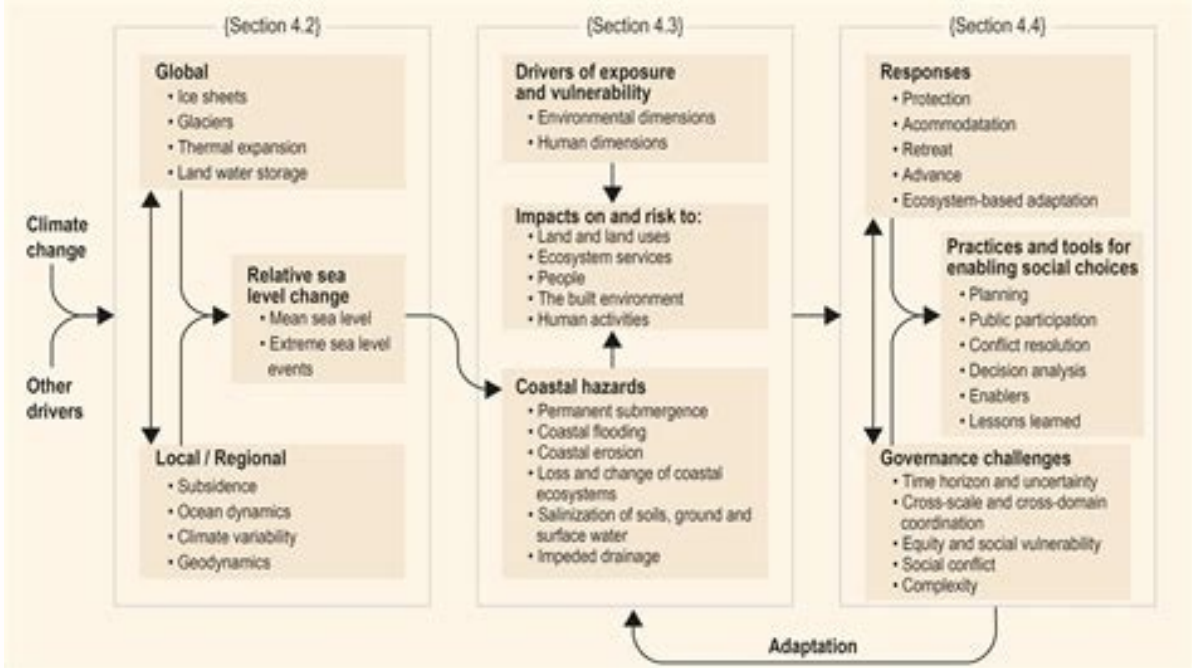


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in broad community support' in its operational policy 4.10 on IPs that was approved in 2005:

"Reflecting Board discussions on the Extractive Industries Review (EIR) on August 3, 2004 and the Management Response to the EIR, the revised policy affords project-affected Indigenous Peoples a stronger voice through a process of free, prior and informed consultation. The Bank will provide project financing only where free, prior and informed consultation results in broad community support."

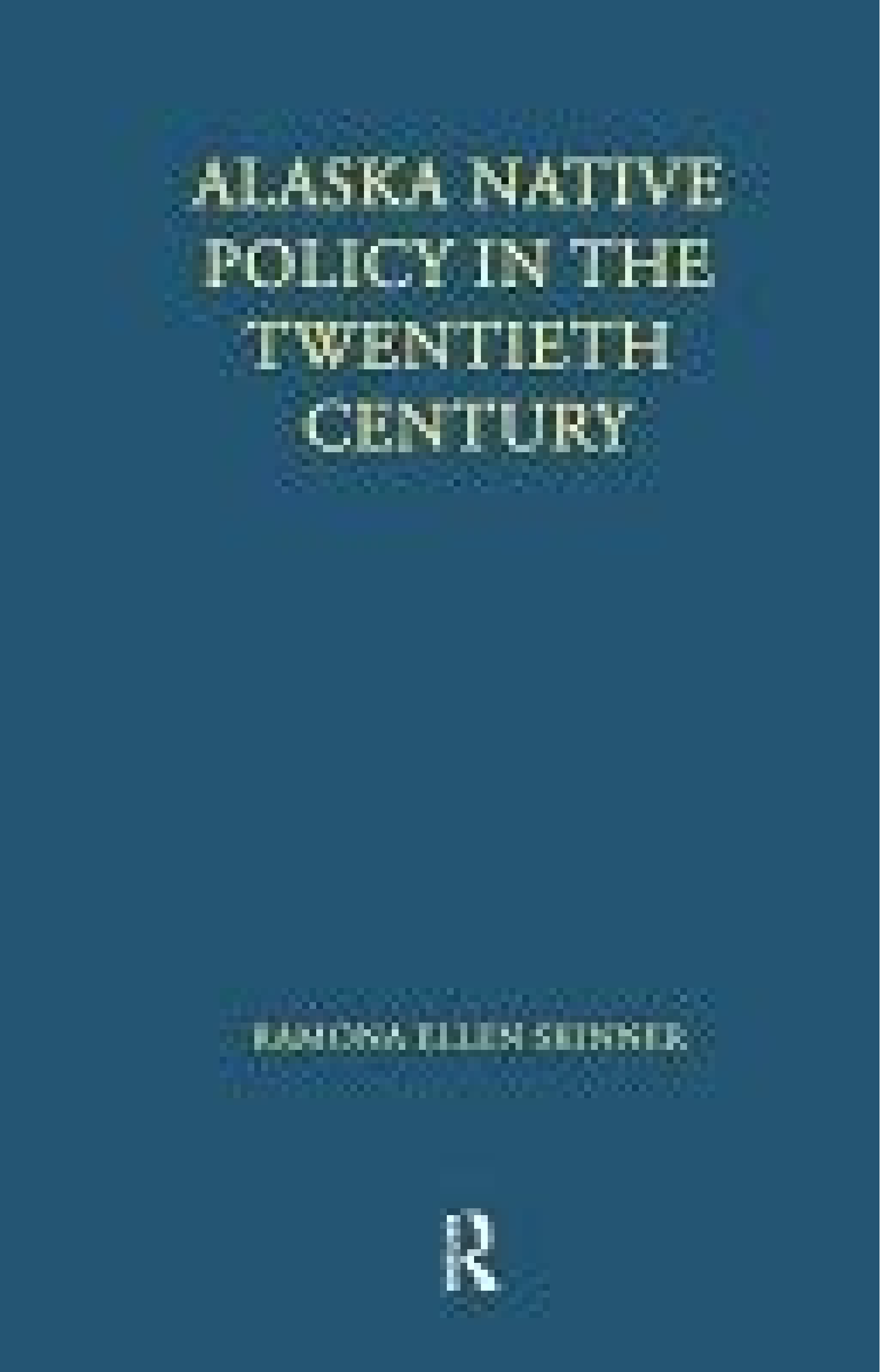
The revised policy also gives greater weight to the self-identification criterion but does not call for it as a principal criterion because it is difficult to apply in practice. In projects where activities are contingent on establishing legally recognized rights to IPs' lands and territories, the policy requires the borrower to set forth an action plan for the recognition of such rights. The policy does not prohibit physical relocation but requires the borrower to explore alternative project designs to avoid physical relocation, and when not feasible, to seek broad support of the affected communities as part of the free, prior and informed consultation process. As expected, this statement did not fully meet the expectations of some umbrella IP organizations as well as human rights advocacy groups. ["Implementation of the World Bank's Indigenous Peoples Policy", (August 2011)]

The World Bank's standard, of 'free, prior, and informed consultation resulting in broad community support' set the parameters for the International Finance Corporation's ("IFC") position on FPIC (2006). However, while IFC policy towards indigenous similarly requires 'free, prior and informed consultations', these are not