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Introduction

I began participating in the Convention on Biological Diversity (CBD) during the Second Conference of the Parties which was held in Jakarta, Indonesia in 1995. I was invited by Southeast Asia Regional Institute for Community Education (SEARICE) to make a presentation at a parallel meeting about the experience of the Talaandig people against the collectors of botanical specimens from the Philippine National Museum. The indigenous and local peoples at this meeting were mainly at the lobby because their participation at the plenary was not yet recognized. This meeting was the first experience of the writer to join a lobby group on biodiversity issues.

The next CBD conference I participated in was in Bratislava, Slovakia during the COP4 meeting in 1998. During this meeting, I presented a paper on the issue on free, prior and informed consent at the Global Biodiversity Forum which preceded the convention. The participation of the writer to COP7 is his third participation at the CBD. Between COP4 and COP7, however, the writer was able to participate related conventions like the Access and Benefits Sharing and biodiversity meeting in Bonn, Germany and the 2003 Fifth World Parks Congress in Durban, South Africa.

Pre-COP7 Meeting in Sabah

Before proceeding to the COP 7 meeting, I attended a pre-conference in Sabah, Malaysia. During this meeting, a briefing on the issues at the CBD were discussed and working groups were formed to follow up the events and deliberations of issues affecting indigenous population. The working groups formed during the pre-conference meeting reviewed and made analysis of the decisions made by the Executive Secretary of the CBD and the its program of work. During the review, the indigenous peoples noted that several points of their concern have been placed in brackets. These points became their focus for lobbying and negotiation with the government parties at the convention.

Participation of Events and Experiences as the COP7

My main preparation for COP 7 was the presentation of a case paper on the experiences of the Talaandig regarding the enforcement of customary laws in the protected areas of Mt. Kitanglad, Bukidnon province, Mindanao Island, Philippines. The presentation of the paper was done on the February 9, 2004 at the International Indigenous Forum on Biodiversity (IIFB) room of the PWTC convention center. The paper was presented as preliminary input on the issues on customary rights being provided under the guidelines of the CBD implementation. A copy of the paper which was requested by many participants of the side-event meeting has been held by the AIPP Secretariat for distribution in compact discs. The Environment Liaison Center International (ELCI), being the sponsor of my participation to the COP7 was also given a copy of the paper.

On February 11, 2004, I made another paper presentation at the side event of the conference about a case experience of the Talaandig people on FPIC processes and negotiations in the protected areas of Mt. Kitanglad. The paper outlined the procedures for the acquisition of the FPIC as defined by the Talaandig people including the strategies of the tribe to gain institutional capability to demand compliance of the informed consent requirements. ELCI was also given a copy of the presentation.

Other Events of the Meeting

The indigenous peoples during the whole period of the convention held their caucus meeting everyday 9:00-10:00 in the morning to give updates on the issues being discussed by contact groups and other events. A follow-up meeting was held everyday at 6:30-7:30 in the evening to share inputs of the day. I joined the working group on protected areas and also actively attended the discussions on access and

benefit sharing and tourism which focus discussion on Article 8(j) of the CBD.

The major concern raised by the indigenous peoples against the decisions made at the convention is the poor attention of parties to *free and prior informed consent, access and benefit sharing and active participation in the implementation of the convention*. The indigenous peoples noted that the provisions on the rights of local communities are watered down by terms and statements used by parties. In the draft decisions and program of work, several important words, lines and paragraphs in favor with the indigenous peoples within brackets were never considered by the parties. Moreover, the contact groups were dragging slowly on terms which caused the parties to either abandon or leave the items undecided.

During the caucus meetings, the indigenous participants from Asia, South Pacific, South America, Russia, Africa and Canada particularly expressed their frustration on what had been happening at the contact groups discussions. The indigenous peoples, however, are not losing hope. Despite the frustrations, some gains have been earned in the course of their continued participation at the CBD. For example, their concerns on the issues on informed consent, benefit sharing and active participation had been deliberated on the tables. In the management, evaluation and assessment systems, indigenous peoples participation had already been given due consideration .

At the opening of the International Farmers' Technical Conference, held at Grand Pacific Hotel from February 11-13, 2004, I was requested by SEARICE to give an opening ritual and prayer to give grace for the success of the meeting. SEARICE had also invited the writer to discuss the Talaandig experiences on FPIC in Mt. Kitanglad but, unfortunately, a discussion on this topic has overlapped schedule on the same topic in another side event of the COP.

Opportunities and Gains

Attending the CBD has been very empowering to the Talaandig community. The mere participation at international conventions like the CBD that discusses areas of concerns of the local community already show that the indigenous communities cannot be easily pinned down by adverse parties of the governments and corporations who collaborate to attain vested interests.

