



Workshop Towards a Philippine National Action Plan on Business and Human Rights: Strengthening Protection for Indigenous Peoples and Ancestral Domains (Part 1)

Summary Report



15 July 2025

Susan V. Ople Building 119 Malugay Street, Brgy. Bel-Air, Makati City

Land Justice Initiative is implemented by:



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WORKSHOP SUMMARY REPORT

Introduction

The Philippine National Action Plan on Business and Human Rights (NAP-BHR) is currently being developed to implement the UN Guiding Principles on Business and Human Rights. The NAP-BHR creates a strategic framework for protecting human rights from business-related impacts and ensuring corporate accountability.

Towards this end, the Land Justice Initiative Project (LJI) jointly organized the workshop “Towards a Philippine National Action Plan on Business and Human Rights (NAP-BHR): Strengthening Protection for Indigenous Peoples and Ancestral Domains (Part 1)” with the Presidential Committee on Human Rights Secretariat (PHRCS) and the National Commission on Indigenous Peoples (NCIP) on 15 July 2025.



The workshop was held at the Department of Migrant Workers Multipurpose Hall of the Susan V. Ople Building in the City of Makati and brought together 85 participants (46 females, 39 males; 27 youth)¹ from national government agencies to begin the process of crafting the NAP-BHR, which will initially focus on indigenous peoples' rights and ancestral domains as part of its comprehensive approach to enhance access to effective remedies for affected communities.

Background

In 2008, the United Nations endorsed the “Protect, Respect and Remedy Framework” for business and human rights,² which recognizes unequivocally that States have the *duty* under international human rights law to *protect* everyone within their territory and *jurisdiction* over human rights abuses committed by business enterprises. This duty means that States must have effective laws and regulations to prevent and address business-related human rights abuses and ensure access to effective remedy for those whose rights have been abused.

The UN Framework also addresses the *responsibility* of businesses to *respect* human rights wherever they operate and whatever their size or industry. Companies need to be aware of their actual or potential impacts, prevent and mitigate abuses, and address adverse impacts where they are involved. The UN Framework also makes the important clarification that the responsibility of businesses exists independently of the duty of State to protect human rights.

¹ Of the 85 participants, 78 are staff from 24 government agencies and 7 staff from ANGOC and KAISAHAN.

² This framework was developed by then-Special Representative of the UN Secretary General, Professor John Ruggie, following three years of research and worldwide consultations with businesses, civil society, governments and victims of corporate human rights abuses.



Finally, the UN Framework recognizes the fundamental right of individuals and communities to *access effective remedy* when their rights have been adversely impacted by business activities. States must ensure that the people affected have effective access to remedy with the court system or other legitimate non-judicial process. For their part, business companies should establish or participate in grievance mechanisms for these adversely affected individuals or communities.

On 16 June 2011, the United Nations Human Rights Council endorsed the Guiding Principles on Business and Human Rights (UNGP-BHR) to operationalize the UN “*Protect, Respect and Remedy*” framework. This was brought about by the realization that — at the peak of globalization – delineation of clear roles and responsibilities of business enterprises at the local, national, and international level are very important to ensuring human rights practice (UN-OHCHR, 2011).

While the guidelines of the UN Working Group on UNGP-BHR do not specifically identify the Executive Branch of the government as the sole entity responsible for crafting the NAP, the presence of the National Human Rights Action Plan (NHRAP) explains the important role of the said branch. The NHRAP is the government’s blueprint in implementing the various international human rights treaties that the Philippines is a party of. In terms of the office in charge of the NHRAP as well as providing advice to the President in addressing human rights issues, the Presidential Human Rights Committee (PHRC) was created in 1988 by then President Corazon Aquino. Currently attached to the Office of the President (with its Executive Director as appointed by the President), all government agencies are directed to cooperate and support PHRC in performing its mandate, thus making the promotion of human rights as a key responsibility of the executive branch.

Having the Executive, through the PHRC, take the lead in the NAP formulation of UNGPs, reflects a high level of commitment and priority from the government.

There have been a number of initiatives by various stakeholders to push for the formulation of a NAP since 2014. But with the onslaught of COVID-19 pandemic in 2020, the momentum has been stalled.



Usec. Severo Catura of the Presidential Human Rights Committee Secretariat opens the program with welcome remarks, highlighting the significance of the activity and its objectives.



In the project launch of the Land Justice Initiative (LJI), the representative of the PHRC Secretariat (PHRCS) mentioned the renewed interest of formulating the NAP-BHR as part of the Philippine Human Rights Plan (PHRP). The PHRP is a comprehensive roadmap and blueprint in mainstreaming human rights in the Philippines in the national development agenda. The current PHRP is the 4th Philippine Human Rights Plan (PHRP4) (2024 to 2028) and has specific thematic chapter on the empowering and upholding the rights of the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs). Hence, as a start, the PHRCS proposed that the NAP-BHR focus on IPs.

As the formulation of NAP-BHR is seen as part of influencing policies supporting land and human rights defenders (LHRDs) through heightened public awareness and significant engagement with duty bearers, the LJI has contributed in this process in partnership with PHRCS and the National Commission on Indigenous Peoples (NCIP).

The development of a comprehensive and effective NAP-BHR requires both enhanced government capacity and inclusive multi-stakeholder engagement. As such, a 2-part workshop shall be conducted.

Part 1 of the Workshop was conducted for the government agencies to establish a strong foundational understanding of business and human rights principles and the UNGPs. It focused on the importance of BHR in relation to land rights, and in particular with the IPs, given the diverse themes and sectors involved in BHR.

Objectives

The objectives of the Part 1 Workshop include:

- Introduce participants to the fundamental concepts of BHR and the framework of the UNGP-BHR in an environment of meaningful engagement in multi-stakeholder consultations;
- Deepen understanding of the specific human rights issues and potential adverse impacts on land tenure security, and in particular those faced by the IPs in the context of business operations in the Philippines;
- Foster a common understanding among various government agencies on their respective roles and potential areas of collaboration in effecting business and human rights issues in general, and in particular concerning IPs and ancestral domains;
- Initiate the integration and formulation of human rights principles and due diligence into the policies and programs of institutions concerned; and,
- Support the inclusive, participatory and multi-stakeholder process of formulating a NAP-BHR.



Highlights of the Workshop

Opening remarks and messages

- **National Commission on Indigenous Peoples (NCIP) - Atty. Marie Grace T. Pascua, Chairperson (video message)**

The workshop recognizes that ancestral domains are not just vacant lands and resources to be exploited, but the lifeblood of indigenous identity, survival and culture. The moral and legal obligation to protect ancestral domains ensure that indigenous voices are not just heard, but are central to the future development of the nation. Thus, the NAP-BHR workshop is called upon to integrate the protection of indigenous peoples to ensure inclusive and rights-based development, which can lead to stronger safeguards, deeper accountability, and policies that value human dignity over profit.