required to lead to 'broad community support' but are interpreted as requiring 'good faith negotiation with and informed participation of indigenous peoples'. In the case of projects that may affect IPs' lands, IFC clients are required to document IPs' 'informed participation and the successful outcome of the negotiation'.

Understandably, the International Council on Mining and Metals' ("ICMM") has been reluctant to openly commit to FPIC. Its "Position Statement on Mining and Indigenous Peoples" commits member companies to consult "with indigenous peoples in a fair, timely and culturally appropriate way throughout the project cycle...based on honest and open provision of information" in an accessible form, as well as to seek "broad community support for new projects or activities." The statement also recognizes that "following consultation with local people and relevant authorities, a decision may sometimes be made not to proceed with developments or exploration even if this is legally permitted." However, according to the ICMM, "a blanket endorsement of the right to FPIC is not currently possible, particularly given the difficulties entailed in applying the concept in practice." [International Council on Mining and Metals (2010) "Good Practice Guide Indigenous Peoples and Mining," cited in Irene Sosa, "License to Operate: Indigenous Relations and Free Prior and Informed Consent in the Mining Industry" (October 2011)]



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Indigenous peoples rights act of 1997 philippines. The indigenous peoples rights act of 1997 tagalog. The indigenous peoples' rights act of 1997 essay. Indigenous peoples rights act of 1997 summary. Ra. 8371 indigenous peoples rights act of 1997 summary. Indigenous peoples rights act of 1997 pdf. Indigenous peoples rights act of 1997 (ra 8371).

