the respondents to refuse answering a specific question or to grant an interview is a difficult constraint to hurdle in dealing with surveys, especially when the survey follows a very rigid sampling system. Replacing the respondents without considering the sample replacement procedures would reduce the confidence level and increase the margin of error.

Interviewing only the random samples taken has created a problem in the community. Enumerators have a hard time explaining what a random sample is, which is a concept not easily understood. In this pilot, the computed 600 sample respondents has a margin of error $e=0.04$ and confidence interval at 95 percent.

9. Survey implementation

The timing of the survey is also crucial. Because the collection of the village household lists was delayed, the survey in this pilot project was implemented at the onset of the rainy season which made accessibility to respondent in remote areas very difficult. The risk of being caught amidst the on-going insurgency conflict was experienced by the project team.

Reaching and locating a target respondent, which was pre-identified during the sampling stage, have been very difficult. There are many instances where survey enumerators were eluded by suspecting respondents who thought that they were loan or debt collectors. However, the rigid sampling of respondents paid off as the information gathered represented an evenly distributed perspective.

10. Processing and analysis of survey results

The five sections of the questionnaire is composed of: a) general household profile, b) genealogy, c) social and economic services, d) political participation, and e) relative cultural markers. Responses were coded to be processed by SPSS software. Graphs were generated to aid in the analysis of data.

The processing of the genealogy data failed

because the needed information was not completed. Most survey respondents failed to identify the names and birthplaces of their great grandparents, and in most cases, the grandparents of their spouse. Since most of the interviewed respondents were migrants or displaced indigenous groups who were already born in Nueva Vizcaya, most of them had no direct memory of their ancestors.

11. Public presentation of initial survey findings

Presenting the result of the pilot data disaggregation initiative to possible data users further enriched the methodology adopted. Critics from the academe were amazed by the richness of the information generated. Some commented that the study was too broad that a number of interesting information has not been deeply pursued. There was a suggestion that the survey should have been divided into narrower sets of subjects and conducted one after the other. This was an interesting suggestion but some believed since the questionnaire was fairly crafted that all information needed was collected in one time survey.

The National Commission on Indigenous Peoples (NCIP) expressed its interest to pursue a nationwide initiative to disaggregate data. They were seeking a 70-million peso (USD1.4M) budget to undertake a national data disaggregation project for indigenous peoples.

The Philippine Statistical System (PSS)

If there is one important discovery that the pilot initiative made, it was the discovery of a favorable policy embodied in the PSS. Mandated by the Executive Order 121, the PSS is the framework that the Philippine government laid down to develop, manage and regulate statistical work among its agencies and, surprisingly, the private sector as well. One important aspect learned is the decentralized nature of the PSS. This means that the PSS could inspire a vast opportunity to develop official data collection and management systems at the villages. In contrast, other countries have strictly centralized framework of statistical system.

The PSS is operationalized by the National

“(S)urveys must also acquire free, prior and informed consent (FPIC) of the communities.



Josie Almirol of the Project Team giving an input during a community meeting.

Statistical Coordination Board (NSCB) through the Statistical Survey Review and Clearance System (SSRCS). The SSRCS is a regulating mechanism to ensure that surveys and census activities in all levels pass standards and technical rigor. Although the law does not require private surveys to undergo SSRCS, voluntarily subjecting a privately initiated census and survey would attribute an official sanction to the resulting data collected.

Dealing with Ethnicity: The Nueva Vizcaya Experience and Parallel Studies in the UN Statistics Division

The pilot initiative taught that gathering and disaggregating demographic data is a highly political exercise, especially if it concerns ethnicity and “indigeness” of a certain segment of population. The fact that government has not extended the survey questionnaire to include the ethnicity variable and instead remained contented with the “mother tongue” variable in the 2000 Census despite the passage of the Indigenous Peoples Rights Act (IPRA) in 1997, it was highly obvious that the matter is not unintentional. Officially recognizing in the census the segment of population which have claims of special rights under the IPRA have serious implications in the government’s regulations on land tenure and resource use which is at the core of the new law.

A study by Dr. Ann Morning² revealed that based on an unpublished survey of the census questionnaires used in 147 countries, the United Nations found that 95, or 65 percent, enumerated their populations by national or ethnic group.

“However, this statistics encompasses a wide diversity of approaches to ethnic classification, as evinced by the spectrum of terms employed; ‘race,’ ‘ethnic origin,’ ‘nationality,’ ‘ancestry’ and ‘indigenous,’ ‘tribal’ or ‘aboriginal’ group all serve to draw distinctions within the national population. The picture is further complicated by the ambiguity of the meanings of these terms: what is called ‘race’ in one country might be labeled ‘ethnicity’ in another, while ‘nationality’ means ancestry in some contexts and citizenship in others. Even within the same country, one term can take on several connotations, or several terms may be used interchangeably.” Dr. Morning

explained.

Providing the right choices for the respondents to answer the ethnicity questionnaire has been the answer given by New Zealand Statistics to the growing concern on how to deal with the said variable in surveys and censuses. Given the right choices and properly arranging the choices in several levels of main groups, sub-groups and further sub-groups of ethnicities offers the solution to data processing woes. The system adopted by Maori statistics answered the deficiencies of the system used in the pilot initiative in Nueva Vizcaya.

Opportunities and Challenges

During the public presentation, a representative of the National Commission on Indigenous Peoples (NCIP) of the Philippines has criticized their limited involvement in the Nueva Vizcaya project but at the same time expressed their appreciation for Tebtebba Foundation’s initiative to pilot the development of methodologies for data disaggregation. The public presentation provided an opportunity for the NCIP and the NSCB to face each other and talk about the issue. In the Philippines, personnel of government agencies are least expected to talk about highly political issues because these are deemed policy-determining and thus, should be left to the level of commissioners and department secretaries.

