



# PANAGHIUSA

Philippine Network to Uphold  
Indigenous Peoples' Rights

## NEWSLETTER

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### CLIMATE CHANGE is negatively impacting human rights in Philippines

In a pivotal move to address the urgent relationship between human rights and climate change, the United Nations Special Rapporteur on the Promotion and Protection of Human Rights in the Context of Climate Change, Mr. Ian Fry, visited the Philippines to study how the repercussions of climate change impact the effective and complete exercise of human rights. The visit lasted from 6-15 November 2023, at the Philippine Government's invitation. Mr. Fry's visit resulted in substantial findings about the Indigenous Peoples' (IP) situation in their fight for the right to self-determination, ancestral lands, and climate justice.

Mr. Ian Fry's visit comes at a crucial moment when the Philippines is struggling with the devastating impacts of climate change, including more frequent and severe typhoons, rising sea levels, and extreme weather events. The

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intensification of man-made activities such as destructive mining practices, extensive logging, the construction of mega-dams, and other development aggression projects exacerbates these impacts.

These environmental changes disproportionately affect marginalized communities, especially the IP, who serve on the frontlines of protecting the environment amid worsening existing social inequalities.

Through his visit, Special Rapporteur Fry engaged with Indigenous Peoples and local communities, activists, government officials, and environmental experts to gain firsthand insights into the human rights implications of climate change. Mr. Fry determined the issues surrounding hydroelectric dam projects, particularly the Jalaur Mega Dam, and the mining industry throughout the country. These exploitative projects are rife with issues such as irresponsible practices that result in the loss of livelihood and access to food and water, the overall destruction of the environment, and human rights violations (HRVs). The Indigenous Peoples experienced intimidation, coercion, forced displacement from ancestral lands, and extrajudicial killings concerning these projects. His visit highlights the Tumandok massacre, where nine IPs on Panay Island were killed through joint police and military operations. They were known community leaders who had opposed the Jalaur Mega Dam construction. As of today, no action has been taken against the perpetrators.

His findings have revealed the alarming scale of HRVs against those who express concern or objection to these projects. The National Task Force to End Local-Communist Armed Conflict (NTF-ELCAC) is responsible for red-tagging Indigenous Peoples, and human rights and environmental defenders. In the press conference, Mr. Fry urged the national government to disband the NTF-ELCAC, stating, “I have suggested that they disband the ELCAC because it is clear that the ELCAC is operating beyond its original mandate and is red-tagging people from the community and indigenous peoples.” He also added, “The government needs to develop another approach to deal with terrorism issues. But it’s clear that this unit is operating with impunity and therefore needs to be abandoned.” Mr. Fry is the first

UN Special Rapporteur to outrightly say this bold recommendation to the national and international press. Red-tagging is particularly rampant in areas where there is clear opposition to government-backed projects from the affected communities and against Indigenous leaders and defenders who are vocal in the defense of their rights. It is also being used to exclude these communities from the FPIC requirement. On the whole, the government is using red-tagging to silence and cause fear among the Indigenous Peoples in the hopes of repressing dissent.

Mr. Fry also called for the repeal of the Anti-Terrorism Law, which is being used to vilify Indigenous rights and environmental defenders. “I suggested that the government should revoke the Anti-Terrorism [Law],” said Mr. Fry. He also added, “The government needs to create a clean slate around its approach to anti-terrorism and re-

visit the laws to make them appropriate for the circumstances that are occurring now and not to use the laws to harass, vilify, and kill environmental human rights defenders.”

Moreover, Mr. Fry’s visit exposes the heavy allegations against the National Commission on the Indigenous People (NCIP).

As an agency supposed to be at the forefront of defending Indigenous Peoples, it has become a tool for coercion and support for the NTF-ELCAC’s atrocities. Besides disrespecting and disregarding customary ways, the agency has been conducting FPIC processes contentiously, wherein communities are under threat by militarization and leaders are labeled as terrorists. The NCIP sees IPs who assert their rights as linked to communist groups. It has also been called to Mr. Fry’s attention how communities have lost their confidence in the agency all the more due to the appointment of the Duterte administration’s NTF-ELCAC Executive Director as the NCIP chairperson (former).

