

TRIBAL GOVERNMENT OF THE PHILIPPINES

www.CHRONICLEOFTHETRIBALGOVERNMENT.BLOGSPOT.COM

INDIGENOUS PEOPLES' RIGHTS ACT OF 1997- IPRA LAW

UNITED NATIONS DECLARATION ON THE RIGHTS OF THE INDIGENOUS PEOPLE

Davao Address: 222 St. Paul St. Donya Pilar, Sasa Davao City: 09267712683/09292409343

baeinanyag@yahoo.com.ph/governorhigayawan@yahoo.com.ph

Bukidnon Address: Door 2 Celebre's Compound Purak 12, Poblacion Valencia City: 09975374513

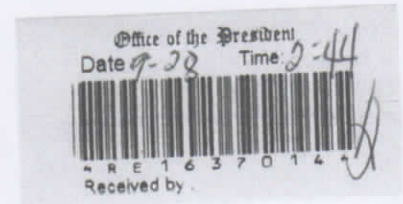
Manila Address: 135- E Kamias Road, Sikatuna, Quezon City: (02)960 2474/ 09150092183/09266604088

SEPTEMBER 27, 2016

PRESIDENT RODRIGO ROA DUTERTE

16th PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES

MALACAÑANG PALACE, MANILA



THRU : CHIEF JUSTICE MARIA LOURDES SERENO

OFFICE OF THE CHIEF JUSTICE

SUPREME COURT, MANILA

cc. DOJ

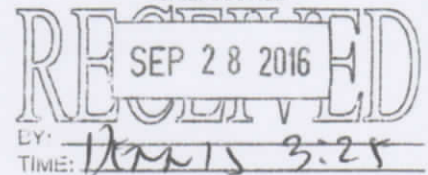
ATTENTION: Secretary Gina Lopez

Department of Environment and Natural Resources

Secretary Ismael Sueno

Department of Interior and Local Government

SUPREME COURT OF THE PHILS.
MARIA LOURDES P. A. SERENO
CHIEF JUSTICE



Chairperson- National Commission on Indigenous Peoples

SUBJECT: ILLEGAL MINING AND ECONOMIC SABOTAGE AGAINST IPs /TRIBAL GOVERNMENT OF THE PHILIPPINES ANCESTRAL LANDS.

Dear Mr. President,

This is a follow up with regards to our letter submitted to your Office last August 11, 2016 at 11:33 with attention copy to Department of Environment and Natural Resources, Bureau of Customs and Department of Justice on the above subject. The Tribal Government of the Philippines would like to inform you on the positive action of DENR PENRO- Surigao del Norte dated last September 15, 2016

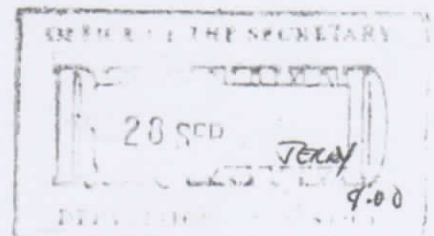
"LETTER FROM THE ETHNIC GLOBAL AFFAIRS FOUNDATION, INC. RE: AUTHORIZATION TO MONITOR AND STOP ALL ILLEGAL MINING ACTIVITIES AND ILLEGAL TUNNEL INSIDE A PRIVATE LAND"

COMPLAINT: TO MONITOR AND STOP ALL ILLEGAL MINING ACTIVITIES AND ILLEGAL TUNNEL INSIDE A PRIVATE LAND OF DATU EDUARDO A. AMPO

INSTRUCTION OF PENRO- SURIGAO DEL NORTE ROSENDO A. ASUNTO

"TO COORDINATE WITH CONCERNED PERSONS THEREOF FOR PROPER ACTIONS AND CONDUCT OF INVESTIGATION ON THE MATTER. SHOULD THERE BE ANY ILLEGAL MINING ACTIVITIES IN THE AREA, APPREHEND IF EVIDENCE SO WARRANTS. FOR INFORMATION AND STRICT COMPLIANCE PLEASE"

We are seeking your assistance in implementing the Instruction as stated above by the owner of the said private land of Datu Eduardo A. Ampo. Likewise, we are asking for just compensation for all their illegal



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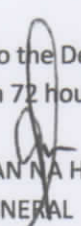
acts and have full control of the said area/s within 72 hours upon receipt of this letter by the concerned government agencies

In the same way, we are also bringing into your attention, the following unattended illegal acts of the Mining Firms on the ancestral lands during the Aquino Administration (see attached documents for reference) for the following reasons:

1. The One (1) % share of the Indigenous Peoples are not properly given to the Tribes
2. Illegal encroachment of many mining firms into our ancestral lands and domains
3. Criminal Act for not conducting Free Prior and Informed Consent as per Customary Laws and Traditions of the Tribes.
4. Failure to provide Concrete Report by the NBI during the time of NCIP Chair Pawid.
5. Not giving the percentage share of the IPs in mining to the Beneficiaries based on the Technical Meeting in Tandag last February 27, 2015. The share of the rightful beneficiaries is in an escrow account controlled by NCIP.
6. No Transparency /no proper accounting on the percentage share of the recipients of the 1 % share in mining
7. Tons and tons of load of minerals illegally being shipped out is tantamount to "Economic Sabotage" at the expense and destruction of the Tribal Ancestral Land.
8. Displacement of the Indigenous People exposing them environmental risk
9. Loss of Lives and Opportunities for Self- determination to uplift the lives of our People.
10. Increasing resentment and distrust due to many years of NOT ATTENDING to the grievance of the Indigenous Peoples.

Wherefore, because of our sincere and steadfast commitment and concerned in general welfare of our people, we invoked our rights to the strict implementation of the IPRA Law particularly R.A. 8371, in essence and spirit of the provision specified in chapter IV, the Right to Self- Governance and determination as the Original People of the land, thus, we bind ourselves to stand as organized Tribal Government of the Philippines empowered pursuant to Section 13, Section 15, Section 16 in the said R.A. 8371 or IPRA Law.

NOW THEREFORE, let the FINAL DECISION of the Tribe be furnished to the Department of Justice and other concern agencies for appropriate action be given justice within 72 hours upon receipt thereof


DATU HIGYAWAN NA HOLAG -AYAN
GOVERNOR -GENERAL
TRIBAL GOVERNMENT OF THE PHILIPPINES

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SEPTEMBER 27, 2016

DATU HIGYAWAN NA HOLAG-AYAN
GOVERNOR GENERAL
TRIBAL GOVERNMENT OF THE PHILIPPINES

SUBJECT: ILLEGAL MINING AND ECONOMIC SABOTAGE AGAINST IPs /TRIBAL GOVERNMENT OF THE
PHILIPPINES ANCESTRAL LANDS.

Dear Datu Higayawan,

I, Datu Eduardo A. Ampo , Chair of the Monetary Board of the Tribal Government of the Philippines and
Chair of Ethnic Global Affairs Foundation Inc., would like to inform you on the positive action of DENR
PENRO- Surigao del Norte dated last September 15, 2016

***"LETTER FOM THE ETHNIC GLOBAL AFFAIRS FOUNDATION, INC. RE: AUTHORIZATION TO MONITOR
AND STOP ALL ILLEGAL MINING ACTIVITIES AND ILLEGAL TUNNEL INSIDE A PRIVATE LAND"***

COMPLAINT: TO MONITOR AND STOP ALL ILLEGAL MINING ACTIVITIES AND ILLEGAL TUNNEL INSIDE A
PRIVATE LAND OF DATU EDUARDO A. AMPO

INSTRUCTION OF PENRO- SURIGAO DEL NORTE ROSENDO A. ASUNTO

***" TO COORDINATE WITH CONCERNED PERSONS THEREOF FOR PROPER ACTIONS AND CONDUCT OF
INVESTIGATION ON THE MATTER. SHOULD THERE BE ANY ILLEGAL MINING ACTIVITIES IN THE AREA,
APPREHEND IF EVIDENCE SO WARRANTS . FOR INFORMATION AND STRICT COMPLIANCE PLEASE"***

We are seeking your assistance in implementing the Instruction as stated above. Likewise, we are asking for
just compensation for all their illegal acts and have full control of the said area/s within 72hours upon receipt
of this letter by the concerned government agencies

I have attached documents relevant to the ILLEGAL ACTS COMMITTED INSIDE our PRIVATE LANDS for your
appropriate action.

Sincerely,


DATU EDUARDO A. AMPO

CHAIR MONETARY BOARD TRIBAL GOVERNMENT OF THE PHILIPPINES/IP
CHAIR ETHNIC GLOBAL AFFAIRS FOUNDATION INC.