- **European Union (EU) Delegation to the Philippines – Margarito Raynera, Program Officer (delivered by Atty. Mary Claire Demaisip of KAISAHAN)**



Business and Human Rights are not mutually-exclusive and can function within each other. Businesses must respect human rights; it should avoid infringing the human rights of others and address adverse human rights impact in which businesses are involved.

As advocates of human rights, the European Union implements concrete steps to support the implementation of UNGP-BHR, and to drive actions into a humane and rights-based approach of doing business, such as:

- Corporate Sustainability Due Diligence Directive (CSDDD), which aims to ensure EU companies to uphold human rights and environmental standards; and,
- Generalized System of Preferences Plus (GSP+) special incentive arrangement for sustainable development and good governance; which Philippines is a beneficiary of since 2014.

The launch of the workshop serves to widen the stakeholder’s understanding of BHR and internalize its principles on all of their operational level. The EU hopes that the post-workshop multi-stakeholder consultation and dialogue yields substantive result for personal accountability and protection of the vulnerable sectors, such as Indigenous Peoples.



- **Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC)** – *Nathaniel Don Marquez, Executive Director*

The impacts of businesses are both positive and negative. Positive impacts include increasing access to employment and improving services. Negative impacts include polluting the environment, underpaying workers and evicting native communities from their land.

The 2024 Philippine Land and Resource Conflict Monitoring Report of the ANGOC cites commercial interests or private entities as the major obstacle in the struggle of farmers, farmworker, IPs, and fisherfolks to gain access to land for their benefit.

The UNGP-BHR remains relevant in the Philippines due to the land conflicts that result to suffering and human rights abuses, which includes physical and economic violence. The NAP-BHR correlates to the development by influencing policies supporting human and land rights defenders through their capacitation and protection; heightened public awareness; and, significant partnership with duty bearers.

As a first line of defense, tenure reforms should be implemented without delay. Certificates of Land Ownership Awards and Certificates of Ancestral Domain Titles should be processed. Beyond land tenure improvement, support services are necessary for farmers and IPs to protect them from scrupulous and one-sided business contracts.

As the initial process of the NAP formulation will look at specific sectors, the LJI will endeavor that land rights and the protection of land and human rights defenders, including farmers and IPs, shall constitute as one key component in the overall framework of the NAP.





Presentations

- **Overview of UN Guiding Principles on Business and Human Rights (UNGP-BHR) -**
Hon. Jesus G. Torres, Presiding Judge of the Municipal Trial Court of Balagtas, Bulacan



The Commission on Human Rights plays a key role as advisor to the Philippine Government in its implementation of the core international human rights Instruments. Under these instruments, there exists a reciprocal relationship between rights holders and duty bearers. Duty bearers fulfil responsibilities towards rights holders and is accountable to the latter, while rights holders participate in and claims rights from duty bearers. The State, as duty bearer, has a separate juridical personality from the individual members of the government, such as its employees.

The Government has human rights obligations to: (1) **respect** or refrain from interfering with enjoyment of rights; (2) **protect** or prevent others from interfering with the enjoyment of rights; and, (3) **fulfil** or adopt appropriate measure towards the full realization of rights.

The UNGP-BHR were established in response to a number of factors, to wit:

- Globalization pushes companies into new markets
- Company impacts on communities
- Host-States are sometimes unwilling or unable to address company human rights impacts
- Frequently, home-States do not regulate their companies abroad
- No international governance framework
- No clarity on the responsibility of States vs. businesses
- No level playing field for businesses, “race to the bottom” for States

The UNGP-BHR has **three “pillars”**. The **first pillar** is the **State duty to protect**. It has two principles: (1) the State must protect against business-related abuse within its territory and/or jurisdiction; and, (2) the State must set expectations that businesses domiciled in its territory and/or jurisdiction respect human rights.

The **second pillar** is the **corporate responsibility to respect**. It recognizes that business activities pose human rights risks, given that business enterprises can potentially lead to adverse human rights impacts. Thus, potential impacts should be addressed through prevention or mitigation, while actual impacts – those that have already occurred – should be a subject for remediation.



The UNGP-BHR mandates a Human Rights Due Diligence Process/Human Rights Impact Assessment (HRIA), which is a policy commitment to human rights and the process of continuous improvement by businesses, resulting into consistent stakeholder engagement and access to remedy by stakeholders.

The **third pillar** is **access to remedy**, which takes the form of (1) State-based judicial mechanisms; (2) State-based non-judicial mechanisms; and, (3) non-State based grievance mechanisms, which can be external and internal to the corporate entity. The remedy should be:

- Legitimate: enabling trust/fair conduct
 - Accessible: known/assistance in case of barriers
 - Predictable: clear procedure/time frame/ outcome
 - Equitable: seeking to ensure access of the mechanism (info, advice, expertise to engage the system)
 - Transparent: informed about the status
 - Rights-compatible
 - A source of continuous learning- lessons for improvement
 - Based on engagement and dialogue
- **Philippines’ Legal Framework and Policy Environment on Business and Human Rights –**
Atty. Reinna S. Bermudez, Chief, Center for Social Justice and Humanitarian Protection, Commission of Human Rights

Business and Human Rights (BHR) recognizes that businesses impact people, communities, and the environment. Without safeguards, businesses can cause harm, including land grabbing, labor abuse, and environmental degradation. This will result in “Business as Usual”, disregarding the human cost.

Therefore, BHR is both a movement and a field, aiming for responsible business conduct and accountability. BHR offers tools for inclusive, just, and accountable growth.

The Global Framework, which is the UN Guiding Principles (UNGPs), has three pillars: (1) **State duty to protect** (governments must protect people from business-related harm; (2) **corporate responsibility to respect** (businesses must prevent and address human rights risks); and, (3) **access to remedy** (ensure affected individuals can seek justice, either from the courts or through grievance mechanisms).

The Philippines is experiencing rapid development and investment. Many projects occur on indigenous lands, leading to displacement, cultural loss, and environmental harm. Informal and low-wage workers face unsafe conditions and limited protection. Development is happening in the country, but not in an equitable manner since many are being left behind. The Philippines is not short of legal frameworks to protect IPs and their ancestral lands, but there are gaps in implementation.





The Indigenous Peoples' Rights Act (RA 8371 or IPRA) is plagued by the weak implementation of Free, Prior, and Informed Consent (FPIC) as well as limited access to remedy and participation. Indigenous communities frequently face barriers in accessing justice or filing complaints against human rights violations by corporations.

The Labor Code is fraught with weak enforcement of labor standards, such as limited labor inspections, under-resourced enforcement agencies, and gaps in monitoring supply chains, allowing some businesses to bypass minimum wage laws, occupational safety standards, and working hour regulations.

The Climate Change Act of 2009 has not effectively prevented business activities contributing to environmental degradation that exacerbate climate vulnerability in poor and Indigenous communities, without ensuring meaningful participation or compensation mechanisms.