Limited time would not allow enough lobbying efforts to convince the NSCB to consider NCIP’s assertion to include the ethnicity variable in the midterm census that would push through next year. Perhaps, the preparation for the 2010 census would be the appropriate time to exert all efforts to lobby for the inclusion of the ethnicity variable.

In the meantime, village level data collection and management systems must take advantage of the favorable policy framework to develop a grassroots initiative to disaggregate data on indigenous peoples.

Endnotes

¹ Statistical Package for Social Sciences version 11.0.

² United Nations Statistical Division, 2003.

The 1st International Decade of the World's Indigenous People (1995-2004) in Southeast Asia

by Leah Enkiwe-Abayao*

The majority of the indigenous peoples of Southeast Asia were not aware of the 1st International Decade of the World's Indigenous People (1995-2004),¹ but to many indigenous peoples' organizations and advocates who for many years have been active in various spaces at the international level, this UN pronouncement was a good signal that their work had reached the attention of the international community, particularly the United Nations with at least 192 member states. The objectives of the Decade alone has shown UN's strong support for indigenous peoples, e.g., "...promoting and protecting the rights of indigenous people and to enable them to retain their cultural values, languages, traditions and forms of social organization while participating fully in political, economic and social life."

The theme "Indigenous People: Partnership in Action" illustrates interest to bolster international cooperation towards solving the problems of the indigenous peoples in such areas as health, development, education, the environment and human rights. A Program of Action² was also produced and was designed for the participation of various sectors and institutions in implementing the decade. Each of the United Nations agencies, the governments, intergovernmental, non-governmental organizations and other institutions were assigned particular tasks. UN Member states were requested to develop their own national program of action and were urged to allocate funds for the national implementation of the decade.

A project entitled "Assessment of the



International Decade for the World's Indigenous People (1995-2004)"³ covering 10 countries in Asia was funded by the International Fund for Agricultural Development (IFAD) and was jointly implemented by Tebtebba (Indigenous Peoples' International Centre for Policy Research and Education) and the International Centre for Integrated Mountain Development (ICIMOD).

ICIMOD implemented the project in five countries from the Hindu Kush-Himalayan region namely Bangladesh, Bhutan, China, India and Nepal while Tebtebba focused in five countries from South

*Research Volunteer



Toro indigenous people, Indonesia

East Asia, namely, Cambodia, Indonesia, Philippines, Thailand and Vietnam. The project aimed to gain a better understanding of the status of and up-to-date conditions of the indigenous peoples in Asia during the 1st International Decade of the World's Indigenous People with a purpose to improve the environment for policy, programme development and advocacy to strengthen the rights of indigenous peoples. The project was also seen as an opportunity not only to assess the outcomes of the Decade, but also to identify and evolve future issues and strategies that can advance the cause of indigenous peoples.

The Decade had quite ambitious and challenging aims—of alleviating the situation of indigenous peoples and—intensifying efforts to respond to their legitimate demands and needs. While many states were supportive of indigenous peoples' concerns at UN processes, many of them were caught unprepared to deal with the decade at the national level. In Southeast Asia, not one of the governments sought to produce a national program of action for the decade and only the Philippines made an official pronouncement of an indigenous peoples' recognition during the Decade. But a closer look at the country level show some significant developments. One can easily recognize a number of civil society groups including indigenous organizations that have significantly intensified their work during the Decade. Worth noting also were the policy support of agencies such as the United Nations Development Programme's (UNDP) formulation of a

“UNDP and Indigenous Peoples: A Policy of Engagement” and the Asian Development Bank's (ADB) Policy on Indigenous Peoples in 1998. Overall, however, the objectives set for the Decade were far from being achieved.⁴

The project had the following specific objectives:

1. To increase understanding and awareness of the status of indigenous peoples in five countries in Southeast Asia during the Decade by conducting four interlinked assessments;⁵ and
2. To strengthen partnerships between indigenous peoples, institutions and networks in Southeast Asia.

Engaging Indigenous Researchers

Tebtebba managed to engage researchers who were mostly indigenous peoples residing in the particular country of study.⁶ The identification of researcher-writers from each of the countries was a very difficult and complex process. For one thing, it was time consuming and costly since it required the use of both emails and overseas calls, but not all of the researchers have daily access to these. The intention was to find and hire researcher-writers who were indigenous peoples and who have experience in conducting research or, at least, had basic knowledge of conducting research.

A meeting *cum* workshop with the identified writers was conducted in order to discuss in more detail the project concept, the research methodology envisioned to be carried out; get feedback from the researchers about the project *per se*, and to identify local strategies that will enhance the conduct of the research. After each meeting with the country researchers, they were asked to prepare a research and implementation plan for each country. A Project handbook⁷ was prepared by Tebtebba and was given to the researchers. Research, *per se*, was implemented immediately by each of the researchers.

A research draft was validated in a national consultation⁸ organized for each country. Organized by each country researcher, the national consultations have been very useful in generating feedback,

comments and suggestions from key people. It was also a useful venue for networking among key organizations and agencies. Tebtebba continued its work on building the Indigenous Peoples' Global Research and Education Network (IPGREN). After each national consultation, the researchers revised their research reports and prepared to present their output at the regional culmination conference to be held in Kathmandu, Nepal on November 27-30, 2006. This process was time consuming but given time and resource limitations, it was also the best way to assess the reports and give assistance that was appropriate to each of the researchers. It was indeed a two-way learning process for both Tebtebba and the country researchers.

Project Output and Findings

The project produced five Policy and Program Analysis focusing on an assessment of the 1st International Decade for the World's Indigenous People (1995-2004) in the following countries: Cambodia, Indonesia, Thailand, Philippines and Vietnam. Added to this were three other research reports: A Budget Analysis at the provincial level in the Philippines and two Case Studies conducted in the Philippines and in Indonesia.

