

# Kêtindêg

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Recognition of the Rights of the Indigenous Peoples in the Autonomous Region in Muslim Mindanao for Empowerment and Sustainable Development (IPDEV) is a project implemented by the consortium: Konrad Adenauer Stiftung e.V., Institute for Autonomy and Governance (IAG) and DEVCON Development Consultants Inc.

**Kêtindêg**, in Teduray roughly means standing up for something, making one be seen and be felt among the many. The word is not far from the Cebuano, Tagalog or Maguindanao variations of *tindog*, *tindig* and *tindeg* respectively. It is a fitting title for a regular publication that attempts to capture the experiences gathered in this journey of recognizing the rights of the Lumad in the ARMM.

With this issue, we would like to thank everyone supporting the project's aims, and acknowledge those who are always striving to make IPDEV as fruitful, meaningful and sustainable as possible. You make IPDEV a continuously inspiring project.

*Fuyo teresang!*



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# ENGAGING THE BANGSAMORO BASIC LAW



# IP WOMEN BUILDING UNITIES

# MILESTONES & EVENTS



February 13, 2013  
4th Project Sounding Board  
Meeting, updating stakeholders  
of recent achievements and  
developments



February 25, 2013  
Ms Froilyn Tenorio Mendoza  
and Timuay Melanio Ulama are  
appointed as IP representatives  
to the Transition Commission

TECHNICALLY or otherwise, the Indigenous Women in the Autonomous Region in Muslim Mindanao (ARMM) want to be assured that their own distinct rights must be preserved, respected and protected even as they want to run and manage themselves within their ancestral domain, adhering to their customary laws where their rights as indigenous women are equally protected and respected.

Due to recurring armed conflicts, IP women in the ARMM, find it hard to establish permanent houses

and more secure communities.

This amid the fact that many of the IP women's aspirations are embodied in the United Nations Security Council Resolution no. 1325 which seeks to protect the special participation of women in the peace process and their significant contribution to peace and security. UNSCR 1325 is a landmark international legal framework that addresses not only the inordinate impact of war on women, but also the pivotal role women should and do have in conflict management, conflict resolution and sustainable peace.

In the conduct of the IP Women's Summit on March 10, this year, with the theme, "Building Unities Towards Engaging the Bangsamoro Basic Law," IP women leaders took turns in emphasizing their role in the community and the environment they dwell in as handed from their forebears.

Many of the leaders and the women themselves lament that these roles of the IP women are usually overshadowed and left in the dustbins of neglect due to the encroachment of modernization and practices of mainstream or more



February 25-27, 2013  
Training Needs Assessment &  
ARMM H.E.L.P.S Convergence  
in Tubak, Ampatuan,  
Maguindanao

February 27, 2013  
2nd Regional Legislative Assembly Hearing on Resolution 133 in Upi, Maguindanao

March 3, 2013  
Documentation of a Teduray Wedding



dominant cultures, which must not be.

Also, IP women must be seen not merely in their stereotype role as household fixtures but one that has a critical role in a community or society where they exist.

As such, with the entry of the Framework Agreement for the Bangsamoro, there is a need to work on their role in ensuring that the freedom of choice of Indigenous peoples shall be respected as well as the right of women to meaningful political aspiration and protection from

all forms of violence against women.

There must also be effective mechanisms, ensuring that the customary rights and traditions of indigenous peoples are taken into consideration in the formation of the Bangsamoro's Justice system.

This may include the recognition of indigenous processes as alternative modes of dispute resolution.

It is worth to note that despite the respective personal and family concerns of IP women, they also take on the role of a Kefeduan

Libun (tribal women arbiter), a prime social responsibility that is unique among IP communities in the ARMM.

This, they perform with the capacity and knowledge they inherited from their parents and elders who have carried out the same customary roles as a prime social responsibility before them, even if it means exhausting personal and family resources, time, money and property, in order to settle conflict in the traditional and peaceful way.

March 4, 2013  
Workshop on Ancestral Domain  
Sustainability Development and Protection  
Plan, Indigenous Political Structures and  
Indigenous Peoples' Organizations by NCIP

March 5, 2013  
Regional Roundtable Discussion  
on IP Perspective in the Framework  
Agreement (FAB) on the Bangsamoro  
and IP Women's Role in the FAB

# Not just an IP woman's voice



GROUPS from the indigenous communities in the Autonomous Region in Muslim Mindanao (ARMM) hailed the appointment of Froilyn Mendoza as member of the Transition Commission (TC).