The Renewable Energy Act has done more harm than good since renewable energy projects pose risks to the rights of indigenous peoples and local communities when FPIC is not properly observed. Some private sector actors in the renewable energy industry may lack transparency in environmental and social impact assessments.

The Philippine Mining Act is seen as largely pro-mining. Enforcers routinely turn a blind eye to violations of indigenous peoples' rights and tolerate weak FPIC Compliance. Large-scale mining has caused deforestation, water pollution, and displacement, threatening the health, livelihood, and right to a healthy environment of local and marginalized communities.

The Environmental Impact Statement (EIS) System lacks meaningful public participation and community consultation and suffers from insufficient integration of Human Rights Impact Assessment.

Other enabling frameworks are the Philippine Development Plan 2023 to 2028, which is the government's strategic blueprint for achieving inclusive and sustainable economic recovery and long-term development; and Securities and Exchange Commission (SEC) Memorandum Circular No. 4, s. 2019, which mandates all publicly listed companies (PLCs) in the Philippines to submit Annual Sustainability Reports using a globally aligned sustainability reporting framework.

- **Business and Human Rights and Tenure Security: Perspectives from Indigenous Peoples –**
Atty. Catherine B. Gayagay-Apaling, Director, NCIP

The National Commission on Indigenous Peoples of the Philippines (NCIP) is one of the designated lead agencies in coordinating compliance with international human rights treaties under the 4th Human Rights Plan (PHRP4), specifically for the International Convention for the Elimination of Racial Discrimination (ICERD).

Under PHRP4 major objectives, Section B states the need “to address emerging Human Rights Issues and Concerns (HRIAC) arising from engagements with international and regional HR mechanisms and other stakeholders”.

Furthermore, HRIAC 4 underscores the “limited understanding of the role of businesses in the context of the rights of indigenous peoples to ancestral domains/lands”.



Several legal frameworks support NCIP's role in human rights compliance:

- UN Declaration on the Rights of Indigenous Peoples (UNDRIP) - Adopted by UN General Assembly in 2007, recognizing inherent rights.
- IPRA Law of 1997, which mandates FPIC and ancestral domain titling (CADTs)

However, conflicting laws, such as the Mining Act of 1995 and the NIPAS Act create legal overlaps.

Also, poor enforcement and corruption hinder IPRA implementation: around 60 percent of ancestral domain claims yet to be delineated or pending.

Tenure security is central to indigenous peoples' well-being. IPs customarily hold over 50 percent of global land, but legally own less than 10 percent (Rights and Resources Initiative, 2020). Secure tenure protects traditional livelihoods, cultural heritage, and biodiversity and also has a direct link to the indigenous peoples' right to self-determination, which is crucial for their way of life. Lack of tenure security leads to conflict, displacement, and human rights abuses, undermining stability.

Business operations have dire impacts on indigenous tenure security. Agricultural Expansion (plantations), mining, and infrastructure projects usually result to land grabbing and displacement. Pollution from extractive industries, deforestation, and water contamination lead to environmental degradation. Destruction of traditional hunting, fishing, and farming grounds results to loss of livelihood. Then there is cultural erosion, when sacred sites are desecrated and traditional knowledge is diminished. Finally, violence and criminalization ensue when threats, intimidation, and legal actions are brought against land defenders.

Indigenous peoples have a holistic connection to land. To IPs, land is sacred, intertwined with identity, culture, spirituality, and survival. They view land not as an individual property, but as a collective right and communal heritage.

That is why Free, Prior and Informed Consent is an essential component in any dealings with IPs and on IP land. In line with their collective take on land ownership, a consensus of all members of the ICCs/IPs need to be determined in accordance with their respective customary laws and practices, free from any external manipulation, interference coercion, and obtained after fully disclosing the intent and scope of the activity, in a language and process understandable to the community.

Thus, when dealing with IPs, corporations and entrepreneurs must practice responsible business and implementation of human rights due diligence. Businesses must identify, prevent, mitigate, and account for human and cultural rights impacts.

On the part of government, it must strengthen IPRA enforcement, resolve land conflicts, protect human rights and IP rights defenders, and implement human rights and IP rights education.

IPs and partner CSOs should continue their advocacy programs and enhance their capacities in monitoring and legal interventions.





- **Developing the National Action Plan on Business and Human Rights for Ancestral Domains**
– Atty. Gerald G. Bitonio, Deputy Executive Director, PHRCS

Economic growth in the Philippines is largely led by the private sector. Most big businesses are either involved in mining, energy, infrastructure, tourism, and agriculture.

The positive impact of businesses cannot be denied, in the form of job creation, revenue generation, and support through innovation and infrastructure.

Many large businesses operate within Ancestral Domains and affect ICCs/IPs.

The NAP-BHR is an “Evolving policy strategy developed by a State to protect against adverse human rights impacts by business enterprises in conformity with the UNGP.” It is a five-year plan that: (1) outlines actions the State will take to promote responsible business conduct; (2) ensures that economic growth respects people’s dignity, safety, and well-being; (3) serves as guide for government agencies, businesses, civil society, and communities; and, (4) covers key human rights areas, such as labor practices, environmental protection, land rights, and indigenous peoples’ welfare. In essence, the NAP-BHR aims to eliminate human rights violations in all business activities.



On the international stage, 35 countries have developed and launched their own NAP-BHR as of 15 July 2025. Four countries have included a business and human rights chapter in their national human rights action plans.

In ASEAN, five region-wide conferences on NAP-BHR have been held, to wit:

- November 2016 – Singapore
- June 2017 – Bangkok
- June 2018 – Bangkok
- August 2022 – Bangkok
- June 2023 – Bangkok

The ASEAN Intergovernmental Commission on Human RIGHTS (AICHR) convened two special sessions to advance the BHR agenda in the region. The first session was held in December 2020 in Bangkok in collaboration with the United Nations Development Programme (UNDP). It focused on training ASEAN institutions on business and human rights topics, including NAP development

The second session was held in May 2023 in partnership with the EU. It focused on strengthening local policy frameworks in response to new global developments, highlighted the



proposed EU corporate sustainability due diligence directive, and underscored the growing global focus on responsible business conduct and human rights due diligence.

In terms of the development of the Philippine National Action Plan on Business and Human Rights, in March 2015, a two-day roundtable discussion brought together both government and non-government organizations to further explore opportunities for integrating business and human rights principles into governance framework.

On 15 June 2016, another roundtable discussion was held to explore how business and human rights standards might be reflected in proposed amendments to the Corporation Code of the Philippines.

However, the COVID-19 pandemic halted the momentum in the development of the NAP-BHR.

Despite the slow development, the Philippines has taken initial steps to institutionalize its commitment to BHR. A draft Administrative Order (AO) was prepared to outline policies, plans, and programs promoting and protecting human rights in the business sector. The AO was intended to serve as a formal trigger for developing a NAP-BHR. It aimed to set in motion processes for multi-sectoral engagement, policy coherence, and effective implementation.