The country researches found that all the five countries in Southeast Asia did not make any official pronouncement of the 1st International Decade for the World's Indigenous Peoples at the country level. Thus, a program of action was not also laid out for each of the countries. But policies favorable to indigenous peoples and programs implemented on indigenous peoples territories can be discerned for the period 1995-2004. Generally, all the five governments recognize the existence of indigenous peoples but they are couched in various names or categories such as Hilltribes (Thailand), Ethnic Minorities (Vietnam⁹ and Cambodia¹⁰), *Masyarakat Hukum Adat* (Community of Customary Law) (Indonesia)—all of which are used with political undertones depending on the contexts it is being used. It is only the Philippine government that uses "Indigenous Peoples" officially based on its law, the Indigenous Peoples Rights Act (IPRA), recognizing the rights of indigenous peoples in the Philippines. All the other four countries do not have a specific law that recognizes rights (covering a wide range of concerns) of "indigenous peoples."

The Indigenous Peoples in Southeast Asia

Except for Indonesia, the research reports produced a government's listing of indigenous peoples in their countries, to wit:

- There are 54 officially recognized ethnic groups in Vietnam, in which the Kinh majority makes up 86.2 per cent while the other 53 ethnic minority groups make up 13.8 per cent of the total Vietnam population. Ethnic minorities in Vietnam are found in mountainous areas and are uneven in terms of population. The Tay, Thai, Kh'mer, Muon form the majority of the ethnic minorities population (over a million people), the other 17 groups have less than 10,000 people and the others with less than 1,000 (Odu, Romam, Brau, Pupeo, Sila);¹¹
- According to the Ministry of Interior of the Royal Government of Cambodia, March 1995 data, the total population of Cambodia was 9,672,635 of which 370,463, belonged to 21 different groups or 3.83 per cent of the total population of Cambodia. There are 17 ethnic minority groups of Cambodia that is currently recognized by the Ministry of Rural Development - Department of Ethnic Minority Development, located in the following areas and with corresponding population: Ratanakiri — 80,337, Kratie — 20,435, Steung Treng — 5,774, Mondulkiri — 27,118, Kampong Speu — 1,833, Preah vihear — 4,900 which adds up to 140,397;¹²
- In the Philippines, the National Commission on Indigenous Peoples (NCIP) notes the presence of 11,778,190 ethnic groups in the Philippines which is about 15 per cent of the country's 80 million population;¹³

“The country researches found that all the five countries in Southeast Asia did not make any official pronouncement of 1st International Decade for the World's Indigenous Peoples at the country level. Thus, a program of action was not also laid out for each of the countries.”

- Thailand officially recognize 10 hilltribes or Indigenous and Tribal peoples of Thailand) in Northern and Western Thailand with a total population of 923,257 (approximately 1.3 per cent of Thailand population).¹⁴

Recognition of indigenous peoples' rights to their territories remain absent in many countries in Southeast Asia during the Decade, but there are few laws and policies which acknowledge some of these rights. Some of the laws and policies are the following:

1. The 1997 Indigenous Peoples' Rights Act of the Philippines, otherwise known as the Republic Act 8371;
2. Act No. 22 of 1999 concerning local government recognizes the existence of Adat communities in Indonesia;
3. Special Autonomy Law for West Papua, Province in Indonesia;
4. 2001 New Land Law of Cambodia was passed which contains provisions for indigenous peoples to gain titles for their lands;
5. 2002 Forest Law and Sub-Decree on Community Forestry (2003) in Cambodia which created legal instruments for Indigenous peoples' management and use rights.

In most countries of Southeast Asia, there were some government bodies that were given mandate to address the concerns of indigenous peoples: National Commission on Indigenous Peoples (NCIP, Philippines); Commission on Ethnic Minorities (Vietnam); Inter-Ministerial Committee for Ethnic Minorities Development (Cambodia); Hilltribe Welfare Division (Thailand).

policy in which the government grants production land, living land, housing and clean water for all poor ethnic minority households across the country from 2004 to 2006. In 2005, the Vietnamese government invested in building low cost housing for poor ethnic families but the process was observed to be very slow and the quality of houses was found unfit for human habitation by Ethnic Minorities. "135 - Socio-economic Development Program for Extremely Difficult Communes" was initiated in 1998 has been noted for infrastructure projects such as transportation, small-scheme irrigation works, schools, clinics, water supply, electricity, markets, and reclamation. This helped uplift the conditions in ethnic minority and mountainous areas. This program was executed by the State Committee for Ethnic Minorities (CEM).

Like many countries in Asia, land/territories and other resources appear to be the most problematic, the most sought out and top priority concern of indigenous peoples in Southeast Asia. While some governments in the region have tried to address this at the policy level during the Decade, questions have been raised as to its coherence *vis a vis* other national laws, and more importantly, its implementation. Indigenous peoples have long struggled to reclaim many of their resources and territories.

The implementation of such policies as the IPRA in the Philippines and the Land Law 2001 in Cambodia was still very minimal and at a very limited scale. The recognition of the indigenous peoples in Indonesia is half-hearted such that there are certain state policies favorable to indigenous peoples that come with a list of conditions and criminal charges imposed.¹⁵ Policies have in them either an ambiguous stipulation or some repressive provisions. In Cambodia, the gravity of land problems pushed many indigenous peoples to gather together in a forum¹⁶ to discuss serious threats they were facing on land tenure, e.g., state land concessions, mining concessions, land sales, land grabbing, immigration of people from outside the community, and alienation of land. This gathering also stated some recommendations such as:

The recognition of communal land titling for indigenous communities by the 2001 Land Law is important to the future of our indigenous communities, natural resource management and indigenous culture. We strongly support communal

“While there are evident policy and program support for indigenous peoples in Southeast Asia, they still have a long struggle ahead in order for states to recognize their existence and identities as indigenous peoples.