Before her appointment, Mendoza was IP Advocacy and Campaign Specialist at IPDEV and she continues to support the project whenever possible.

The TC shall hammer out the Basic Law for the Bangsamoro

political entity, replacing the ARMM.

Her inclusion in the TC came as Indigenous Peoples (IP) in the ARMM move to assert their rights and not be left out as a new political entity emerges out of the ongoing peace negotiations between the Philippine government and the Moro Islamic Liberation Front (MILF).

For the first time ever, the European Union-supported IPDEV project was able to bundle the

interests of the Indigenous Peoples in the ARMM and was successful in making them heard. It came as no surprise that a representative of the IPDEV project team was selected and elected a TC member.

The IPs in the ARMM lead their way of life and adhere to their customary laws amid an atmosphere of confidence, dignity and self-respect. Mendoza, herself an IP belonging to the Teduray tribe, said she gladly

**March 6, 2013**  
**Presentation to National Defense College**  
**Masters in National Security Administration**  
**Students on IPDEV, IP Perspective in the FAB**  
**and IP Women's Role in the FAB**

**March 10, 2013**  
**IP Women Summit in South Upi,**  
**Maguindanao**

welcomes the appointment, but is mindful of the great responsibility that she will be undertaking.

She expressed hopes that her entry into the TC "as a Teduray with a distinct identity will ensure that the rights of the IPs in the ARMM are recognized and protected", one of the main objectives of the IPDEV project. IPDEV and Ms Mendoza have agreed to continue their mutual support for each other in working towards the recognition of the rights of IPs in ARMM.

Mendoza, or Tutut as she is more popularly known, is a seasoned community organizer with extensive experience in indigenous grassroots women's organizing. She is a co-founder of her organization called Teduray Lambangian Women's Organization.

She previously worked as a spokesperson of the Mindanao Council of Lumad Women, a coalition of 18 major tribal groupings of Indigenous Women in Mindanao, from 2003 to 2007 to advance the agenda of Indigenous Women to the ongoing GPH/MILF peace talks.

For 17 years, she has worked to liberate her tribal women through organizing, development education and training, advocacy lobbying and mobilization and community initiative economic projects.

She represents her tribal group in many forums and gatherings especially the recent discourse of the framework agreement and position of IP women in the core area of the Bangsamoro Governance.

She is also the IP cluster head of the National Rural Women Coalition.

Her appointment into the TC is strongly supported by IP groups like the Timuay Justice and Governance; the Lumad Development Center Inc; the Teduray, Lambangian Youth and Student Association; the Mamalo Descendants Organization, the Teduray, Lambangian and Dulangan Manobo Ancestral Domain Claim; the Organization of Teduray Lambangian Conference; the Teduray Lambangian Women's Organization Inc.; the Kena Menuwa (Dulangan Manobo Governance); the Mindanao People's Peace Movement Katawhang Lumad (MPPM-KL), the Women Engaged in Action 1325 (We-ACT), and the Mindanao Peaceweavers, among others.



March 12, 2013  
Succeeding Hearings on Resolution  
133 suspended by Regional  
Legislative Assembly

March 18, 2013  
1st Graduation Ceremony for Kyamko  
Elementary School, Hill224, Barangay  
Maitumaig, Maguindanao

# Learnings from NCIP-Compostela Valley

PEOPLE behind IPDEV see a vast potential on the Provincial Office of the National Commission on Indigenous Peoples (NCIP) as source of learning as they pursue the project for the empowerment of IPs in the Autonomous Region in Muslim Mindanao (ARMM), especially the Teduray, Lambangan and Dulangan Manobo.

NCIP in Compostela Valley (Comval) has plenty to impart for those willing to learn about their experiences, best practices and strategies in being the first in the country to finish the formulation of Ancestral Domain Sustainability and Protection Plan (ADSDPPs).

NCIP Provincial Officer Shirley Iguianon said Compostela Valley is the first province in the country to complete the delineation of

ancestral domains of the tribes.

"Our last CADT (Certificate of Ancestral Domain Title) was approved on March 20, 2009, by the NCIP Commission En Banc for the Dibabawon and Mangguangan tribes of Montevista," she said.