In the press conference in Manila, Mr. Ian Fry emphasized the interconnectedness of climate change and human rights, stating, “Climate change is not just an environmental issue; it is a human rights issue. The impact of rising temperatures, extreme weather events, and environmental degradation is felt most profoundly by those who are already marginalized and vulnerable.”

The Special Rapporteur’s visit also included meetings

*“Climate change is not just an environmental issue; it is a human rights issue.”*

Ian Fry -UNSR on Climate Change

to discuss policy recommendations integrating human rights considerations into climate action strategies. The findings led to the recommendation for reformatations in government policies and laws, particularly the revocation of the Anti-Terrorism Act of 2020 and the creation of a truth reconciliation process for those who are wrongly accused, as a way to protect IP and environmental and human rights defenders.

As Special Rapporteur Ian Fry concluded his mission in the Philippines, the spotlight on the human rights dimension of climate change provides more insight into addressing the concerns of Indigenous Peoples and the environment. His findings and recommendations are a wake-up call to address climate change in a way that upholds the fundamental rights of all individuals, especially the most vulnerable to its impacts.

Indigenous Peoples organizations and advocates applaud Mr. Ian Fry for his mission to expose the truth he learned directly from the communities and genuinely uphold human rights. They look forward to the upcoming visits of the Special Rapporteurs on Freedom of Expression and Indigenous People and hope that they will emulate Mr. Fry's actions to combat disinformation and deception perpetuated by the government and its lackeys.

Everyone hopes, especially the Indigenous Peoples, that the findings and recommendations of Mr. Fry will materialize. The cases and issues surrounding Indigenous Peoples and the environment should be the last. The Indigenous Peoples, their advocates, and defenders of human rights and the environment will remain steadfast in the struggle to attain climate justice, uphold IP rights, end the culture of impunity, and surpass all forms of repression.

### Local IP Organizations from across the Philippines participated in the Panumduman Post-Documentation Workshop



IP Participants of the Panumduman Post-Documentation Workshop with LRC and Luis Lorenzo Paningbatan from the Embassy of the Federal Republic of Germany, Wei Vei Quah from the UN Joint Programme for HR Philippines, Atty. Camille Parpan from the British Embassy Manila, and Atty. Jaymie Ann Reyes Embassy of the Kingdom of the Netherlands. Photo courtesy of Legal Rights and Natural Resources Center.

**Legal Rights and Natural Resources Center (LRC), in partnership with Panaghiusa Network and the Embassy of the Federal Republic of Germany, launched the Panumduman Post-Documentation Workshop for Indigenous Peoples on December 4-5, 2023 in Quezon City, Philippines. Participants in the workshop were Indigenous Peoples from the organizations Mapora Ayta Organization (MAO), Integrated Development Program for Indigenous People-Southern Tagalog (IDPIP-ST), Tumanduk, Mindanao Climate Justice Resource Facility, Timuay Justice and**

**Governance, Asosasyon ng Tribung Sibuyan Mangyan Tagabukid (ATSMT), and CADT No. 229.**

In commemoration of the 75th year of the passage of the UN Declaration of Human Rights, LRC launched a series of activities for Human Rights Week themed “Dignity, Freedom, and Justice for All.” The activities strive to enhance the capacities of IPs and their advocates in the defense and advancement of human rights.

On August 7-8 2023, they participated in a documen-



tation workshop where they received training on documenting human rights violations. This was followed by the actual application of their training in their respective communities. LRC and other partner organizations also provided additional support by giving paralegal training outside the workshop. This December, they gathered again to share their documentation experiences and reflections, enhance their human rights and paralegal skills and knowledge further, and conduct a dialogue with invited officials from the United Nations Human Rights Council and chosen embassies.

Events also held were a media forum regarding the key findings from the 2023 State of Indigenous Peoples Address (SIPA) Report by the LRC and a Right to Resilience learning session where the relationship between climate change and Indigenous rights was discussed.

In their documentation experiences, the IPs encountered similar challenges, such as inadequacy in literacy skills and logistics. However, what was truly prominent and widespread was the fear and repression among victims. Some of them are afraid to speak up for fear of retaliation from military forces as they receive threats to their lives and those of their families. However, they felt that the fact sheets and funding for local mechanisms



Representative from LRC and EDPIP-ST pose with artwork made by 350 Pilipinas  
Photo courtesy of Panaghiusa.

were beneficial. The expanded system and mechanism for paralegal training provided on the grounds were truly constructive, as they helped them become much more productive in their documentation. After this sharing, a documentation clinic was conducted where participants, with help from lawyers and paralegals from the LRC, enriched their incident reports in-depth to meet the required complaint format from the UN Human Rights Council.