The current information that will be taken back to the local community about agreements of nations pertaining to indigenous peoples give hopes to the tribe. Somehow, the knowledge of indigenous leaders engaged in indigenous issues have given them a lot of advantages in local confrontations against insensitive governments and organizations who kept banking on political power to deny community rights. I have actually experienced this advantage in the assertion of the rights of the Talaandig people against the institutions who tried to suppress, manipulate and deny the rights of the tribe. In many instances, I was able to articulate his arguments protecting the tribes with his broad knowledge of local, regional and international agreement. The problem, however, is that the government and their corporate allies tried to divide the Talaandig people by using the colonial institutions of the government. Because the members of the tribes are subjects of the local government units, the government possess the greatest capability to control and infuse division among the people.

Attending the CBD was also been an opportunity to meet people who are concerned about the rights of the indigenous communities. It became also a venue to meet officials of the government and discuss with them issues at the national level. As a matter of fact, I was able to talk with the head of the Philippine delegation and requested her to give attention to the indigenous peoples issues in the protected areas in the Philippines. I expressed my concern over the orchestrated reports at the CBD that did not tell the reality in the ground. In the Philippines, the recognition of indigenous rights in protected areas are clearly provided by law but the biggest problem was in the implementation because

of highly bureaucratic treatment against indigenous communities in the protected area. The representative of the Philippine delegation promised to look into the solution of the Talaandig issue in Mt. Kitanglad.

During the COP7 meeting, I had the opportunity to meet Mr. David Zeller, the President of the International Ranger Federation (IRF). The writer is trying to establish an official linkage with the IRF in relation with the efforts of the Talaandig Cultural Guards to protect the environment of their territory in Mt. Kitanglad. The Talaandig people expects the support of the IRF by creating an intervention with the Philippine government concerning the role of the indigenous peoples towards environmental protection and conservation. The IRF had an experience already speaking with the Philippine government on similar issue and was heard because of its global reputation and image in forest protection.

During the meeting, I also had a chance to meet Ms. Anne Perrault of the Center for Indigenous Environment Law and Brendan Tobin of the United Nations University. Both were very interested with the customary law cases in Mt. Kitanglad. Brendan Tobin planned to visit the Talaandig people to specifically discuss the customary law issues in the area. Information about this meeting is, also, very empowering to the community.

The writer also got the opportunity to meet Dr. Walter Reid, Director of the Millennium Ecosystem Assessment conference that will take place in Alexandria, Egypt on March 17-20, 2004. I will be making a presentation about the links between local knowledge and modern science at this conference. The meeting with Mr. Reid provided a wider perspective and history of the ecosystem assessment approach which is being considered at the CBD. Furthermore, I was given a wider opportunity in the millennium assessment, becoming a reviewer of the assessment documents.

A film maker who was concerned about the GMOs also met with me to document his view on genetically modified seeds based on the perspective of indigenous and local knowledge. The document will be developed as an advocacy instrument on indigenous rights relating to the conservation of indigenous seeds and crops against genetic engineering.

In other informal meetings, I was able to meet delegates from the GEF, the World Bank and the UNDP. In this meeting I was able to complain about the World Bank assisted project in Bukidnon that denied the rights of the in Talaandig people on informed consent. The projects included the Conservation Priority Protected Areas Projects (CPPAP) and the water system of the municipality of Lantapan, Bukidnon that was funded by a loan fund from the World Bank.

Conclusion

Attending the COP7 was indeed significant and meaningful, personally for me, and collectively with the Talaandig people in particular and with the indigenous and local communities in the world in general. First, attending the conference was a big break from the battlefield. The mass action against the two banana corporations was temporarily suspended because I was attending the conference.

Second, giving a report on real situation from the ground releases psychological and emotional tensions. Sharing the incidents of oppressions, manipulations and exploitations to people who give concern on the issue heals and strengthens my soul. Leaving the community to attend the conference is psychologically disadvantage to the enemies of the community because a perception of greater forces and allies behind the local people will hover on their minds.

Third, the current information on indigenous issues at the CBD and new contacts are additional weapons to continue the struggles at the community level. Certainly, as a strategy, the writer will not tell

to the community some of the frustrations at the CBD because it will just weaken their souls. Coming home will bring new hope, renewed strength and new strategies to achieve the rights of the community.

In closing, I would like to sincerely thank the Asia Indigenous Peoples Pact (AIPP) and the Environment Liaison Center International (ELCI) for the opportunity and support. Although the writer was not able to attend the SBSTTA meeting in Montreal, Canada which came out to be a very important preparation to the COP7 meeting, his attendance at the CBD was still very fruitful and meaningful. I also thank the allies and supporters of indigenous peoples who worked hard in lobbying in behalf of indigenous rights

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