Most argue that the IPRA is flawed because it violates this (4). The Coalition is participated by IPOs in the Cordillera, Region I, Nueva Vizcaya, Cagayan, Caraballo, Sierra Madre, Quezon, Aurora, Quirino, Nueva Ecija, Zambales, Pampanga, Bulacao, Mindoro Occidental, Palawan, Panay, Davao, Cagayan, Cotabato and Zamboanga. Scholars and pro-indigenous groups have criticized this section as it effectively destroys any ancestral land claim before 1997. It was organized by the Subcommission of Cultural Communities and Traditional Arts, a subcommission of the NCCA, along with the local governments, government agencies, nongovernmental organizations and private companies with the theme of "Katutubong Filipino para sa Kalikasan at Kapayapaan" ("Native Filipinos for Nature and Peace")^[10] Related international legislation on IP rights The United Nations acknowledges worldwide the rights of the indigenous people. ^ Editor, Roel. — ICCs/IPs have the right to participate fully, if they so choose, at all levels of decision-making in matters which may affect their rights, lives and destinies through procedures determined by them as well as to maintain and develop their own indigenous political structures. History Early beginnings Year 1909, in the case of Carifio vs. ^ a b c d e "Republic Act No. 8371 | Official Gazette of the Republic of the Philippines". (1998). www.lawphil.net. ^ "Fast Facts: Indigenous Peoples in the Philippines". CIPRAD partnered with various NGOs organizations such as Episcopal Commission on Indigenous Peoples, National Peace Conference, Center for Living Heritage and PANLIPI (Legal Assistance Center for Indigenous Filipinos) in order to lobby for the IPRA or Indigenous People's Rights Act. 2006. Self-Governance. 22 to 23 at the Baguio Convention Center in Baguio City in Luzon in expected attendees were from groups: Gaddang, Isinay, Tinggian, Itneg, Ibanag, Yogad, Itawit, Malaweg, Kasiguran, Ivatan, Ibayat, Bugkalot, Isnag, Kalinga, Ifugao, Ibaloy, Kankanaey, Balangao, Bontok, Applai, Ilocano, Bolinao, Pangasinan, Tagalog, Sambal, Pampangan, Ayta, Agta, Mangyan, Palawani, Molbog, Jama Mapun, Tagbanua, Pala'wan, Agutaynen, Bicolano, Batak and Cuyunon; from Nov. GMA News Online. This generally refer to areas which they have possessed at a period of time when as far back as memory can go. This being said, areas under Ancestral Domains and members of indigenous tribes require special regulation beyond that of the Convention as legally recognized IPs/ICCs are given the freedom to govern their territories by their own laws. Time immemorial refers to a period of time when as far back as memory can go, certain ICCs/IPs are known to have occupied, possessed and utilized a defined territory devolved to them by operation of custom law/traditions or inherited from their ancestors. Headed by the chairman of the National Commission for Culture and the Arts (NCCA), Felipe M. Baguio City: Tebtebba Foundation. Role of Peoples Organizations. Retrieved 2015-07-06. The limitations and prohibitions extends not only to their basic needs but also prevents them from performing important rituals in their lives. He also discussed the basic rights of Indigenous cultural communities (ICCs), the contents of the bill itself, and the immediate need of protection of the Filipino Indigenous People.^[2] Despite difficult hurdles and amendments enacted in the Congress that nearly brought the movement to its death, the House of Representatives finally approved the bill late in September 1997. The Indigenous Peoples' Rights Act of 1997 (OPAPP.GOV.PH Index of indigenous_rights/Indigenous+People's+Rights+Act+(IPRA) Retrieved from " This includes wedding ceremonies that are normally held without cost but costs around 50 to 500 pesos when NCIP officials conduct it that is burdensome to IPs who lack sources of funds. — The ICCs/IPs shall have the right to use their own commonly accepted justice systems, conflict resolution institutions, peace building processes or mechanisms and other customary laws and practices within their respective communities and as may be compatible with the national legal system and with internationally recognized human rights. Retrieved 2015-06-30. The Declaration is structured as a United Nations resolution, "with 23 preambular clauses and 46 articles concerning the collective and individual rights of the indigenous peoples in different parts of the world including protection of their cultural heritage and manifestations of their cultures including human and genetic resources." The Philippines did not immediately support the draft. Special emphasis is placed the impact of armed conflict of indigenous children' mental well being and development in high risk conflict areas. As a vulnerable group, special attention is given for the "immediate, effective and continuing improvement of their economic and social conditions."