After the documentation clinic, Wei Vei Quah UN from



State of Indigenous Peoples Media Forum.  
Photo courtesy of Panaghiusa.

the Joint Programme for HR Philippines, Luis Lorenzo Panangbatan from the Embassy of the Federal Republic of Germany Manila, Atty. Jaymie Ann Reyes from the Embassy of the Kingdom of the Netherlands and Atty. Camille Parpan from the British Embassy in Manila gave their reactions, comments, and advice regarding the presentation of cases.

The officials emphasized the need for their institutions to learn about the situation of the Indigenous Peoples directly from the communities since they rarely hear about it. Thus, they also encouraged the IPs to keep on documenting HRV incidents, especially since the information that they receive would be helpful in policy-making and formulating recommendations that they can forward to the government of the Republic of the Philippines (GRP). Some embassies offered various mechanisms, such as capacity-building, networking, and protection for HR defenders. The embassies of the Netherlands and Germany also expressed their interest in organizing community visits to the offices of the IP organizations.

The United Nations Joint Programme for HR offered support in increasing the IPs' documentation skills and knowledge through education materials and mechanisms. IPs can avail of capacity-building activities, such as training on the Istanbul Protocol. The UN can provide support in strengthening their cases by teaching them to analyze human rights violations, wherein an HRV incident may have more complicated impacts, which they can identify in their cases. IP organizations can also submit cases that aren't given enough attention so that the agency can help raise them to the national level. They can register their cases in the UN database as well to raise international awareness.

The UN and the embassies offered support in which

they can call out the GRP on the international platform, acting as agents that will pressure the government and push it further, such as in advancing legal cases against IP individuals.

In principle, the United Nations and the embassies of the UK, Germany, and the Netherlands expressed their commitment to uphold Indigenous Peoples' rights and give support to IP communities to voice out their plight.

For the Right to Resilience learning session, LRC Communications, Support, and Linkages Coordinator Leon Dulce gave input on climate change and Indigenous rights, emphasizing the roles of the IPs in mitigating climate change and that violations against IPs can have grave impacts on our climate situation. Atty. Ryan Roset, Senior Legal Fellow at LRC, gave a discussion on loss and damage legislation (Climate Accountability, or CLIMA Bill) which can have major positive effects on Indigenous communities once it is passed and implemented. Lastly, the Human Rights and People Empowerment Center (HRPEC) conducted a mapping workshop on the Indigenous climate action of the participants. In this workshop, the participants plotted areas on the Philippine map where there are HR conflicts and areas where steps for mitigation are already being taken.



IP participant from Mindanao with LRC Executive Director Atty. Taqueban Photo courtesy of Panaghiusa.

Equipped with enhanced knowledge of human rights, improved documentation skills, and a deeper understanding of climate change concerning IP rights, IPs can strategically advance their struggle, and with such, their movement for their rights will truly be a force to be reckoned with.

IPs and their advocates and supporters are challenged to be valiant and remain relentless in their efforts to expose and voice out the plight of the Indigenous Peoples from the national to the international arena. As LRC Executive Director Atty. Mai Taqueban stated, we need to keep on telling our stories, no matter how repetitive, because “that is our truth, and our truth is our power.”

## National IP Organizations held a dialogue with UN Special Rapporteur Mr. Ian Fry on his visit to the Philippines

**Katribu Kalipunan ng Katutubong Mamamayan ng Pilipinas, Sandugo - Movement of Moro and Indigenous Peoples for Self-Determination, and Bai Indigenous Women's Network met with the United Nations Special Rapporteur on the promotion and protection of human rights in the context of climate change, Mr. Ian Fry, on November 7, 2023, at the UN House in Mandaluyong City, Philippines.**

As part of the UN Special Rapporteur's visit to the Philippines from November 6-15, Mr. Fry held a dialogue among Civil Society Organizations (CSOs) to examine how communities are affected by climate change. In particular, his goal was to look into the effects of climate change on the displacement of people



Representatives from IP groups with UN Special Rapporteur Ian Fry. Photo courtesy of Katribu Kalipunan ng Katutubong Mamamayan ng Pilipinas.

from their lands. He also focused on the impacts of climate change on human rights and the protection of environmental human rights defenders, among others.