The NAP-BHR supports the State Duty to Protect by identifying gaps in current policies. It recommends legislative, regulatory, and administrative measures to strengthen protections. The NAP-BHR strengthens the Corporate Responsibility to Respect by promoting human rights due diligence as a standard business practice. It sets clear expectations that businesses — regardless of size — assess the human rights impacts of their operations. It encourages businesses to move beyond compliance, adopting proactive approaches.

In terms of Access to Remedy, the NAP-BHR promotes the creation and strengthening of grievance mechanisms. These mechanisms should be accessible, culturally appropriate, and effective. They may be implemented through government institutions or company-level complaints systems. The overall goal is to ensure that victims of harm have a clear and fair path to justice and redress.

The NAP-BHR’s core principle is that economic growth must not come at the expense of human dignity.

Many IPs live in ancestral domains that are directly affected by business operations. Ancestral lands are living, cultural landscapes, not just project sites.

The NAP BHR formalizes government-wide recognition that IPs must be active participants in decisions affecting their lands and lives. It promotes transparency and strengthens mechanisms for consultation and engagement. It also helps institutionalize the principle of Free, Prior, and Informed Consent (FPIC) in business practices.





For indigenous communities, a NAP-BHR provides a structured pathway for stronger protections, clearer grievance mechanisms, safeguards against exploitation.

For businesses, a NAP-BHR provides guidance on responsible operations in ancestral domains and a framework for building trust and long-term partnerships with communities.

However, many still lack a full understanding of how business, human rights, and ancestral domains intersect. There is often a gap in integrated, cross-sectoral approaches to complex issues.

Thus, capacity-building is essential to effectively implement the NAP-BHR. It must include not just government agencies, but also business enterprises, indigenous peoples and ICCs, and other stakeholders.

Government agencies are both regulators and enablers. They guide businesses toward human rights compliance and empower indigenous communities to assert rights, participate, and seek remedies.

In advancing an inclusive NAP-BHR ecosystem, we need to build capacity across all levels — within government, among private actors, and in communities; foster an inclusive, informed, and responsive environment for NAP-BHR implementation; promote responsible development that uplifts rather than displaces; and, respect the rights and dignity of IPs, rather than overriding them.

A shared mandate for a strategic and inclusive NAP-BHR recognizes that the development of the NAP-BHR transcends the mandate of any single agency or sector; embraces a whole-of-government and whole-of-society approach as both a principle and strategy, leverages the distinct mandates, expertise, and institutional roles of each agency; and, collaborates to craft a NAP that is coherent, inclusive, and responsive to real-world challenges.



The key roles of government agencies in NAP-BHR development are: (1) identify sector-specific human rights risks, especially in ancestral domains, using your agency's data, expertise, and regulatory insights; (2) participate actively in consultations and technical working groups to shape priorities, commitments, and strategies through inclusive dialogue; (3) define clear, measurable, and time-bound agency commitments that contribute directly to the NAP-BHR; (4) support the implementation and monitoring of the NAP-BHR by helping track progress, address gaps, and, recalibrate approaches as needed.



The development of the NAP-BHR is a five-phased process:

- **Phase 1: Initiation**
 - Establish a clear plan for how the NAP-BHR will be developed.
 - Secure support and involvement of relevant government agencies.
 - Ensure all participants - government and non-government - share a common understanding of goals, expectations, and their respective roles.

- **Phase 2: Assessment and Consultation**
 - Gather accurate and relevant information to guide the NAP.
 - Identify the most serious business-related human rights issues in the national context.
 - Examine existing laws, policies, and practices to find implementation gaps.
 - Engage stakeholders to identify concerns and priorities.
 - Build consensus among agencies and stakeholders on the key issues that the NAP should tackle.

- **Phase 3: Drafting of the NAP**
 - Begin drafting the NAP based on findings and priorities identified in Phase 2.
 - Share the initial draft publicly and conduct consultations to gather feedback.
 - Ensure the draft reflects inclusivity, relevance, and responsiveness to real-world concerns.
 - Refine the document based on inputs received from stakeholders.
 - Clearly define the government's planned actions, timelines, and alignment with identified issues.

- **Phase 4: Implementation**
 - Begin carrying out the commitments outlined in the finalized NAP.
 - Set up mechanisms to ensure smooth collaboration and oversight.
 - Enable civil society, Indigenous communities, and the public to track progress.
 - Provide channels for feedback and ensure accountability at all levels.

- **Phase 5: Update**
 - Evaluate what worked, what didn't, and what needs to change.
 - Review the implementation process to measure progress and challenges.
 - Identify new or persisting gaps in addressing business-related human rights issues.
 - Update the NAP to reflect lessons learned, new priorities, and evolving national or global contexts.
 - Specify in the NAP when and how the next review will take place.



Open Forum

In relation to what is the context of business when we say Business and Human Rights? Are these formal businesses like a corporation, or does it also cover the informal sectors, like fisherfolk and farmers, or ICCs/IPs conducting their own businesses, like cooperatives and sole proprietorships?



“Business” refers to the large-scale corporations who have large impact on human rights. It is the understanding of the BHR that it is the large businesses that can affect how human rights are enjoyed by the people.

There are issues when UNGP-BHR is upheld to the standards of Micro-Small-Medium Enterprises (MSMEs), citing that they are too small to enact major changes.

If being true to the UNGP-BHR, the power dynamic must be taken into consideration, like employee-employer relations. There is no harm if Human Rights Due Diligence is observed but there must be balance to ensure that business are still operating while the rights of the people are protected. Businesses should also not suffer for the sake of satisfying the UNGP-BHR.

Business, from the point of view of local laws, is the pursuit or conduct of an activity for the purposes of profit. From the point of view of the UNGP-BHR, all business activities are covered. How do we implement this in our local laws? We need to prioritize what is more pressing. This is how we know that the judicial system is working, in that we can file for appeals. For example, in the past the CHR focused on mining companies and their impact on the people. This resulted in the creation of Guidelines in Large Scale Mining.

All businesses are covered under UNGP-BHR. However, there are exceptions, and the government needs to identify what to balance. We should make business understand that the BHR principle is good for them.

It is also important to take into consideration the point of view of the community affected, the human rights perspective, and the UNGP perspective, so that appropriate action or even legislation may be enacted towards supporting them.

This is why the legislative branch of the government should be involved in the development of the NAP-BHR. It is important to have different sectors in the development of the NAP-BHR. There should be appreciation of duty holders, and even the judiciary. The development of



NAP-BHR is a good opportunity to coordinate and collaborate to enhance the appreciation of human rights in business.

In relation to rights and welfare, and the bundle of rights of ICCs/IPs.

With regard to the uniqueness of IP rights, it should be aligned with contemporary sensibilities. Based on comments from IP leaders, they resent the sentiment that they are seen as indigent. IPs understand the science and business of agriculture, and are open to economic progress. However, non-IPs and private entities with commercial interest remove the perspective of IPs from the business of agriculture. In the interest of national development, development in context of IPs should also be considered.