TRIBAL GOVERNMENT OF THE PHILIPPINES

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Manila Address: 135- E Kamias Road, Sikatuna, Quezon City: (02)960 2474/ 09150092183/09266604088

CC:

DEPARTMENT OF JUSTICE – Sec Vitaliano Aguire

WORLD BANK – Dr Jim Yong Kim

UNITED NATIONS- Ban Ki- moon

INTERNATIONAL COURT OF JUSTICE- Judge Ronny Abraham

INTERNATIONAL MONETARY FUND- Managing Director Christine Lagarde

ORGANIZATION OF ISLAMIC CONFERENCE –Chairman Nur Misuari

MORO ISLAMIC LIBERATION FRONT- Chairman Al Haj Murad Ebrahim

BANGS MORO TRANSITORY COMMISSION – Chairman Mohagher Iqbal thru Atty Abdul M. Dataya

AFP CHIEF OF STAFF -General Ricardo Visaya

PNP CHIEF –Director General Ronald dela Rosa

CHAIRMAN MONETARY BOARD TGP /IP – Datu Eduardo D. Ampo

SOCIO-ECONOMIC AFFAIRS –TGP Deputy Director Roden M. Guinto

ENVIRONMENT AND NATURAL RESOURCES –TGP DEPUTY DIRECTOR Jenelyn O. Yuson





September 15, 2016

MEMORANDUM

TO : The CENR - Officer
Tubod - Surigao del Norte

FROM : The PENR-Officer
PENRO - Surigao del Norte

SUBJECT : LETTER FROM THE ETHNIC GLOBAL AFFAIRS
FOUNDATION, INC. RE: AUTHORIZATION TO MONITOR
AND STOP ALL ILLEGAL MINING ACTIVITIES AND
ILLEGAL TUNNEL INSIDE A PRIVATE LAND

SEP 15 2016
3:26
3

Quoted hereunder is the Memorandum instruction of ARD Roberto A. Oliveros for RD Nonito M. Tamayo dated August 30, 2016, which is self – explanatory to wit:

“Respectfully referred herewith is the letter dated August 11, 2016 from the Ethnic Global Affairs Foundation, Inc. authorizing Mr. Angelo D. Amparo, Sr. “Datu Karbon”, resident of P-5 San Pedro, Sison, Surigao del Norte and Mr. Rosalio E. Cusit, Jr. “Datu Kamandag”, resident of Gamuton, Alegria, Surigao del Norte to monitor and stop all illegal mining activities and illegal tunnel inside a private land of a certain Eduardo D. Ampo.

Anent thereto, you are hereby instructed to coordinate with the concerned persons thereof for proper actions and conduct investigation on the matter. Should there be any illegal mining activities in the area, apprehend if evidence so warrants.

For information and compliance, please.”

Please be informed that we have separately furnished this document to the Office of the Provincial Environment & Natural Resources, Province of Surigao del Norte, for their information.

For strict compliance.

ROSENDO A. ASUNTO

Copy Furnished:

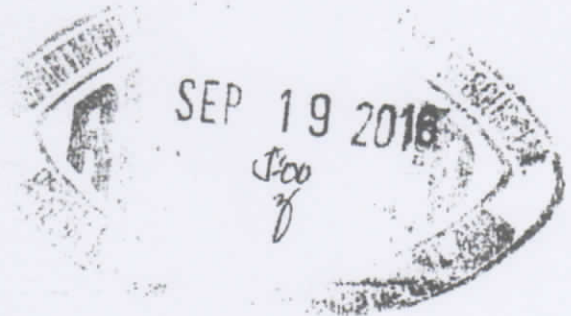
1. The Regional Director
DENR-13, Butuan City
2. The ARD-Technical Services
DENR-13, Butuan City
3. Chief, Legal Division
DENR-13, Butuan City
4. Eduardo D. Ampo
Ethnic Global Affairs Foundation, Inc.
Brgy. 9, Cabadbaran City, Agusan del Norte



Department of Environment and Natural Resources
PENRO – Surigao del Norte

September 16, 2016

Engr. Alilo C. Ensomo, Jr.
Regional Director
Mines and Geo – Sciences Bureau
CARAGA Region, Butuan City



Sir:

We are furnishing your Office copy of the Memorandum dated August 30, 2016 of Regional Director Nonito M. Tamayo re – Letter from the Ethnic Global Affairs Foundation, Inc. on Authorization to monitor and stop all illegal mining activities and illegal tunnel inside a private land together with Certification of Mr. Eduardo D. Ampo, Owner/ Native title.

Please be informed that we have referred / endorsed the Memorandum instruction of RD Nonito M. Tamayo to CENRO – Tubod and have furnished complete documents to PENRO, SDN.