Katribu, Sandugo, and Bai submitted a report on the situation of Indigenous Peoples in the Philippines, which





was presented by Sandugo spokesperson and council member Eufamia Cullamat during the dialogue.

The report on the IP Situation highlights the cases of development aggression, militarization of Indigenous communities, and human rights violations against Indigenous Peoples and their civic organizations through Executive Order 70 (EO 70) and the Anti-Terrorism Law, implemented by the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC), and reinforced by the National Commission on Indigenous Peoples (NCIP).

The continuous institutional discrimination against Indigenous Peoples, manifested by land-grabbing of ancestral lands for extractive industries such as geothermal energy and mining, and the construction of mega-dams result in massive displacement of Indigenous communities, destruction of communal forests and bodies of water, and the loss of livelihood among thousands of IPs across the Philippines. The lack of proper implementation of Free, Prior, and Informed Consent (FPIC) paved the way for the encroachment of destructive projects. For a long time, numerous Indigenous communities across the country have been placed under militarization, which has provided security for exploitative companies while suppressing resistance among affected communities. Militarization and the government's branding of Indigenous communities and their ancestral lands as "rebel areas" led to human rights violations such as a) indiscriminate bombings, shellings, and strafings in ancestral lands with predominated opposition to projects; b) criminalization, terrorist tagging, trumped-up charges, political vilification, and c) enforced disappearances and extrajudicial killings of Indigenous human rights and environmental defenders.

Such human rights violations have intensified significantly since the Marcos administration. The continuous HRVs against the IPs were executed primarily by the NTF-ELCAC, empowered by the implementation of the Anti-Terrorism Law, which effectively red-tagged Indigenous individuals and attacked them. The NCIP is even more active in this counterinsurgency task force than in its mandate to uphold IP rights and the Indigenous Peoples Rights Act (IPRA).

Thus, Indigenous Peoples across the country urged Mr. Fry to support their following calls on the government:

- a) cease militarization, bombings, red-tagging, and terrorist designation of Indigenous Peoples;
- b) abolish the NTF-ELCAC and repeal the Anti-Terrorism Law and EO 70;
- c) revoke the arbitrary terrorist designations;
- d) investigate the situation of indigenous political prisoners;
- e) enact the Human Rights Defenders and Environmental Defense Bills.

The groups also urged Mr. Fry to support their call for an independent investigation of the human rights situation, particularly of IPs.

On November 9, 2023, Katribu and Bai met with Mr. Ian Fry to discuss the attacks against Indigenous women environmental and human rights defenders (IWEHRD). As leaders opposing harmful projects such as massive dams and mining that encroach on ancestral domains, the escalating attacks on Indigenous women have made their battle against climate disaster much harder. Indigenous women are being criminalized, red-tagged, and arbitrarily designated as terrorists by the state due to their staunch exposure and opposition to the effects of projects on their communities and envi-

ronment. Furthermore, the government has been failing to carry out its duties and is lacking in response to CEDAW General Recommendation No. 39, which pertains to the rights of Indigenous women and girls.

During the press conference on November 15, 2023, after his 10-day mission, Mr. Fry disclosed the results of his dialogues and meetings with CSOs such as IP organizations. Regarding the situation of IPs in the Philippines, Mr. Fry identified the issues surrounding large dams and mines, such as the arrest and killings of Tumandok representatives allegedly by the military, forced displacements, and red-tagging of IPs. Mr. Fry also exposed the allegations against the NCIP, such as coercion in FPIC processes, and its support to the NTF-ELCAC's red-tagging of IP individuals. Thus, Mr. Fry recommended the following concerning the IPs in the Philippines:

- a) Reparations to Indigenous Peoples communities and victims of HRVs;
- b) Abolishment of NTF-ELCAC;
- c) Implementation of major reforms to the NCIP;
- d) Repeal of the Anti-Terrorism Law;
- e) Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women General Recommendations 39, and



Representatives from IP groups with UN Special Rapporteur Ian Fry. Photo courtesy of Katribu Kalipunan ng Katutubong Mamamayan ng Pilipinas.

f) Enactment of the Human Rights Defenders Bill. Through the dialogues and meetings with Katribu, Sandugo, and Bai, the UN Special Rapporteur was made aware of the genuine situation of the Indigenous Peoples in the Philippines, despite denials and disinformation by state agencies and their reactionary forces. The substantial report submitted and presented allowed the UNSR to thoroughly assess the human rights situation of IPs in the Philippines.