^[5] Examples of services that fit this provision include social security through the Republic of the Philippines Social Services System, housing, vocational training and employment support through various efforts of the Department of Social Welfare and Development as well as complete health coverage through the PhilHealth "No Balance Billing" from government hospitals.^{[7][8]} Women, children, and youth The law also emphasizes that these rights are also to be afforded to indigenous women and children. Section 57 does not really reject the jura regalia, also known as the Regalian Doctrine or the Doctrine of Discipline expressed in the 1935, 1973, and 1987 Philippine Constitutions (4). Seven non-negotiable points of the bill that were promoted are the following: a) recognition of native title and rights of Indigenous peoples (IPs) to ancestral domains, b) respect for the right to cultural integrity, c) recognition of indigenous peoples' political structures and governance, d) delivery of basic services to the indigenous peoples, e) respect for human rights, f) elimination of discrimination, g) and creation of an office that would cater to IPs' needs.^[2] In 1996, during the 10th Congress, Senator Juan Flavio sponsored Senate Bill no. The indigenous people groups discussed the instances Philippine Law has hindered their rights promised by IPRA. It abstained when the first votes were called, despite the existence of the Indigenous People's Rights Act of 1997. An example of the programs geared towards the execution of this particular provision in the IPRA is the culturally sensitive day-care program for both IP children and their mothers which NCIP mentions in its first administrative order.^[9] Cultural integrity Attempts to implement these rights regarding cultural integrity are most recently captured by the celebration of National Indigenous People's Month on October to November 2014. They also helped in project Mindanao Basic Education Development project to give poor some education International Labour Organization—organized conventions on IPs such as poverty program, regarding on how IPs can assert more control and development of their own lands, regarding steps on how can IPs protect and guarantee their right of ownership and possession, regarding the responsibilities of government to ensure the rights of IPs. Philippine Action for Intercultural Development—helped the IPs regarding community mapping, where they help IPs in legalizing the boundaries of their respective lands National Confederation of Indigenous Peoples—aims to unite the different IP rights organization to fight for their rights. Key provisions Right of empowerment and self-governance SECTION 13. The main criticism concerning R.A. 8371 is that it is ambiguous. Organizations related to IPRA Here are some of the organizations that support IPRA law and their functions: Asian Development Bank (ADB)—gives loan to government to create projects such as Cordillera Agricultural Resource Management (CHARM) that help the development of IPs. Primarily, the inconsistencies lie in how Philippine Law prohibited them from following their customs and traditions that is centered around the indigenous people's governance of their land. The CHARM project involves helping the IPs in Cordillera to develop the agricultural resource of IPs land. Because of this, a more comprehensive law is needed that "seeks to stop prejudice against indigenous people through recognition of certain rights over their ancestral lands, and to live in accordance recognize and protect the rights of the indigenous people not only to their ancestral domain but to social justice and human rights, self-determination and empowerment, and their cultural integrity.^[2]" This then gave birth to movements for a comprehensive law that will protect not only the lands, but human rights of the Filipino indigenous people. www.wipo.int. The State through the NCIP is empowered to ensure all civilians including IPs/ICCs' safety in circumstances of emergency and conflict. The Department of Justice and the Office of the Solicitor General expressed their opposition to the adoption, as they still had to study whether this was consistent with the Philippine Constitution. ^ gov.ph ^[1] ^ "PhilHealth to cover street children, PWDs, indigenous people - DOH - The Manila Times Online". Guide to R.A. 8371. Historians have pointed out that most indigenous groups in the Philippines have been in the archipelago prior to Spanish occupation in the 15th century. In the 9th Congress, Senator Rasul introduced Senate Bill No. 1029 and Senator Gloria Macapagal-Arroyo introduced Senate Bill No. 1849. Consequently, the State shall ensure that the ICCs/IPs shall be given mandatory representation in policy-making bodies and other local legislative councils. Enforcement of IPRA On October 2008, the Lumads (an indigenous group) organized a conference in Naga, Zamboanga Sibugay, involving several indigenous people groups. "A celebration of Philippine indigenous cultures". Social justice and human rights This chapter in the