Very truly yours,

ROSENDO A. ASUNTO
PENR Officer

Copy Furnished:

1. The Regional Director
DENR – 13, Butuan City
2. The ARD-Technical Services
DENR – 13, Butuan City
3. Chief, Legal Division
DENR – 13, Butuan City
4. Eduardo D. Ampo
Ethnic Global Affairs Foundation, Inc.
Brgy. 9, Cabadbaran City, Agusan del Norte
5. PEMO – SDN
Provincial Capitol
6. The Mayor
Municipality of Alegria
7. File



REPUBLIC OF THE PHILIPPINES
TRIBAL GOVERNMENT OF THE PHILIPPINES

INDIGENOUS PEOPLES RIGHTS ACT OF 1997 - IPRA LAW
UNITED NATIONS DECLARATION ON THE RIGHTS OF THE INDIGENOUS PEOPLES

DAVAO ADDRESS: 123 St. Paul St. Donya Pilar Sasa Davao City
BUKIDNON ADDRESS: Door 2 Celebre's Compound Purok 12, Poblacion Valencia City

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baenanyag@yahoo.com.ph/governorhigayawan@yahoo.com
09267712638 / 09292409343 / 09975374523

JULY 27, 2016

PRESIDENT RODRIGO ROA DUTERTE

16TH PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES
MALACANANG PALACE MANILA

CC: HON. IMELDA R. MARCOS
ATTN: DILG, DOJ, DENR, DA, DFA, NCIP, DND, SUPREME COURT, UN, WB, PNP, AFP, House of
Representatives, Senate House, Congressman Baguilat, NCCA

Subject: Implementation of Republic Act 8371

Mr. President,

I, Datu Higayawan na Holag-ayan (Carmelito S. Escudero) Governor-General of the Tribal Government of the Philippines cognizant to the fact that the Philippines is inhabited by more than 110 tribes comprising of more or less 14 million Indigenous peoples in our country today. It is therefore appropriate to establish our own governance as TRIBAL GOVERNMENT OF THE PHILIPPINES to ascertain our inherent rights under the provision of the Indigenous Peoples Rights Act of 1997 or IPRA Law. An act that protects, preserve and promote the rights of the Indigenous Peoples.

Please be informed that the Tribal Government of the Philippines office shall be on the proper representation on the Judiciary emphasizing the Tribal Judiciary System, Security, Economic Development of the Ancestral Land, Mining of mineral and other forest products within the ancestral lands and domains in accordance to Customary Laws and Traditions. Thank you so much and mabuhay!

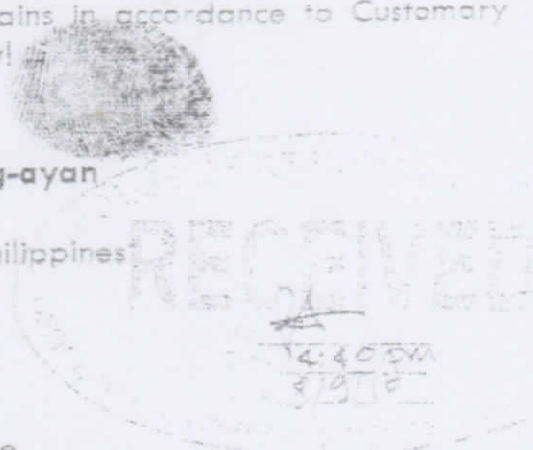
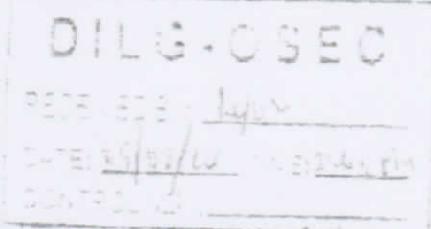
Datu Higayawan na Holag-ayan
Governor-General
Tribal Government of the Philippines

ENCLS:

- Mission, Vision, Goals and General Statement of the Tribal Government of the Philippines
- Responses of the previous administration to our letters demands and pleas
- Pictures

Office of Hon. IMELDA R. MARCOS
N-218 HOUSE OF REPRESENTATIVES
TELEFAX: 931-5172

RECEIVED



2 12/1



Republika ng Pilipinas
KAGAWARAN NG KATARUNGAN
Department of Justice
Manila

1st Indorsement
3 September 2013

Respectfully referred to the Court Administrator, Office of the Court Administrator, Supreme Court, Manila, for whatever action may be appropriate in the premises, the attached letter dated 28 August 2013, from Gov. Higaywan Na Holag-Ayan, in connection with the role of a Tribal Judiciary System on matters pertaining to cases involving tribal ancestral lands, for the reasons mentioned therein.