The state and corporate atrocities against the IPs must be exposed not only on the national scale but also in the international arena to spread awareness regarding the genuine situation of the IPs in the Philippines. Widespread awareness will further strengthen unity and action among global citizens, and with such awareness,

## Indigenous Women's Groups Participate in the 10th Asian Human Rights Defenders

**Last November 2023, LILAK Purple Action for Indigenous Women's Rights and Inged Fintailan participated in the 10th Asian Human Rights Defenders Forum (AHRDF10) held in Kuala Lumpur, Malaysia, to discuss the human rights situation involving Indigenous women in the Philippines.<sup>1</sup>**

Since 2001, the Asian Forum for Human Rights and Development (FORUM-ASIA), a network of organizations across mainly Asian countries, has been holding the biennial Asian Regional Human Rights Defenders Forum (AHRDF) where human rights defenders (HRDs) from various backgrounds can connect, exchange their experiences, discuss their advocacy work, and address regional issues. In commemoration of the 75th anniversary of the Universal Declaration on Human Rights and the 25th anniversary of the United Nations Declaration on Human Rights Defenders, the forum honored the



RESISTers Dialogue represented by LILAK Purple Action for Indigenous Women's Right and Protection International in AHRDF10. Photo courtesy of LILAK

work of HRDs. It conferred on ways to support their efforts in the face of growing challenges and increasingly hostile environments. This year, over 200 human rights defenders from all over Asia participated in the forum.



Rizell Campo, a young Teduray woman human rights defender from South Upi, Maguindanao, represented Inged Fintailan. In the session entitled “Breaking Boundaries: Gender and Intersectionality in Human Rights Work,” Rizell discussed the numerous struggles that women face, especially as Indigenous women experiencing multiple burdens. These struggles are especially acute for those who serve as Indigenous Women Human Rights Defenders (IWHRDs). She also talked about the struggles of the Non-Moro Indigenous Peoples (NMIP) in a Muslim-dominated Bangsamoro Autonomous Region of Muslim Mindanao (BARMM) in the Philippines. Among the particular issues that they face are the non-recognition of IP rights, land grabbing, and threats of mining within their ancestral domain, which also threaten the environment. Moreover, as they assert their rights, they face harassment, intimidation, red-tagging, and death threats. This experience gravely affects Indigenous women and mothers, who are forced to flee their homes and their families to seek safety and security.



Rizell Campo, a Teduray woman from Maguindanao interviewed on the situation of Indigenous Women HR defenders for AHRDF10

Photo courtesy of LILAK

sented the experiences of gender rights defenders and Indigenous Women Human Rights Defenders in carrying out human rights work, including obstacles and achievements. Moreover, participants were able to discuss ways of incorporating gender perspectives in their work and advocacy as human rights defenders.



Jayneca Reyes presenting the synthesis of the session on Breaking Boundaries: Gender and Intersectionality in Human Rights Photos courtesy by LILAK

On the other hand, Jayneca Reyes of LILAK presented a synthesis at the main session, where she shared her reflections on how “gender-specific challenges experienced by women and Indigenous women are different in context but are experienced the same (J. Reyes, personal communication, December 15, 2023).” She underlined that for the human rights movement to have a deeper understanding of the functioning of the various layers of gendered power relations, it must constantly learn about feminism and gender intersectionality.

The involvement and engagement in the event repre-

Indigenous Human Rights Defenders experience difficult struggles in these times when development aggression and, thus, human rights violations are intensifying. The experiences among the defenders also differ, as Indigenous women and those belonging to other gender spectra carry multiple burdens and experience numerous layers of discrimination. It is important that their voices be continuously heard, their actions constantly seen, and their plights immediately addressed.



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