IPRA was written to recognize the indigenous people' right to the same privileges and protections also afforded by the State to its citizens. — The State shall recognize and respect the role of independent ICCs/IPs organizations to enable the ICCs/IPs to pursue and protect their legitimate and collective interests and aspirations through peaceful and lawful means. Section 57 of chapter VIII of the Republic Act No. 8371 of 1997 which states that Natural resources within Ancestral Domains - The ICCs/IPs shall have priority rights in the harvesting, extraction, development or exploitation of any natural resources within the ancestral domain. Ancestral domains The 1997 IPRA Law defines ancestral domains as "areas generally belonging to ICCs/IPs comprising lands, inland waters, coastal areas, and natural resources held under a claim of ownership, occupied or possessed by ICCs/IPs, by themselves or through their ancestors, communally or individually since time immemorial, continuously to the present even when interrupted by war, force majeure or displacement by force, deceit, stealth or as a consequence of government projects or any other voluntary dealings entered into by government and private individuals or corporations, and which are necessary to ensure their economic, social and cultural welfare. SECTION 14. The law ensures the full realization of women's and youth rights but requires all mechanisms and programs to be culturally sensitive and relevant to the ICCs/IPs needs. "Acts - The LawPhil Project". Freedom from discrimination and right to equal opportunity Unlawful acts pertaining to employment Basic services The law guarantees indigenous peoples' right to basic social services as provided by the State. Insular Government, the court has recognized long occupancy of land by an indigenous member of the cultural communities as one of private ownership, which, in legal concept, is termed "native title". This has become the case because of the doctrine of jura regalia, which means that "all lands of the public domain belong to the state" (2). In his sponsorship speech, he discussed the legal bases for the bill found in the 1987 Constitution. Means for Development/Empowerment of ICCs/IPs. — The Government shall establish the means for the full development/empowerment of the ICCs/IPs own institutions and initiatives and, where necessary, provide the resources needed therefore.[6] Rights to ancestral domain Chapter III, section 7 of the Republic Act No. 8371 of 1997 covers the 8 Rights to Ancestral Domain. It was held in three different venues, from Oct. This was said to be the biggest gathering of Philippine indigenous peoples by far. Despite these failed efforts, the IPOs decided to give it another try. 1728. www.dswd.gov.ph. Among these rights include: Equal protection and non-discrimination of ICCs/IPs Patterned after international standards set by the Charter of the United Nations, Universal Declaration of Human Rights as well as the equal protection clause in the Philippine 1987 Constitution, this section places the State as duly responsible for the execution of the IPs' human rights. Whereas, the Filipino majority learned very well the ways of the colonial masters by adapting to their laws and practices, the minority (IPs), consciously asserted the integrity of their ancestral territories, pre-Hispanic native culture and justice systems which are viewed as diametrically opposed to the majority's world view, but which the IPRA law attempts to recognize and interface with the national legal system. This makes multi-national companies and local government units have the power to resist ancestral claims and use the IPRA Law itself to counter indigenous land claims, as testified in an ongoing Mangyan case since 2011, which evicted indigenous Mangyans from a claimed land they have been using for many years. In 2015, it was announced that the indigenous land shall be made into a sanitary landfill by the Puerto Galero local government unit, and that the Mangyans shall be relocated into a site near the landfill. The provisions should not result in "the diminution of rights and privileges already recognized and afforded to these groups under existing laws of general application."^[5] The government through NCIP must provide support to organizations which are geared towards empowering women and the youth to involve themselves in community/national building. In worst-case scenarios, the state outrightly utilizes its right of state to dispose public lands for activities such as mining, logging, and installation of dams that infringe upon the IPs' ancestral domains. This meant that areas in ancestral domains is shared by the members of the community, but that does not mean that they are considered as co-owners of the said property according to the New Civil Code (2). IPRA, formerly known as Ancestral Domain Bill, was first filed in the Congress sometime in 1987 under the Senate Bill No. 909 authored by Senator Sanjina