Policies and Programs affecting IPs

In Vietnam, there were two key accomplishment of the government which are favorable to the ethnic minorities. These are Programs 134 and 135. "Program 134 - Land Allocation for Ethnic Minorities," is a

land titling. Communal land titling is consistent with our traditions and our way of managing land, and can help to protect indigenous culture from the violations of our land that we are currently encountering.

Areas of forest of water resources that are of special significance to our culture need to be included in our communal land titles. We cannot feel comfortable with these areas not under our ownership.

In Indonesia, the “Program on the Empowerment of Komunitas Adat Terpencil” appears to be favorable to indigenous peoples as the term “empowerment” in the title signals. The program, however, is found ill-conceptualized as it employed terms that imply indigenous peoples as mere objects of classification and intervention negating indigenous philosophies and practices; and are poorly implemented as there is no meaningful participation of indigenous peoples.¹⁷ A strong bias against them still dominated and state control was inherent even in such terms as “empowerment program.”

Indigenous organizations such as AMAN (Masyarakat Adat Nusantara) of Indonesia, Tebtebba of the Philippines, and AIPP (Asian Indigenous Peoples Pact) based in Chiangmai, Thailand played key roles in promoting and advancing the aspirations of indigenous peoples in Asia. Tebtebba has actively raised the concerns of indigenous peoples at the international level and has led in organizing international events on indigenous issues and concerns. These include the visit of the UN Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous People, Dr. Rodolfo Stavenhagen¹⁸ in December 2002.

It is also worth highlighting some national networks that were built during the decade namely: Indonesia-Aliansi Masyarakat Adat Nusantara¹⁹ (AMAN) in 1999 and the Assembly of Indigenous and Tribal peoples in Thailand (AITT) in 1999. Regional networks established earlier have notably carried out significant activities, e.g., the Asian Indigenous Peoples’ Pact (AIPP) and the Asian Indigenous Women’s Network’s (AIWN) 2nd Asian Indigenous Women’s Conference held on May 4-8, 2004.

The researches showed that only a few policies favorable for indigenous peoples were produced

during the 1st Decade. There is much to be desired for both policies and programs in order to improve the conditions of indigenous peoples in these five countries. There is also a need to deepen the understanding of government agencies and other institutions on indigenous issues and interests. Awareness raising is still low as shown in the research reports.

Key indigenous organizations in Asia also actively engaged in various activities during the Decade. These activities range from education, training and awareness-raising, policy advocacy to research and publications, socio-economic/livelihood work and campaigns.



In search of proper recognition and legal rights

While there are evident policy and program support for indigenous peoples in Southeast Asia, they still have a long struggle ahead in order for states to recognize their existence and identities as indigenous peoples. The use of “ethnic minorities,” “minority nationalities,” “hilltribes,” among others are subdued categories used by many Asian states to refer to their indigenous population. While they may claim rights to exercise their own cultures and speak their own languages, it would be difficult to justify claims for right to self-determination and right to territories and resources. As long as indigenous peoples rights over their territories and their cultures are denied, the collective struggle for their right to self-determination and claims of legal rights to their resources will continue.

Endnotes

¹ Launched by the United Nations General Assembly in 1995.

² A Programme of Action for the International Decade of the World’s Indigenous People was adopted by the General Assembly in 1995 (see resolution 50/157).

³ The results of this project will be published in a 2-volume book in 2007.

⁴ For example: “to empower indigenous people to make choices and enable them to retain their cultural identity while participating in national economic and social life, with full respect for their cultural values, languages, traditions and forms of social organization.”

⁵ These are: Policy Analysis: Conduct analysis of national laws and policies and new mechanisms addressing indigenous peoples’ issues/concerns; Budget Analysis: Conduct a Provincial Budget analysis to assess resource allocation/ appropriation at the provincial level—the area in which this was implemented was the Philippines; Program Analysis: Review and analysis of identified programs and projects that was conceived and/or implemented during the 1st Decade by donors or funding agencies, United Nation agencies, partner governments and key civil society organizations; Case Study and Situational Analysis: of particular issues (e.g., access and rights to resources)—the areas where these was conducted were the Philippines and Indonesia.

⁶ Thailand: Mr Sakda Saenmi - Executive Director of Inter Mountain Peoples Education and Culture in Thailand Association (IMPECT); Luong Thu Oanh - Researcher of Centre for Sustainable Development in Mountainous Areas (CSDM); Albertus Hadi Pramono - Research Affiliate of Aliansi Masyarakat Adat Nusantara with Bernardinus Steni (HuMa Indonesia) and Rukka Sombolinggi, Advocacy Coordinator of AMAN; Aida Priscilla Tauli — Cadiogan and Bernabe Almirol - Researchers of Tebtebba Foundation; Cambodia: Moul Phath and Seng Narong who are with (CIPERAD).

⁷ This contained the basic materials for the project including a review of literatures and a research methodology, the project objectives, paper of the “Assessment of the Indigenous People’s Decade,” minutes of the Inception Meeting held at Bangkok in April 2005, UN Official pronouncement of the International Decade for the World’s Indigenous People (1994-2004), Program of Action the 1st International Decade for the World’s Indigenous People, Review of the IP Decade by the IP Caucus; and a Guide for the Researchers of the Project.

⁸ The National Consultation had the general objective of presenting the findings of the research and have it validated by key people from various agencies or institutions and the respondents of the researchers.

⁹ See reference to the term ethnic minority in the State Committee for Ethnic Minority (CEM) of Vietnam.

¹⁰ Refer to the 1997 Draft Highland Peoples’ Development (HPD) of Cambodia’s Inter-Ministerial Committee for Ethnic Minorities (IMC) cited in Moul Phath

and Send Narong. “Assessment of International Decade of the World’s Indigenous Peoples 1995-2004 in Cambodia.” Unpublished Research Report December 2006. This draft HPD is still being reviewed by the Ministry of Rural Development and this policy has not yet been endorsed by the Royal Government of Cambodia.