The province has more or less 325,000 hectares delineated ancestral domains.

The spirit of volunteerism of the IP leaders and community members and support of the local government units and the provincial government has made it possible for the province to complete the facilitation and formulation of the ADSDPP.

As such, all partners, government, non-government, international community and investors group who have Memorandum of Agreement with the IPs is now looking into

of supporting the IPs through their ADSDPP, Iguianon noted.

The ADSDPP is a guide for the IPs in managing their ancestral domains. It contains the implementing mechanisms and community rules including the transparency mechanisms on Ancestral Domain revenue and Management as well as Ancestral Domain Management Structure and Indigenous Knowledge Systems Practices and the investment plans.

The last ADSDPP was approved by the Mansaka tribe of Maragusan last January 10, 2012 to complete the 11 municipalities of Comval, Iguianon said.

"Our focus now is on ADSDPP implementation and lobbying for the IP Mandatory Representation to the legislative bodies and councils.



# THE 4TH PSB

## The IPs' peace & security agenda

ON the issue of peace and order and the role played by IPs, it cannot be denied that IPs possess an immensely essential role in the promotion of peace and development.

This is due to the fact that groups or persons being pursued by the law escape and hide in remote places that are normally in IP ancestral domains.

As pointed out earlier, IPs are not only vulnerable to traditional crimes but also to malpractices and abuse of huge multinational companies that encroach on their ancestral lands.

A former government official once lamented on the sad reality that government is too pre-occupied with the threats posed by armed groups,

but not on the threats created by multi-nationals that tend to exploit the IPs in their own ancestral domain, taking advantage of their natural resources, especially mining and logging.

Often, small-scale mining that thrive in IP lands are actually controlled by some government officials as well as wealthy and influential people working in cahoots with multi-nationals.

There are also cases of IPs being armed by the military to fight rebels and vice-versa, at times pitting IPs against fellow IPs. This situation has cost the lives of many innocent IPs.

Undeniably, IPs have legitimate grievances that deserve attention from government authorities and

even multi-national companies. In the ARMM where most IPs live in conflict-affected areas, their right to participate in the peace process must be respected.

As such, the traditional governance systems and conflict resolution practices of IPs must be recognized and upheld. IPs, even as referred to as minorities, ironically have far more indigenous knowledge to share on many aspects of life, especially on matters that fall within their ancestral domain.

The issues and concerns of the Indigenous Peoples in the ARMM are also issues and concerns of the Filipino people. They deserve the attention of government, whoever is running it.



# MARAS SA FIRIS



THE first month of the year 2013 brought generous rain. The land is ripe for cultivation.

Maras, or a ritual for land preparation, is just one of the many rituals performed by indigenous Teduray tribe. It is being done on the first month of the year during "turor" or when the moon is very bright.

The spiritual leader of the tribe called "gemamak basa" tells the spirits of the land called "segoyongi de megubar" stating that we are just people who humble ourselves in seeking for shield from anything that may harm us as mortal people on this earth.

Nearly 50 people trek to Mt. Firis for the Maras, with IPDEV already completing its community orientations for 80 barangays with Maitumaig and Kabangi as the last two.

The two villages along Mt. Firis were not included in the original list at the start of the project, but, upon validation it was found out that there were IP residents in those places until they fled Mt. Firis when MILF commander Umra Kato occupied it in July, 2000.

The controversial Hill 224, or Urok Baay-baay is home to approx 150-200 families who are always torn between two municipalities because the respective LGUs claim them as their voters.

Each barangay nominated two persons each who will be the community volunteers for IPDEV; and in the same occasion expressed their acceptance for IPDEV into their communities with a ritual.

# Promises, opportunities & perils



THE Indigenous Peoples Rights Act (IPRA) of 1997, as what it is termed, was enacted purposely to recognize, promote and protect the rights of the Indigenous Peoples. These rights include the right to ancestral domain; the right to cultural integrity, the right to self-governance and empowerment, the right to social justice and human rights.

Yet to date, the IPs in the Autonomous Region in Muslim Mindanao (ARMM) are deprived from the coverage of the law, effectively putting them into the open for coercion, intimidation, manipulation and oppression.