In relation to free, prior and informed consent (FPIC)

When talking about the weak implementation of the FPIC, it is not a criticism in the bureaucratic protocol and the customary laws. Rather, implementation of the FPIC within the context of business should be more human rights based. In reality, businesses wield their influence over the community, and there are now concerns whether the FPIC is genuine.

The usual concern from the community is that there are decisions that do not satisfy all or part of the governing group. There are those who do not fully understand if a project or an enterprise is for the benefit of the community. There is a prevailing concern that business interests subsume the rights of IPs, when businesses should recognize the rights of IPs since time immemorial.

There are instances where amicable settlement is not applicable. What can be prioritized is to work towards an alignment and common understanding.

In relation to what treaty serves as an anchor for the implementation for the NAP-BHR: Is it voluntary on the part of the implementing State? If there are no Treaty serving as an anchor, what Administrative Order serves as the legal framework?





For the legal framework anchoring, the Philippine Constitution: “*commitment for Social Welfare and International Commitment*” can be used. The UNDRIP and ASEAN also included BHR as one of their emerging issues.

Historically, there was an Administrative Order pending legislation, which immobilized the NAP-BHR. In 2014, the crafting of a NAP-BHR was started by CHR. It underwent consultation with the business sector and national government agencies.



In relation to various sectors involved in BHR.

This is a huge job, a distinct sector for Human Rights. Generic framework and guidelines for the National Action Plan cannot be used.

Part of the development of the NAP-BHR will be the capacity-building of government agencies with different mandates for specific sectors. Administrative Orders only serve as stop-gap measure.

In the context of the NAP-BHR facing the challenge of connecting with different sectors, the strategy is to create a specific NAP-BHR for a particular sector.

For this workshop, the focus is on IPs and Ancestral Domains. There are plans for future recontextualization: NAP-BHR in the context of migration, and a NAP-BHR in terms of the impacts of child labor. There have been expressed interest from other sectors such as farmers and fisherfolk.

In relation of NAP-BHR to other plans.

The NAP-BHR can be incorporated with existing MOAs with NCIP. For instance, PEZA cannot declare an Economic Zone within ancestral domains without endorsement from NCIP, and there should be an FPIC.

For the NAP BHR, foreign investors should still be required to undergo FPIC before moving into an Economic Zone within an AD.



Workshop Discussion

The group discussion and workshop activity was facilitated by Mr. Manuel Felix G. Abejo Jr. of PHRCS. The objectives of the group discussion were the following:

- to identify challenges faced by government agencies in implementing BHR in the context of protecting indigenous peoples' rights and ancestral domains;
- to formulate initial steps to integrate/incorporate BHR principles and due diligence into the policies and programs of line agencies leading to the formulation of a NAP-BHR for the protection of indigenous peoples' rights and ancestral domains.

The workshop activity was conducted with the following mechanics:

- Participants have been pre-assigned into five (5) groups.
- Each group shall select its own facilitator, documentor, and rapporteur.
- One hour and a half has been provided to answer the two (2) guide questions.
- Each group will be given 10 minutes to present the key points of the discussion in plenary.

A. GROUP OUTPUTS

The following are the groups and their outputs:

Group 1: Presenter – Director Gilbert Baltazar - DA

- Cooperative Development Authority (CDA)
- Department of Agriculture (DA)
- Department of Justice (DoJ)
- Department of Social Welfare and Development (DSWD)
- Department of the Interior and Local Government (DILG)
- Securities and Exchange Commission (SEC)
- National Commission on Indigenous Peoples (NCIP)





The three major challenges faced by government agencies in protecting and respecting human rights and providing remedy human rights violations in the business sector as they impact indigenous peoples' rights and ancestral domains				
Key Discussion Points/ Identified Issues	Proposed Solutions/ Strategies	Responsible Stakeholders	Timeline (S/M/L)	Expected Outcomes
<p>Enforcement of Free, Prior and Informed Consent (FPIC) Processes</p> <p>While the Indigenous Peoples' Rights Act (IPRA) mandates FPIC before any business can operate on ancestral domains, enforcement is often inconsistent. Some government agencies may fast-track permits or licenses without ensuring that meaningful consultations or valid FPIC processes are conducted.</p> <p>Impacts:</p> <ul style="list-style-type: none"> ● Business projects (e.g., mining, dams, plantations) proceed without genuine consent. ● FPIC is sometimes obtained through manipulation or coercion, leading to community division and rights violations. 	<ul style="list-style-type: none"> ● Strengthen NCIP oversight and accountability mechanisms to ensure FPIC processes are free from coercion, manipulation, or misrepresentation. ● Standardize FPIC guidelines across all agencies and ensure third-party monitoring to uphold transparency and community participation. ● Build capacity of IP communities on their rights under IPRA and international human rights law, empowering them to engage confidently in FPIC processes. ● Penalize non-compliant businesses and public officials who violate FPIC protocols, including the revocation of permits or contracts where FPIC is proven to be invalid. 	<p>National Commission on Indigenous Peoples (NCIP), Congress (oversight), Office of the President</p> <p>NCIP, Commission on Human Rights (CHR), civil society organizations (CSOs), local government units (LGUs)</p> <p>NCIP, CSOs/Indigenous Peoples' organizations (IPOs), CHR, DepEd NCIP, Department of Justice (DOJ), Office of the Ombudsman, local courts, DENR</p>	<p>Medium Term</p>	<p>Genuine and meaningful participation of Indigenous Peoples in decision-making on business projects affecting their ancestral domains.</p> <p>Strengthened credibility and integrity of the FPIC process, reducing cases of manipulation or coercion.</p> <p>Increased protection of IP land rights, cultural identity, and self-determination.</p> <p>Higher accountability for companies and public officials violating IPRA provisions</p> <p>Increased number of business projects undergoing verified and validated FPIC processes by the NCIP.</p> <p>Reduction in complaints and legal disputes related to improper FPIC among Indigenous communities.</p> <p>Development and institutional adoption of a national FPIC monitoring system with clear indicators and reporting protocols.</p> <p>Government credibility strengthened at both domestic and international levels for upholding Indigenous Peoples' rights.</p>