¹¹ Population and Housing Census of Vietnam 1999.

¹² Inter-Ministerial Committee for Ethnic Minorities Development; Department of Rural Development, Kampong Speu and PRDC of Ratanakiri, Mondulakiri, Kratie, Stung Treng and Prah Vihear; and WB/Rural Investment & Local Governance Project.

¹³ See regional distribution of officially identified indigenous peoples found at http://www.ncip.gov.ph/resources/ethno_region.php. Accessed December 25, 2006.

¹⁴ The Hilltribe Welfare Division, Public Welfare Department, and Ministry of Labor and Social Welfare of Thailand (2002).

¹⁵ Albertus Hadi Pramono and Bernardinus Steni, “Assessment of the First International Decade on Indigenous Peoples (1995-1994) in Indonesia.” (Unpublished research report), November 2006.

¹⁶ Representatives of indigenous communities from 14 provinces in Cambodia gathered in Trang Village, Chh’em Commune, Orak District, Kampong Speu Province for a national forum on indigenous people and land on September 9-12, 2004.

¹⁷ Ibid.

¹⁸ The position of the SR was created in 2001 through a resolution (E/CN.4/RES/2001/57) of the Commission on Human Rights. The main function of the SR is to look into the situation of human rights and fundamental freedoms of indigenous people and recommend proposals and appropriate measures to prevent and remedy violations of these rights.

¹⁹ Alliance of Indigenous Peoples in the Archipelago.

Building Indigenous Peoples' Capacities towards CBD Implementation

By the CBD Capacity Building Team*

The challenge is to go back and teach what we are talking here (in this workshop) and to learn new words and translate these into our level and transform them into action.

Thus says Walter Ritte Hui Ho'opakele of the indigenous Aina community in Hawaii as he introduced himself during an indigenous educators' workshop in March 2006 in Curitiba, Brazil. The long-time community activist, who has been fighting against the US military occupation of Hawaii for the last 30 years, was one of the 38 participants of the educators' workshop, which Tebtebba organized and facilitated in between sessions of the COP8 meeting.

Walter Ritte Hui Ho'opakele's desire to "translate and transform into action" what he learned from the workshop reflects the same enthusiasm and commitment of other indigenous participants from Africa, Latin America, North America, Russia and the Asia-Pacific.

Tebtebba's project on capacity-building and training workshops on CBD (Convention on Biological Diversity) implementation for indigenous peoples' organizations has generated strategies and action plans, which, as Walter Ritte Hui Ho'opakele says, can translate and transform words into action.

Capacity-Building Resource for Indigenous Peoples Organizations

The project continues to serve as an important resource for capacity building and training on CBD implementation for indigenous peoples' organizations at the global, regional, national and local levels. It does so in the following ways:

- Project staff were resource persons at preparatory meetings of the International Indigenous Forum on Biodiversity (IIFB) and the Indigenous Women's Biodiversity Network (IWBN) for participation in CBD Working Groups on 8j and ABS5 in Granada, Spain, and for COP8 in Curitiba, Brazil. Apart from inputs at preparatory meetings, the project also conducted focused strategy meetings for IIFB and IWBN members in January and March 2006. In addition to teaching at regional and national workshops, Joji Carino, the project team leader, was also an instructor on CBD and environmental agreements at the

Indigenous participants of the International Indigenous Forum on Biodiversity (IIFB) during the CBD COP8 Meeting, Curitiba, Brazil



*The CBD Team is composed of Joji Carino, Maurice Malanes & Helen Valdez



Indigenous participants of the Malaysia National Capacity Building Workshop discussing issues, above, while Philippine workshop participants listen to panelists, below.

International Training Centre for Indigenous Peoples (ITCIP) 2006 Course in Greenland.

- The project developed written and visual training material and educational resources including the following modules: Introduction to Indigenous Peoples and the CBD; on the Ecosystem Approach and Indigenous Peoples; on Access and Benefit-Sharing; *Sui Generis* Protection of Traditional Knowledge; and Indigenous Peoples and Policy Advocacy, among others.
- Reports and publications of its training workshops serve as resources and reference materials beyond the immediate participants.

Philippines and Malaysia National Capacity-Building Workshops



As part of its programmed activities, the project conducted two national capacity-building workshops in the Philippines and Malaysia, in partnership with local organizations. The Philippine workshop focused on *Sui Generis* Protection of

Traditional Knowledge as a follow-up activity to a national workshop held in 2005. This included a round-table discussion with government agencies on Environment, Intellectual Property Office, and Indigenous Peoples.

The Malaysian workshop held in Kota Kinabalu in October 2006 was co-organised with JOAS, the national federation of indigenous peoples' organizations, and PACOS Trust (Partners of Community Organizations) in Sabah.

Unfortunately, the workshop scheduled for Bangladesh in November 2006 did not push through due to the difficult political situation in the country. Likewise in Africa, the heavy schedule of environmental meetings including COP12 of the UNFCCC (UN Framework Convention on Climate Change), made these priority activities for project partners. Thus, it has been requested that these workshops be held in 2007.

Communication Education and Public Awareness (CEPA)

Indigenous strategy meetings had earlier identified the lack of CEPA work as a weakness in CBD implementation, particularly for grassroots indigenous communities. Building on its experience of conducting training workshops on the CBD, the project organized a Workshop for Indigenous Educators alongside the COP8 meeting in Curitiba. The three-day workshop had more than 30 participants who shared experiences of educational work, evaluated existing teaching resources and developed an introductory module on Indigenous Peoples and the CBD, and agreed on a CEPA work programme for implementation at all levels. The IIFB Working Group on CEPA was established to serve as a focus for learning, sharing and coordination in this area of work.