Rasul, Senator Joseph Estrada and Senator Alberto Romulo, during the 8th Congress, but was never enacted into law. Archived from the original on 2015-07-06. Rights during armed conflict As signatory to the Geneva Conventions, the State is expected to respect and to ensure respect for the Conventions in all circumstances including local and international armed conflict. Right to Participate in Decision-Making. President Fidel V. CIPRAD or the Coalition for Indigenous People's Rights and Ancestral Domains is an alliance of Indigenous People's Organizations (IPOs) and non-government organizations (NGOs) created to pursue the advocacy for IP rights and ancestral domains. Both the terms IPs and ICCs refer to homogenous societies identified by self-ascription and ascription by others, who have continuously lived as a community on communally bounded and defined territory, sharing common bonds of customs, traditions and other cultural traits, through resistance to political, social and cultural inroads to colonization, non-indigenous religions and culture. The Indigenous People's Rights Act of 1997 (IPRA), officially designated as Republic Act No. 8371, is a Philippine law that recognizes and promotes the rights of indigenous cultural communities and indigenous peoples in the Philippines. This case paved the way for the government to review the so-called "native title" or "private right." In the year 1919, the Second Public Land Act was enacted, recognizing the right of ownership of any native of the country who, since July 4, 1907, or prior thereto, has continuously occupied and cultivated, either by himself or through his predecessors-in-interest, a tract of agricultural public land.^[1] In 1936, Commonwealth Act No.141, amended by R.A. 3872 of 1964, was passed which provides that members of the national cultural minorities who have resided on agricultural, public land since July 4, 1955, are entitled to recognition of ownership whether or not the land has been certified as "disposable." They shall be conclusively presumed to have performed all conditions essential to a government grant and shall be entitled to a certificate of title.^[2] In the 1970s, the laws protecting indigenous people's lands expanded to territorial and bigger domains. Support for Autonomous Regions. According to the constitutions mentioned, the Regalian Doctrine expresses that "all lands of the public domain, as well as all natural resources enumerated therein, whether private or public land, belong to the State." (4). In accordance to the customary laws of each tribe, the government must provide mechanisms that facilitate deeper understanding of indigenous culture for women and youth while their human dignity. Prior to this, a Presidential Decree was issued in 1974, "declaring all agricultural lands occupied and cultivated by members of the national Cultural Communities since 1964 as alienable and disposable, except the islands of Panay and Negros and the provinces of Abra, Quezon, Benguet and Camarines which became effective on March 11, 1984."^[2] The most recent laws before the Indigenous People's Rights Act of 1997 was passed which recognize the existence of ancestral land right are the Organic Act of Autonomous Region in Muslim Mindanao (RA 6734, 1989), and the Organic Act for the Cordillera Autonomous Region (RA 6766, 1989).^[2] Historical evolution of RA 8371 The decrees that have been passed fail to encompass all the needs of the indigenous people primarily because of failure in implementation and sole focus on the land and domains only. The law reemphasizes that all ICC/IPs are legally entitled to fundamental universal human rights and that the State should actively create an inclusive environment with this in mind. — The ICCs/IPs shall have the right to determine and decide their own priorities for development affecting their lives, beliefs, institutions, spiritual well-being, and the lands they own, occupy or use. Archived from the original on 2015-07-04. ^ "DSWD orients indigenous youths on their rights, privileges | Department of Social Welfare and Development". The Revised Forestry Code of 1975 (Presidential Decree 705 under President Marcos) defines this "private right" of as "places of abode and worship, burial grounds and old clearings."