The three major challenges faced by government agencies in protecting and respecting human rights and providing remedy human rights violations in the business sector as they impact indigenous peoples' rights and ancestral domains				
Key Discussion Points/ Identified Issues	Proposed Solutions/ Strategies	Responsible Stakeholders	Timeline (S/M/L)	Expected Outcomes
<p>Overlapping Legal Frameworks and Conflicting Mandates</p> <p>Challenge: Government agencies often have conflicting priorities—some promote investments and resource extraction (e.g., DENR, Department of Trade and Industry), while others aim to protect IP rights (e.g., NCIP, CHR). This institutional fragmentation creates gaps in protecting Indigenous Peoples.</p> <p>Impacts:</p> <ul style="list-style-type: none"> ● Business interests are prioritized over IP rights in project approvals. ● Jurisdictional confusion delays remedies or leads to impunity for violations. ● Indigenous voices are sidelined in development planning. 	<ul style="list-style-type: none"> ● Harmonize legal and policy frameworks through inter-agency collaboration (e.g., NCIP, DENR, DTI, NEDA, CHR) to align economic development policies with human rights standards. ● Establish a national coordinating body or focal point on business and human rights, with specific mechanisms to address Indigenous Peoples' concerns. ● Integrate human rights due diligence (HRDD) into all business-related government approvals, especially for projects affecting ancestral domains. ● Adopt a rights-based approach to development planning that respects the cultural integrity, land tenure, and self-determination of Indigenous Peoples. 	<p>Inter-Agency Committees (e.g., Presidential Human Rights Committee Secretariat), Congress, Office of the President, DOJ, NCIP, DENR, DTI, DepDev, CHR</p> <p>Presidential Human Rights Committee Secretariat, CHR, DOJ, NCIP, DTI, DepDev</p> <p>DENR, NCIP, DTI, DOLE, CHR</p> <p>DepDev, LGUs, NCIP, CHR, IPOs, business sector</p>	<p>Medium Term</p>	<p>Coherent and harmonized policies across government agencies, balancing development goals with human rights obligations.</p> <p>Improved inter-agency coordination, reducing conflict, duplication, or neglect in addressing Indigenous Peoples' concerns.</p> <p>Inclusion of human rights safeguards in economic planning, business regulation, and investment approval processes.</p> <p>Institutionalization of Indigenous Peoples' rights in national development and business frameworks.</p> <p>Formal issuance of inter-agency guidelines or a joint administrative order harmonizing business, environmental, and Indigenous rights policies (e.g., NCIP-DENR-CHR-DTI).</p> <p>Creation of a functional national coordinating mechanism on business and human rights, with a dedicated Indigenous Peoples' desk.</p> <p>Integration of human rights due diligence (HRDD) checklists in business permitting processes by national and local government units.</p> <p>Enhanced compliance with international human rights commitments, including the UN Guiding Principles on Business and Human Rights (UNGPs) and ILO Convention No. 169.</p>



The three major challenges faced by government agencies in protecting and respecting human rights and providing remedy human rights violations in the business sector as they impact indigenous peoples' rights and ancestral domains				
Key Discussion Points/ Identified Issues	Proposed Solutions/ Strategies	Responsible Stakeholders	Timeline (S/M/L)	Expected Outcomes
<p>Limited Access to Justice and Remedy for Indigenous Peoples</p> <p>Challenge: There are systemic barriers preventing IPs from accessing judicial and non-judicial remedies, such as lack of legal support, financial constraints, language barriers, and fear of retaliation.</p> <p>Impacts:</p> <ul style="list-style-type: none"> ● Peace and order ● Indigenous communities struggle to assert land rights or challenge harmful business activities. ● Human rights abuses—such as displacement, militarization, and harassment—remain unaddressed. ● Trust in government processes deteriorates, exacerbating marginalization. 	<p>Enhance access to legal aid and culturally appropriate grievance mechanisms for Indigenous Peoples, including support for paralegal training within communities.</p> <p>Expand CHR and NCIP presence in remote areas to receive and address complaints effectively and promptly.</p> <p>Involvement of NCIP in the Regional Peace and Order Council</p> <p>Promote the use of traditional/customary justice systems in coordination with formal mechanisms, ensuring remedies are respectful of Indigenous cultures and norms.</p> <p>Protect human rights defenders and Indigenous leaders from threats, harassment, or violence, with stronger State accountability and security measures.</p>	<p>Public Attorney's Office (PAO), DOJ, NCIP, CHR, CSOs</p> <p>CHR, NCIP, Department of Budget and Management (DBM)</p> <p>NCIP, IP communities, DOJ, Supreme Court (for integration of customary laws)</p> <p>Philippine National Police (PNP), DOJ, CHR, NCIP, CSOs, DILG</p>	<p>Long Term</p>	<p>Improved access to legal remedies and grievance mechanisms for Indigenous Peoples affected by business-related human rights violations.</p> <p>Empowered IP communities with increased capacity to assert and defend their rights.</p> <p>Reduced impunity and increased protection for Indigenous leaders and human rights defenders.</p> <p>Recognition and integration of customary justice systems, leading to more culturally appropriate resolution of disputes.</p> <p>Increased number of Indigenous Peoples accessing free legal aid or government-supported grievance mechanisms, particularly through the PAO, CHR, or NCIP.</p> <p>Deployment of additional NCIP and CHR field officers in high-risk areas for Indigenous rights violations (e.g., Mindanao, Cordillera, Palawan).</p> <p>Operationalization of culturally appropriate mediation and dispute resolution frameworks recognized by both formal and customary institutions.</p> <p>Reduction in threats and harassment cases against Indigenous human rights defenders through effective protective measures and law enforcement response.</p>
<p>Lack of a Centralized Database</p>	<p>Come up with a Centralized Database. Data should capture vital information that is generally needed or asked by NGAs or stakeholders</p>	<p>NCIP, PSA and other concerned agencies with pertinent data of IPs</p>	<p>Short Term</p>	<p>Centralized Database</p>



Initial steps to be undertaken to integrate/incorporate BHR principles and to promote due diligence practices into the policies and programs of your respective agencies leading to the formulation of a National Action Plan on BHR for the protection of indigenous peoples' rights and ancestral domains

Key Discussion Points/ Identified Issues	Proposed Solutions/ Strategies	Responsible Stakeholders	Timeline (S/M/L)	Expected Outcomes
<p>Internal Assessment and Policy Alignment</p> <p>Objective: Determine the Department's current alignment with the UN Guiding Principles on Business and Human Rights (UNGPs) and identify entry points.</p>	<ul style="list-style-type: none"> ● Conduct a BHR Gap Analysis: Assess policies, programs, and operations, especially those related to IPs and development in AD areas, for alignment with human rights standards and UNGPs. ● Review IP-Related Policies and Guidelines: Align existing guidelines/ operational guidelines in AD areas) with BHR principles. ● Identify High-Risk Activities: Map programs that may involve business actors (e.g., livelihood, public-private partnerships, procurement) and impact on IP communities. 	<p>Concerned Agencies</p>	<p>Short Term</p>	<p>Expected Output Toward NAP:</p> <ul style="list-style-type: none"> ● Agency Position Paper/Report on BHR and IP/AD issues, including policy gaps, risks, and proposed actions. ● Agencies Commitments and Priority Actions for inclusion in the NAP on BHR. ● Institutionalization of BHR-responsive policies that respect IP rights in programs within ancestral domain
<p>Capacity Building and Awareness Raising</p> <p>Objective: Equip staff and partners with knowledge and tools on BHR and human rights due diligence.</p>	<ul style="list-style-type: none"> ● Train Key Personnel: Roll out orientation seminars on BHR principles, FPIC (Free, Prior and Informed Consent), and rights-based development for national and field offices. ● Develop BHR Modules: Integrate BHR concepts into existing IP Sensitivity and Rights-Based Programming training materials. ● Coordinate with NCIP, CHR, and CSOs: Partner to co-develop culturally appropriate training materials 	<p>NCIP, DA, DILG</p>	<p>Medium Term</p>	<p>Well-Capacitated Staff and Partners</p>