Indicators Relevant for Indigenous Peoples, the CBD and MDGs

Pursuant to COP decisions VI/26 and VII/30 which agreed the CBD Strategic Plan, 2010 Biodiversity Target and monitoring framework, indigenous peoples have been active in engaging the CBD to identify a few

meaningful indicators on the protection and promotion of traditional knowledge, innovations and practices. COP8 Decision VIII 5G welcomed a technical process to hold an International Seminar on Indicators Relevant to Indigenous Peoples, the CBD and the MDGs to further this work, being carried out by the IIFB Working Group on Indicators.

The Project supported the planning meetings of the Coordinating Committee of the IIFB WG on Indicators and provides the coordination and secretariat functions for this global process of indicators development. This process has gained strong support from among indigenous peoples, governments, international agencies, academe and NGOs. This is potentially a strategic area of collaborative work.

International Regime on Access and Benefit-Sharing

The global impetus to elaborate an international regime on Access and Benefit-Sharing has pushed indigenous peoples' organizations to seriously engage with this process, which could have critical bearing on indigenous peoples' rights to biological resources and traditional knowledge. In the CBD meetings on this subject, the project actively put forward proposals about the mechanisms for the participation of indigenous and local communities in this process. It has also become clear that this is one area in which capacity-building for indigenous peoples is urgently needed in order to deal substantively with the complex issues involving a number of international organizations—the WTO, WIPO and the CBD to name only a few. For indigenous peoples, harmonizing the ABS process with international standards on the rights of indigenous peoples is highly important.

Reports and Publications

The report of the first East Africa Workshop on the Follow-up to the World Summit on Sustainable Development and on the Implementation of the Convention on Biological Diversity was published in 2006. The report covers how indigenous communities in East Africa are using processes such as Commission on Sustainable Development, the CBD, the Ramsar Convention, and the Convention to Combat Desertification to advance their rights and articulate

their issues and concerns.

A report about the Educators Workshop on Indigenous Peoples and the Convention on Biological Diversity was published as an article in Tebtebba's journal *Indigenous Perspectives*. The report of the Philippine Workshop on *Sui Generis* Protection of Traditional Knowledge came off the press in end-2006 and the report of the Malaysia National Workshop on CBD Implementation has been completed and is being edited. The Malaysia report will be released in Bahasa Malaysia as well as English. All these reports also serve as educational resources on CBD implementation.

All the educational resources developed by the project in 2006 will be published in two books: *Indigenous Strategies for CBD Implementation* and an *Educational Resource Book on Indigenous Peoples and Biodiversity* at the end of the project.

International Partnership and Networking

Beyond indigenous peoples' networks, the project serves as a vehicle for partnership and networking with other groups active on biodiversity and sustainable development. In 2006, the project has collaborated with the CBD Alliance, IUCN's Theme on Indigenous and Local Communities Equity in Protected Areas (TILCEPA), Poverty and Conservation Learning Group, the Forest Peoples Programme, among many others. Joji Carino also participated in the December 2006 Experts Meeting on CBD held in Potsdam, in preparation for COP9.

Participants of the Asia Regional Workshop on Indicators Relevant for Indigenous Peoples, the Convention on Biological Diversity & the Millennium Development Goals



A Life-changing Experience: A Training of a Lifetime

By Clint Bangaan*

Around 22 indigenous representatives from various parts of the globe gathered on that morning of July 17, 2006 in Nuuk, Greenland for an experience of a lifetime. Each one was eager to step on Greenland, but more than that, the group had the burning desire to learn, share their experiences and the stories of their people, and to seek venues for redress of the still growing problems encountered by indigenous peoples all over the world. I was lucky to be one of them.

We were in Greenland to participate in a training on “Indigenous Peoples and the International System” organized by the International Training Center for Indigenous Peoples (ITCIP). The training center was founded by Ingmar Egede together with 17 other international experts on human rights and indigenous issues in December 1997. Ingmar Egede is a Greenland educator, psychologist and a human rights advocate who envisioned that indigenous peoples should obtain adequate skills and understanding of the international fora, and must engage in the development of international instruments and to make use of international bodies to further the recognition and protection of indigenous peoples rights.

The first training, a two-week program, was held in the summer of 1998 and participated in by 25 representatives of indigenous peoples’ organizations. This was followed by similar programs since.

The Training Proper

The first week of the training was focused on international law and indigenous peoples with the guidance of Fergus McKay—an international human

rights lawyer who is the legal coordinator of Forest Peoples Program, an NGO based in the United Kingdom—and Joji Carino, an Ibaloi woman who hails from Baguio City, Philippines and is the Policy Adviser of Tebtebba.¹

Both of them gave an extensive background on how the international system operates and how indigenous peoples can make use of the existing mechanisms and engage in the development of new ones which recognize and protect indigenous peoples rights.

After the first four days of the training, we were asked to present a case each from our respective countries and apply what we have learned. Many of the experiences shared were related to extractive industries’ encroachment in indigenous peoples’ lands and territories without the consent and participation of indigenous peoples concerned. This problem is experienced by indigenous peoples all over the world, including countries with laws which recognize indigenous peoples rights such as the Philippines. In the Philippines, indigenous peoples have yet to see the full and effective implementation of the Indigenous Peoples Rights Act of 1997. Despite the existence of the law, indigenous peoples rights to their lands, territories, and resources continue to be violated, not only by foreign companies, but also by government-supported projects.

The next part of the training was handled by Mililani Trask. Trask is an indigenous lawyer from Hawaii. Her presentation was focused on indigenous peoples’ sovereignty. She explained that there are four arenas of sovereignty which indigenous peoples should engage in. The first one, which is the Native-to-Native

The author, center, with fellow participants of the ITCIP Training in Greenland.