^[3] In 1978, the Presidential Arm for National Minorities (PANAMIN) (Palayan City, Camarines Sur Dumagat Quezon, Rizal, Aurora, Dumagat Remontado Rizal, Laguna, Quezon Bugkalot Aurora Camarines Norte Kabihug Camarines Sur Kabihug Camarines Norte Tabagnon Sorsogon Abuyan (Aeta) Camarines Norte/Sur Isarog Camarines Norte Iton Albay Pailon Mashate Island groups Location of Domains Agutayan Palawan Tagbanua Dagayanan Palawan Tao't Bato Palawan Batac Palawan Palawanon Palawan Molbog Palawan Iraya Mangyan Mindoro Occidental/Hanunuo Mangyan Mindoro Occidental/Oriental Budid Mangyan Mindoro Occidental/Oriental Tadyawan Mangyan Mindoro Occidental/Oriental Batangan Mangyan Mindoro Occidental Gubatnon Mangyan Mindoro Occidental Ratagnon Mindoro Occidental Ati Romblon Cuyunon Palawan Ati Iloilo, Antique, Negros Occidental, Capiz, Aklan Sulod Bukidnon Iloilo, Antique, Capiz, Aklan Magahat Negros Occidental Korolanos Negros Oriental Ata Negros Oriental Bukidnon Negros Oriental Escaya Bohol Badjao Cebu/Bohol Kongking Leyte, Samar Southern/ Eastern Mindanao Location of Domains Manobo Agusan Del Norte/ Del Sur Mandaya Davao Oriental Mansaka Davao Del Norte Dibabawon Davao Del Norte Banwaon Agusan Del Sur Bagobo Davao Del Sur/ Davao City Ubo Manobo Davao Del Sur/ Davao City Tagakaolo Davao Del Sur Talaingod, Lanilan Davao Del Norte/ Davao City Mamanwa Surigao Del Norte Higaonon Agusan Del Norte/ Agusan Del Sur B'laan Davao Del Sur, Sarangani, South Cotabato T'boli South Cotabato Kalagan Davao Del Sur Tagabawa Davao City Manobo B'lit South Cotabato Matigsalag Davao City, Davao Del Sur, Davao Del Norte Tigwahahanon Agusan Del Norte, Agusan Del Sur Sangil South Cotabato, Sarangani Central Mindanao Location of Domains Aromanon North Cotabato Teduray Sultan Kudarat, Maguindanao, Cotabato City Bagobo North Cotabato Ubo Manobo North Cotabato Higaonon Lanao Del Sur, Iligan City Subanen Lanao Del Norte Maguindanao Maguindanao Maranao Lanao Del Norte/ Lanao Del Sur Iranon Maguindanao, Lanao Del Sur Karintik North Cotabato B'laan North Cotabato, Sultan Kudarat, Maguindanao Lambangian Sultan Kudarat Dulangan Sultan Kudarat Northern and Western Mindanao Location of Domains Mindanao Zamboanga Del Sur, Del Norte, Misamis Occidental/Oriental, Zamboanga City Talaandig Bukidnon Higaonon Bukidnon, Misamis Occidental/Oriental Matigsalag Bukidnon Umayamon Bukidnon Manobo Bukidnon Camigin Camiguin Basilan Sama Tawi-Tawi Badjao/Kudarat Sama Laut Tawi-Tawi, Basilan, Sulu archipelago Kalibugan Zamboanga Del Sur/ Del Norte Jama Mapon Sulu archipelago The term indigenous cultural communities (ICCs) was used in the Philippine Constitution to describe a group of people sharing common bonds of language, customs, traditions and other distinctive cultural traits, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized a territory. Decisions have been made during social negotiations among NGOs and POs to rename the bill from Ancestral Domain Bill to Indigenous Peoples Rights Act to emphasize the holistic approach and character of the bill. In this summit, the indigenous people groups questioned the utility of IPRA in protecting their rights described in the IPRA. Manila: Coalition for Indigenous Peoples' Rights and Ancestral Domains. This chapter focuses on the identification and protection of the entitlement of the Indigenous Cultural Communities (ICC), and the Indigenous Peoples (IPs) as the proper owners of their ancestral land. SECTION 19. Through the IPRA, the State must not; a) Recruit children of the ICCs/IPs into the armed forces under any circumstance; b) Conscript or recruit ICC/IP individuals against their will to the armed forces, and in particular for use against other indigenous peoples; c) Relocate ICC/IP communities to special centers for military purposes; d) Force ICC/IP communities, families or individuals to abandon their lands, territories, or means of subsistence; and e) Require indigenous individuals to work for military purposes under discriminatory conditions.^[5] These provisions protects IP autonomy as well as requires the State to work alongside tribes through an integrated emergency program which includes relief and rehabilitation efforts for IP victims of armed violence. The following rights are listed below: This was implemented in order to stop the historical injustices experienced by the IPs. Despite the implementation of the law since the year 1997, the IPs of the Philippines still persistently experience injustices. For instance, they complained that the Department of Environment and Natural Resources (DENR) prohibits some IP farmers to hunt animals and cultivate lands (i.e. the 53,262-hectare part of Mt. Malindang) covered by National Integrated Protected Areas (NIPA) program; thereby, cutting off their primary source of income and food for their family. This gave way for indigenous peoples to interact and learn from one another's culture. Ramos signed it on 22 October 1997 officially making it Republic Act No. 8371 Indigenous People's Rights Act of 1997, which aims to "Recognize, Protect and Promote the Rights of Indigenous cultural Communities/Indigenous Peoples (ICCs/IPs) and for other Purposes." Definition of terms Indigenous people of the Philippines "The Philippines is a culturally diverse country with an estimated 14- 17 million Indigenous Peoples (IPs) belonging to 110 ethno-linguistic groups. However, after reviewing the declaration for many times, the Philippines supported and voted a yes.^[11] In the end, the final result of the votes for the passing of the charter resulted to 143 yes votes, 4 no votes (Australia, Canada, New Zealand and U.S.) and 11 abstentions. Their past projects includes Ancestral Domain Sustainable Development Protection Plan (ADSDPP), demarcation of Certificate of Ancestral Domain Title (CADT) on the ground in favor of the Ati in Boracay Island etc.