Initial steps to be undertaken to integrate/incorporate BHR principles and to promote due diligence practices into the policies and programs of your respective agencies leading to the formulation of a National Action Plan on BHR for the protection of indigenous peoples' rights and ancestral domains				
Key Discussion Points/ Identified Issues	Proposed Solutions/ Strategies	Responsible Stakeholders	Timeline (S/M/L)	Expected Outcomes
<p>Policy Development and Program Integration</p> <p>Objective: Institutionalize BHR through policies and program design.</p>	<ul style="list-style-type: none"> ● Issue Department-Level Guidance: Draft an internal memorandum or circular requiring consideration of BHR principles in planning and implementing programs in AD areas. ● Integrate HRDD in Program Planning: Include human rights due diligence (HRDD) requirements in project designs, particularly for projects involving private sector engagement (e.g., social enterprise development, supply chains). ● Ensure FPIC Processes Are Observed: Require evidence of FPIC in project implementation within ADs, in coordination with NCIP guidelines. 	All concerned agencies	Medium Term	Institutionalization of BHR-responsive policies that respect IP rights in programs within ancestral domain
<p>Monitoring, Reporting, and Grievance Mechanisms</p> <p>Objective: Establish safeguards to ensure accountability and remedy for adverse business impacts.</p>	<ul style="list-style-type: none"> ● Develop Indicators and Tools: Create monitoring tools for assessing business impact on IPs in DSWD-supported projects. ● Strengthen Grievance Redress Systems: Ensure IPs have access to culturally sensitive complaint mechanisms within DSWD programs. ● Link with National Mechanisms: Coordinate with CHR and NCIP for referrals and responses to complaints related to BHR violations. 	NCIP, DILG	Long Term	Monitoring and Reporting Database
<p>Discussion with NGAs regarding Data Sharing Agreement in compliance to Data Privacy Act</p>	<p>Forging of Agreement (MOA)</p>	PSA, NCIP, other NGAs with concern or program on IPs	Long Term	Full adoption of the Community-Based Monitoring and Information Systems (CBMIS)



Group 2: Presenter: Mr. Rey Llenos – DENR-EMB

- Department of Economy, Planning and Development (DepDEV)
- Department of Environment and Natural Resources – Mines and Geosciences Bureau (DENR-MGB)
- Department of Environment and Natural Resources - Environmental Management Bureau (DENR-EMB)
- Department of Finance (DoF)
- Department of Trade and Industry (DTI)
- Department of Social Welfare and Development (DSWD)
- Tourism Infrastructure and Enterprise Zone Authority (TIEZA)
- Home Development Mutual Fund (HDMF)/Pag-IBIG Fund
- National Commission on Indigenous Peoples (NCIP)



The three major challenges faced by government agencies in protecting and respecting human rights and providing remedy for human rights violations in the business sector as they impact indigenous peoples’ rights and ancestral domains; and The initial steps to be undertaken to integrate/incorporate BHR principles and to promote due diligence practices into the policies and programs of your respective agencies leading to the formulation of a National Action Plan on BHR for the protection of indigenous peoples’ rights and ancestral domains				
Key Discussion Points/ Identified Issues	Proposed Solutions/ Strategies	Responsible Stakeholders	Timeline (S/M/L)	Expected Outcomes
1. Ambiguous land use policies and processes resulting in overlapping jurisdictions, among others 2. Business influence/Political pressure <ul style="list-style-type: none"> • Investors only using the IPs name as representation in consultations 3. Lack of resources (funding, human resource) to effectively implement BHR, etc. 4. Lack of representation / participation <ul style="list-style-type: none"> • Non-involvement of whole IP community as stakeholders in public consultations 	1. Revisit policies and issuance and propose revisions, as applicable 2. Mainstreaming BHR in development and sectoral plans, roadmap, etc. 3. Disseminate information on FPIC at the national and sub-national levels 4. Conduct public consultation among relevant stakeholders inviting particular IPO/ICC and LGUs. 5. Capacitate responsible agencies (LGUs) on the BHR and related areas	DENR, NCIP, DA, DILG, CDA, SEC, DEPDEV, DOF	<ul style="list-style-type: none"> • Review of policy – Short to Medium • Mainstreaming – Short • Dissemination – Short • Capacity-Building – Short to Medium • Conduct of public consultation - Short 	1. Streamlining of Policies, and Government Processes 2. Good governance promoted 3. Increased Allocation of resources (budget, human resource) 4. Enhanced Participatory Governance

Group 2 concludes that commitment to integrate BHR principles and activities should be in every government agency such as in their Plans, PAPs, etc.



Group 3: Presenter: Ms. Queenie Cristalle P. Bernardo - DoT

- Department of Environment and Natural Resources – Mines and Geosciences Bureau (DENR-MGB)
- Department of Human Settlements and Urban Development (DSHUD)
- Department of Justice (DoJ)
- Department of Tourism (DoT)
- Department of Trade and Industry (DTI)
- Office of the Executive Secretary
- Department of Social Welfare and Development (DSWD)
- National Commission on Indigenous Peoples (NCIP)

The three major challenges faced by government agencies in protecting and respecting human rights and providing remedy for human rights violations in the business sector as they impact indigenous peoples’ rights and ancestral domains; and The initial steps to be undertaken to integrate/incorporate BHR principles and to promote due diligence practices into the policies and programs of your respective agencies leading to the formulation of a National Action Plan on BHR for the protection of indigenous peoples’ rights and ancestral domains

Key Discussion Points/ Identified Issues	Proposed Solutions/Strategies	Responsible Stakeholders	Timeline (S/M/L)	Expected Outcomes
Bureaucracy vs Customary Laws vis-à-vis process	Process Streamlining: <ul style="list-style-type: none"> • Ensure completion of documents before endorsement from concerned agency (e.g., DENR-MGB) to processing agency • NCIP: issuance of improved Administrative Orders regarding NAP-BHR 	DENR-MGB, NCIP, Concerned Stakeholders	N/A	<ul style="list-style-type: none"> • Streamlined Government Processes • NCIP-issued Administrative Order
Corruption				
Inadequate training and development of IPs in the Tourism Sector	Capacity Building for IPs <ul style="list-style-type: none"> • Strengthening of Indigenous-led Enterprises and Businesses • IP-Controlled Narrative • Prevention of Cultural Commodification 		N/A	<ul style="list-style-type: none"> • IPs shall serve as guides and promote their culture and business • IP-owned Eco-Tours, Cultural ventures and homestays • Promotion of Fair Trade • Protection of Intellectual Property