*Research Assistant

arena is where indigenous cultural values, perspectives and processes determine the outcomes for indigenous peoples themselves. In this arena, cultural, social and economic issues of development are resolved among the members of the community. Also, land and territorial-based issues such as on how natural resources can be developed and sustained for future generations, and conflicts that arise within the community are tackled. She explained, however, that indigenous culture has evolved, therefore, it is important that both traditional and modern concepts of indigenous life ways need to be considered in this arena.

The second arena is the Native-to-Nation/State Arena wherein the paramount issue is recognition and protection of the sovereign rights, and the human and cultural rights of indigenous peoples. The constraint in this arena lies in the fact that the parameters are limited by the structure and system of the State. The plenary power is always vested in the government of the State unless it has accepted historic limitations through a treaty or other agreements.

In the third arena—which is on international laws, standards and practices—issues regarding human rights protection is a major concern. International mechanisms for redress of grievances such as complaints filed in treaty-based bodies are examples of this. Globalizing efforts on the ground is therefore necessary to have a wide base of actors that can pressure governments to act. In these arena, “civil societies” play a crucial role since under the UN structure, they play a large part in the program of action.

However, it is also crucial to consider in the exercise of sovereignty of indigenous peoples those who share land-based resources with them. Trask refers to this arena as the Nation-to-Nation relationships where it is very important that Native sovereigns who share the same resources also have the same priorities and strategic plans especially in areas where common needs arise. In some cases, the greater conflict is between indigenous communities who share the same resources and in the process, they lose track in building up their capacities and focusing on strategies on getting their rights recognized and protected by the State.

Trask added that each arena are equally important. However, the Native-to-Native arena should be the top priority. Strategies at the national and even international level should be made sure that it will

relevant to the needs of the grassroots. Tools should also be developed to assist in the empowerment of communities, since according to Trask, if a leader is gone, it may be generations before somebody comes along to raise up his people.

We were also lucky to have a guest lecturer. Mr. Martin Scheinin, a professor of Constitutional and International Law and Director of the Institute for Human Rights at the Abo Akademi University in Finland, who shared with us how human rights experts view of indigenous peoples as minorities is now gradually being changed favoring indigenous peoples. This is a result of the engagement and extensive lobbying of indigenous representatives in various fora at the international level. He added, that increasingly, an international jurisprudence on indigenous peoples rights is being set up.

He made mention of the fact that the international system is not a fixed system, and therefore can be influenced. It is still evolving pending international agreements and development of international mechanisms. The United National Permanent Forum on Indigenous Issues (UNPFII) for example, did not just come out of the blue. It is a product of intensive lobbying and sacrifices of many indigenous leaders and elders around the globe which was finally heeded by States, and thus became a high level body in the United Nations where indigenous peoples can bring their issues and seek redress.

A Visit to the Illulissat Icefjord

After two weeks of training, we had the opportunity to visit the Illulissat Icefjord of Greenland which was declared a world heritage site in the summer of 2004. It is the first in Greenland and also in the Arctic region to be included on UNESCO’s World Heritage list. The Illulissat Icefjord site is noted for its unique glaciological characteristics and its scenic beauty.

After a six-hour boat ride, we arrived at the mouth of the fjord but we could not see the massive ice formation because it was covered by thick fog. We then satisfied ourselves with tasting centuries-old ice.

Spirits dampened, the captain seemed to recognize our predicament, that he spoke to us saying, “Why don’t we keep quite for a while and listen to the ice. I think it has a message for each one of you.”



The Illulissat Icefjord, fast disappearing due to global warming.

He then steered the boat away from the mouth of the fjord and avoided some huge floating icebergs that could sink a boat when it overturns. After finding a safe place, the captain put off the engine and all of us stood quietly staring at the still thick fog covering the glaciers in front of us.

The seagulls seemed to understand what we wanted to do that their occasional cry faded. And so it was all quiet apart from the sounds that resembled a loud crack coming from the direction of the ice. The captain said, “The glaciers are melting, and it is melting fast.”

Then Michael Paul Hill, an Apache Indian from Arizona who is a practicing medicine man, started to beat his water drum and prayed. Everyone followed. Some were chanting and singing, while others just stood there with closed eyes praying. Amazingly, after we all prayed, the fog slowly lifted up revealing to us the magnificent ice formation which took centuries to build. For some moments we just stood in awe of the sight in front of us. And then, each frantically grabbed their cameras to take photos of the majestic sight.

On our way back to Nuuk, everybody had an unfading smile in their faces, for it was indeed a great experience. We might not have spotted a whale, which was one of our objectives for the trip, but we were able to see some seals who greeted us with their shrill cries. But more than that, it dawned on us that the ice is melting at an alarming rate due to climate change. We realized, right there and then, that the earth is rapidly changing as a result of our own doing.

Ice Melts Due to Climate Change

Data shows that the glaciers and ice sheets in the Polar regions have drastically been reduced been during the past few years. The captain of the boat said, “The ice have retreated sharply during the past few years,” as can be seen from the marks it ceated on

the rocks along the seashore. According to NASA (the US National Aeronautics and Space Administration), if the ice in Greenland were to melt, it would raise sea level by seven meters. Over the last 35 years, the ice has thinned 42 per cent—from an average of 3.1 meters to 1.8 meters. It has also shrunk by six per cent since 1978. A team of Norwegian scientists projects that the Arctic Sea could be entirely ice-free during the summer by mid-century, if not earlier.

The accelerated melting of ice, particularly during the last decade or so, is consistent with the accelerating rise in temperature that has occurred since 1980. The projected global average temperature rise is around 1.4 to 5.8 degrees Celsius (2.5 to 10.4 degrees Fahrenheit) during this century, which will likely accelerate the melting of the ice.

While the effects of this do not have direct impacts in many areas of the world, many indigenous peoples who live in the Arctic region are experiencing its adverse impacts. Many Inuits who are entirely dependent on hunting and fishing are now facing serious threats.