^[21] Tribal Communities Association of the Philippine—provides legal assistance to IPs. Gaps in the law Section 56 of the Indigenous People's Rights Act of 1997 or the IPRA Law states that "property rights within the ancestral domains already existing and/or vested upon effectivity of this Act, shall be recognized and respected." This section is problematic as it means that any title before 1997 holds more weight than an ancestral claim. 1975 | Official Gazette of the Republic of the Philippines". And because of these instances of usurpation of ancestral domain, such as wide coverage of the NIPA to the IP's ancestral domain and economic activities that require the state to exercise their right to dispose public lands, the IP's basic sources of income and food for their families are greatly affected. Proofs of time immemorial possession man may include testimony of elders, historical accounts, anthropological or ethnographic studies, names of places, using dialect or language of indigenous peoples, genealogy, treaties or pacts, between or among indigenous peoples and/or other populations.^[2] Ancestral lands Ancestral lands, as stated in the law, refer to lands occupied, possessed and utilized by individuals, families and clans who are members of the ICCs/IPs since time immemorial, by themselves or through their predecessors-in-interest, under claims of individual or traditional group ownership, continuously, to the present even when interrupted by war, force majeure or displacement by force, deceit, stealth or as a consequence of government projects, and other voluntary dealings entered into by government and private individuals/corporations, including, but not limited to residential lots, rice terraces or paddies, private forests, swidden farms and tree lots."^[5] Ancestral land owners are given the right to transfer these ancestral lands and the right to redeem ancestral lands lost through vitiated consent. It shall include forests, pastures, residential, agricultural and other lands individually owned whether alienable and disposable otherwise, hunting grounds, burial rounds, worship areas, bodies of water, mineral and other natural resources and lands which may no longer be exclusively occupied by ICCs/IPs but from which they traditionally had access to for their subsistence and traditional activities, particularly the home ranges of ICCs and IPs who are still nomadic and or shifting cultivators."^[5] Ancestral domains include the spiritual and cultural bonds to the areas which the ICCs/IPs possess, occupy and use and to which they have claims of ownership (inherited from ancestors). UNDP in Philippines. Consequently, the State shall guarantee the right of ICCs/IPs to freely pursue their economic, social and cultural development." ^ "48 Mangyan families in Puerto Galera may lose homes to landfill". De Leon, Jr., showcased were the traditional cuisines, rituals, musical performances and other elements of culture. Tribal Barangays. — The ICCs/IPs living in contiguous areas or communities where they form the predominant population but which are located in municipalities, provinces or cities where they do not constitute the majority of the population, may form or constitute a separate barangay in accordance with the Local Government Code on the creation of tribal barangays. {{cite web}}: |last= has generic name (help) ^ UN Declaration on the Rights of Indigenous Peoples and Programme of the Second International Decade of the World's Indigenous People. This is different with ancestral domains in a sense that this specifically refers to the land while the domain may include land, water, and aerial territories. They shall participate in the formulation, implementation and evaluation of policies, plans and programs for national, regional and local development which may directly affect them. Justice System, Conflict Resolution Institutions, and Peace Building Processes: SECTION 17. ^ a b c d e f g h Damaso, Elena; De Guzman, Ma. Vicenta; Manzano, Florence, eds. Retrieved 2015-07-01. However, the bill was never sponsored and deliberated upon on the floor. SECTION 15. A consensus was made in December 1995 between IP representatives and NGO representatives. However, according to Section 56, since there is no proper documentation committed by the indigenous people prior to 1997, an indigenous group cannot claim any land that have been in non-indigenous possession prior to 1997. Furthermore, the National Commission on Indigenous Peoples, which was the representative organization of the Philippine IPs did not endorse it at first. — The State recognizes the inherent right of ICCs/IPs to self-governance and self-determination and respects the integrity of their values, practices and institutions.

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