Group 4: Presentor: Mr. Licer Jesus - DILG

- Department of Agriculture (DA)
- Department of Labor and Employment (DOLE)
- Department of Tourism (DoT)
- National Commission on Indigenous Peoples (NCIP)
- National Housing Authority (NHA)
- Tourism Infrastructure and Enterprise Zone Authority (TIEZA)



The three major challenges faced by government agencies in protecting and respecting human rights and providing remedy for human rights violations in the business sector as they impact indigenous peoples' rights and ancestral domains

Key Discussion Points/ Identified Issues	Proposed Solutions/ Strategies	Responsible Stakeholders	Timeline (S/M/L)	Expected Outcomes
Lack of Information Sharing amongst Agencies (Ancestral Domains)	1. Shared Database amongst concerned agencies 2. Joint Mapping and Validation of Ancestral Domains	NAMRIA, DENR, NCIP, DAR	Long	1. Streamlined Process 2. Easier Identification of Ancestral Domains
Unavailability of Data on Land Use of Ancestral Domain	Development of a Land Use Plan of All Ancestral Domains	NCIP, LGUs, DENR, NAMRIA, DAR	Long	1. Better Protection of Environment and Ancestral Domains 2. Maximise Land Use 3. Reduction in Conflicts
Lack of Awareness on Indigenous Peoples by Business Groups	1. Orientation of Proponents on Cultural Sensitivity 2. Set-up Community-Based Grievance Desks within or near IP Communities	NCIP	Medium	1. Improve Awareness and Understanding of Indigenous Peoples 2. Reduction in Conflicts

Initial steps to be undertaken to integrate/incorporate BHR principles and to promote due diligence practices into the policies and programs of your respective agencies leading to the formulation of a National Action Plan on BHR for the protection of indigenous peoples' rights and ancestral domains

Key Discussion Points/ Identified Issues	Proposed Solutions/ Strategies	Responsible Stakeholders	Timeline (S/M/L)	Expected Outcomes
Baseline Policy and Program Review	Review Current Internal Processes, Policies, Projects and Operations for Gaps in BHR and IP/AD Compliance	All Concerned Agencies	Medium	Clear Identification of Policy Gaps, Risks, and Human Rights Impacts Affecting IP/AD
Stakeholder Mapping and Consultation	Engage with IP Communities, NCIP, CSOs, and Local Leaders through Inclusive Consultations	All Concerned Agencies	Medium	1. Enhanced Trust, Inclusion, Transparency 2. Stronger Alignment with FPIC and Participatory Principles
Develop a BHR Roadmap	Draft a Strategic Plan on Commitments of the Agencies on the NAP	All Concerned Agencies	Medium	Clear Contribution to the NAP with Realistic Goals



Group 5: Presentor – Ms. Stacy Danika Alcantara-Garcia - DFA

- Department of Agriculture - Bureau of Fisheries and Aquatic Resources (DA-BFAR)
- Department of Environment and Natural Resources – Mines and Geosciences Bureau (DENR-MGB)
- National Commission on Indigenous Peoples (NCIP)
- Department of Energy (DoE)
- Department of Foreign Affairs (DFA)



The three major challenges faced by government agencies in protecting and respecting human rights and providing remedy for human rights violations in the business sector as they impact indigenous peoples’ rights and ancestral domains

Key Discussion Points/ Identified Issues	Proposed Solutions/ Strategies	Responsible Stakeholders	Timeline (S/M/L)	Expected Outcomes
Deprivation or lack of access to Ancestral Waters by IPs	Implementation of National Plan of Action for Small Scale Fisheries (NPOASSF) covering the ICCs/IPs	NCIP, DA-BFAR, DENR, DILG, LGUs, CSOs	Long – institutionalization of the NPOASSF	NPOASSF translated into local policies
Lack of alignment and clear coordination between the Government and the business sector	Multistakeholder coordination and planning	DTI, DEPDev, Chamber of Commerce, TWG on SDG - UN Global compact	Short – awareness raising and advocacy Medium – strengthening of policies and programs, and country positions Long – legislation and enforcement of the statutory programs	Stronger coordination and alignment between the government and business
Mismatch or inconsistencies of AD indicatives maps used by various agencies	Establishment of centralized and real time online maps by concerned agencies	NCIP, DOE, DENR-NAMRIA, DAR, LRA, DHSUD, DA	Short – maps sharing and consolidation Medium – establishment of online maps systems Long - Comprehensive Ancestral Domains/ Ancestral Waters maps	Unified Ancestral Domain Map

Initial steps to be undertaken to integrate/incorporate BHR principles and to promote due diligence practices into the policies and programs of your respective agencies leading to the formulation of a National Action Plan on BHR for the protection of indigenous peoples’ rights and ancestral domains

Key Discussion Points/ Identified Issues	Proposed Solutions/ Strategies	Responsible Stakeholders	Timeline (S/M/L)	Expected Outcomes
1. Deprivation or lack of access to Ancestral Waters by IPs 2. Lack of alignment and clear coordination between the Government and the business sector 3. Mismatch or inconsistencies of AD indicatives maps used by various agencies	1. Review existing Policies 2. Formulation of new policies responsive to the BHR principles	1. Government agencies taking into account the quasi-judicial functions of some agencies 2. Business sector	Short – Review of existing policies with findings and recommendations Medium to Long: Formulation of new policies	1. Existing policies reviewed and enhanced or strengthened if needed or necessary. 2. New policies responsive to BHR principles formulated



CONCLUSION

Participants of the workshop from the government agencies were reintroduced to the BHR principles and the UNGP-BHR Framework. Integration of said BHR principles within their respective offices' mandates allow for a deeper understanding in serving the Filipino People. There is no "one-size-fit-all" principle for each sector and mandate in the development of NAP-BHR. It should be localized and recontextualized for each sector and for each government agency's mandate.

Participants recognized the importance of the critical role that land rights play in land use and in business enterprises. Therefore, land rights especially from the perspective of ICCs/IPs, is essential in the development of the NAP-BHR. For ICCs/IPs, land is more than a physical asset; it impacts their livelihood, culture, and tenure security. Upholding land rights is therefore instrumental to the fulfillment of various other human rights.

The NAP-BHR may be anchored for international recognition through the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and UN Declaration of Rights of Peasants (UNDROP).

WAYS FORWARD

The workshop generated valuable insights, especially in the intersection of ICCs/IPs, business enterprises, and human rights. The inputs from all the participants shall be consolidated and be used in the wider multistakeholder meetings and consultations to follow.

NCIP and PHRCS, shall create a Technical Working Group (TWG) to develop a NAP BHR outline, and include relevant agencies to localize such. PHRCS and DFA-UNIO shall serve as technical advisors to ensure international commitments are covered.

Part 2 of the workshop shall be conducted within the current year, and will be dedicated to consultations with non-government organizations (NGOs), civil society groups representing indigenous peoples and their communities, the academe, representatives from the private sector, and all other concerned stakeholders, who shall contribute to the work of formulating a road map for the NAP-BHR.