Applying and Sharing What We have Learned

The training was challenging. However, the bigger challenge lies on the fact that what we have learned should be applied and more importantly, passed on to the younger generations. I am glad that after the training, have been seeing applications of knowledge and lessons learned which is imminent in the work the participants have engaged in. Friends from Indonesia are now working on a Shadow Report² to the Committee on the Elimination of All Forms of Racial Discrimination (CERD) since their problem with oil-palm plantations, mining and other extractive industries and the still non-recognition of their rights have not been addressed by the Indonesian government.

A friend from Guyana who is the first indigenous lawyer of his community, went back to his people to share his experiences and the new things he has learned. He also conducts training/workshops on indigenous peoples’ rights. His organization, even prior to the training in Greenland—along with other indigenous organizations in Guyana, particularly the Amerindian Peoples Organization—have submitted a Shadow Report to CERD and received a favorable

response.

This author, on the other hand, conducted an informal training with indigenous college students and did some short talks in meetings and forums apart from my work as researcher for Tebtebba to share the little knowledge that I know, and also, to learn from the students through our interactions. Another participant from Canada uses her magazine to disseminate information on indigenous issues and continues to educate the younger generations through her writings. Still, an Indian friend from Arizona, practices and continues to learn their traditional forms of healing as part of his contribution to the sustainability of his culture.

Definitely, the experience in Greenland was not the main reason for these efforts, but the experience rejuvenated our commitment to continue to live the fight for a continued existence—no matter what it takes. After all, the younger generations will be the ones who will determine the future. And whether the efforts of current leaders and elders to pass on the values and knowledge that they have will bear fruit or not, is for the younger generations to decide. But at least, we are doing our part in taking on the responsibility to help educate the young. Because eventually, as what a friend stated in her column, in the future, her child is her power in Kenya, and her daughter is her power in Canada. And the indigenous children will be our power in the future.

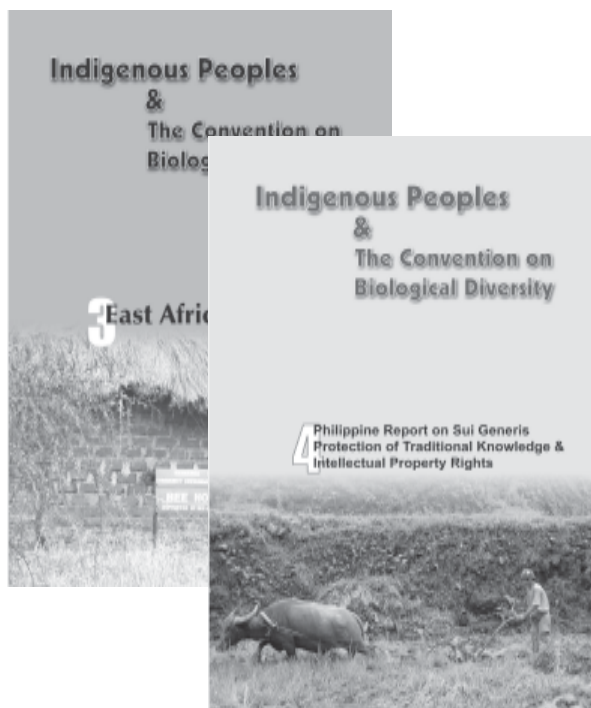
Note: The International Training is held every year at Greenland and is open to indigenous persons who work with their communities. The training focuses on Indigenous Peoples in the International System. For those interested, you may check the website of the International Training Center of Indigenous Peoples at www.itcip.org.

Endotes

¹Tebtebba (Indigenous Peoples International Centre for Policy Research and Education) is based in Baguio City, Philippines.

²A Shadow Report is a mechanism at the international level where civil societies, communities, or group of individuals can send an alternative report to the treaty-based committees in the UN to contest the report submitted by governments.

Our Publications in 2006



Indigenous Peoples and the CBD:

Series 3: East Africa Report

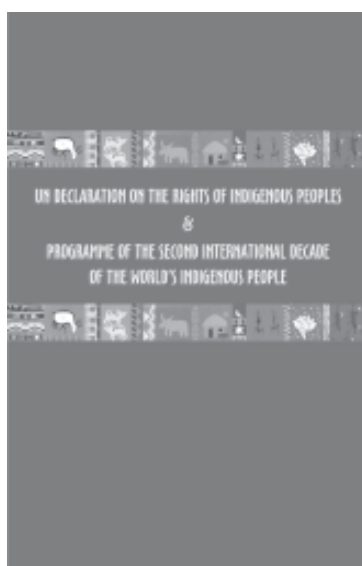
Series 4: Philippine Report on *Sui Generis* Protection of Traditional Knowledge and Intellectual Property Rights



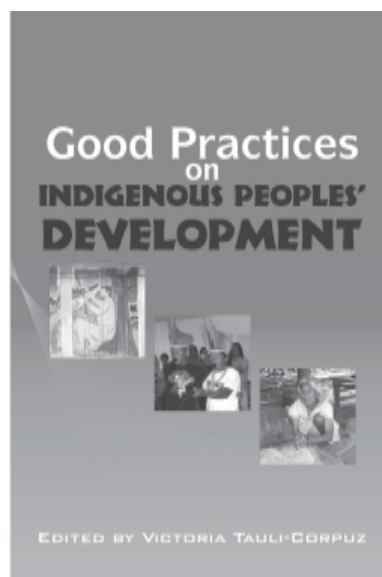
Indigenous Perspectives

Vol. 8, No. 1 - Working on Biodiversity and Traditional Knowledge Protection

Vol. 8, No. 2 - Data Disaggregation Pilot Project in Nueva Vizcaya Province, Philippines



UN Declaration on the Rights of Indigenous Peoples & the Programme of Action of the 2nd Decade of the World's Indigenous People



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Indigenous women of Ngata Toro, Indonesia