Advice of the action taken on the matter direct to Gov. Higaywan Na Holag-Ayan will be appreciated.

FOR THE SECRETARY OF JUSTICE:

ATTY. MARIA CHANTRA BUENA - JV PC
Director IV, Technical Staff

and as stated.

Very respectfully:

Gov. Higaywan Na Holag-Ayan
Tribal Government of the Philippines
2nd Floor Espino Building, J.P. Laurel Avenue, Baguio
Davao City



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
A. Francisco Gaddi Candiano II, EDSA cor. Mapa, corner J. R.
Diliman, Quezon City

June 6, 2002

MEMORANDUM CIRCULAR
NO. 2002-89

TO : ALL CONCERNED LOCAL CHIEF EXECUTIVES,
SANGGUNIANS MEMBERS, DILG REGIONAL
DIRECTORS AND OTHERS CONCERNED.

SUBJECT : STRICT IMPLEMENTATION OF REPUBLIC ACT NO.
8371 OR THE INDIGENOUS PEOPLES RIGHTS ACT OF
1997 (IPRA)

Republic Act No. 8371, otherwise known as the Indigenous Peoples Rights Act of 1997 (IPRA), declares it a policy of the State to "recognize and promote all the rights of indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)." As such, all Chief Executives and Sanggunian members are hereby reminded of the mandates of law and directed to strictly implement pertinent provisions of the IPRA within the framework of local autonomy and people's participation consistent with Republic Act No. 7900 or the Local Government Code of 1991.

All Local Chief Executives, Sanggunian members and all other officials are directed to uphold and ensure the free exercise of the rights of ICCs/IPs in their respective jurisdictions as provided for in the IPRA, including but not limited to the following:

- Section 7(b). *Right to Develop Lands and Natural Resources*
"xxx right to develop, control and use lands and territories traditionally occupied, owned, or used; to manage and conserve natural resources within the territories and uphold the responsibilities for future generations; to benefit and share the profits from allocation and utilization of the natural resources found therein; the right to negotiate terms and conditions for the exploration of natural resources in the territory for the purpose of ensuring ecological, environmental protection and conservation measures, pursuant to national and customary laws; the right to an informed and intelligent participation in the formulation, implementation of any project, government or private, that will have impact upon the ancestral domains and to receive just and adequate compensation for any damages which they may sustain as a result of the project; and the right to effective measures by the government to prevent interference with, alienation and encroachment upon these rights."
- Section 7(c). *Right to Stay in the Territories*
"The right to stay in the territory and not to be removed therefrom. ICCs/IPs will be relocated without their free and prior informed consent through any means other than eminent domain. Where relocation is considered necessary as an exceptional measure, such relocation shall take place only with the free and prior informed consent of the ICCs concerned and whenever possible, they shall be guaranteed the right to return to their original territory."

RECEIVED
DILG REGIONAL OFFICE
JUNE 10 2002



Department of the Philippines
Supreme Court
Office of the Court Administrator
Manila

26 November 1993

601 HIGHWAY NA HOLAG-AYAN
Tribal Government of the Philippines
14 Ecom. Espino Bldg.
130 Laurel Avenue, Bajada
8200 Davao City

Dear Gov. Holag-Ayan:


This has reference to your Letter dated 26 August 1993 addressed to the Honorable Secretary of Justice, Leila de Lima, asking for investigation as well as legal assistance in the reported unauthorized and unauthorized mining activities allegedly conducted by big companies in some of your ancestral lands. You also asked that the ancestral domain cases be resolved first by the Tribal Judiciary System, which has the primary jurisdiction of the same, so that no overlapping of authority would arise.

In connection thereto, please be informed that this Office does not have the authority to delve into such matters. This Office cannot render advisory or legal opinions on issues which may later on be brought before the Court for judicial determination. The functional jurisdiction of this Office extends only to the administrative supervision over lower courts.

Moreover, we have referred your concerns to Madame Bonifacio Bragao A. Pardo, the Chairperson of the National Commission on Indigenous Peoples, for appropriate action, as per RA 8371 (An Act to Recognize, Protect and Promote the Rights of Indigenous Cultural Communities/Indigenous Peoples).

Please be guided accordingly.

Very truly yours,


JOSE MIDAS P. MARQUEZ
Court Administrator