This, despite the fact that several measures and instruments that were passed and enacted by the region's lawmakers to ensure the application of IPRA in the autonomous region.

The Muslim Mindanao Autonomy Act 241 was passed and enacted in 2008, yet such Act or better known now as the Tribal Peoples' Rights Act only had its Implementing Rules and Regulations reviewed and passed five years after.

To this day, the IPs in the ARMM – Teduray, Lambangian, Dulangan Manobo and Higaonon, continue to clamor for what is rightfully theirs.

Such were the gist and highlights of the 2nd National Round Table Discussions hosted by IPDEV held at the Asian Institute of Management (AIM) in Makati City.

National Round-Table Discussions are conducted for duty-holders at the national level. Duty holders are National Government Agencies,

Congressmen, Senators, Media, Civil Society, Academe and Private Business. RTDs are conducted to explore potential cooperation in actions and campaigning for the improvement of the legal and socio-economic situation of the IPs.

Of the participants, six were from IP groups, seven from government; 11 from non-government organizations; two from UN and one donor.

Main focus were updates on the newly-constituted Transition Commission which was tasked, under the Framework Agreement on the Bangsamoro (FAB), to draft the Bangsamoro Basic Law.

Main presentors were Timuay Alim Bandara of the Timuay Justice and Governance (TJG) is the head claimant of the Joint Teduray Lambangian Dulangan Manobo Ancestral

Domain Claimants (TLADMADC), and Commissioner Froilyn Tenorio Mendoza, a former IPDEV Advocacy Specialist who was recommended to the Transition Commission by several sectors that include the Teduray Lambangian Women Organization Incorporated (TLWOI), Mindanao Women's Commission, Institute for Autonomy and Governance (IAG), WeACT or Women Engaged in Action; umbrella organizations like Pambansang Koalisyon ng Kababaihan sa Kanayunan (PKKK) and Mindanao Peaceweavers.

Highlights of the discussion were the presentations of the IP agenda which is the full implementation of the IPRA in the ARMM as well the commitments of participating institutions to provide full support in accordance to their respective mandates.





# **IP position in the FAB**

on for an Autonomy w/n the Autonomy

By: Alim Bandara

March 5, 2013

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...recognition is a necessary precondition to a meaningful and realistic participation of the IPs in the pursuit for peace and sustainable development in the region.

“ ”

RE-AFFIRMING their commitment to the Mamalu-Tabunaway Pact and in formulating guidelines on settling modern conflicts, the Indigenous Peoples (IPs) in the Autonomous Region in Muslim Mindanao (ARMM) want to be recognized as distinct to that of the Bangsamoro.

Timuay Alim Bandara of the Timuay Justice and Governance (TJG), said the half a million IPs in the ARMM will pursue active participation in attaining genuine peace and development for the region.

“Such a recognition is a necessary precondition to a meaningful and realistic participation of the IPs in the pursuit for peace and sustainable development of the region,” remarked Bandara.

The IPs expect to draw on their way recognition and respect, particularly on

four essential points in their existence - their ancestral domain, political territory, resources and governance.

For their ancestral domain, Bandara who is the head claimant of the Joint Teduray Lambangian Dulangan Manobo Ancestral Domain Claimants (TLADMADC), said they want their claim to be delineated pursuant to the present and future appropriate laws that may be applicable.

At present, the IPs have laid claim to their ancestral domains covering an estimated land area of 289,268 hectares comprising the municipalities of Upi, South Upi, Ampatuan, Sharif Aguak, Datu Unsay, Datu Saudi, Guindulungan, Talayan and Datu Odin Sinsuat in Maguindanao Province and portions of Esperanza, Lebak, Bagumbayan, Sen. Ninoy Aquino, Kalamansig and Palembang in Sultan Kudarat Province and Cotabato City where the tribes

are predominantly situated as well.

On political territory, Bandara said that consistent with their principle of peaceful co-existence, they give recognition and support a broader territory for the Bangsamoro people as a nation for the sake of genuine and lasting peace and development in Mindanao provided that the Bangsamoro shall recognize the Teduray, Lambangian and Dulangan Manobo territory within the Bangsamoro nation.

Furthermore, he reiterated that it is also the desire of the IPs to be at liberty to practice and promote their cultural identity by way of actual implementation of tribal and customary laws through the Timuay Justice and Governance within their identified territory.

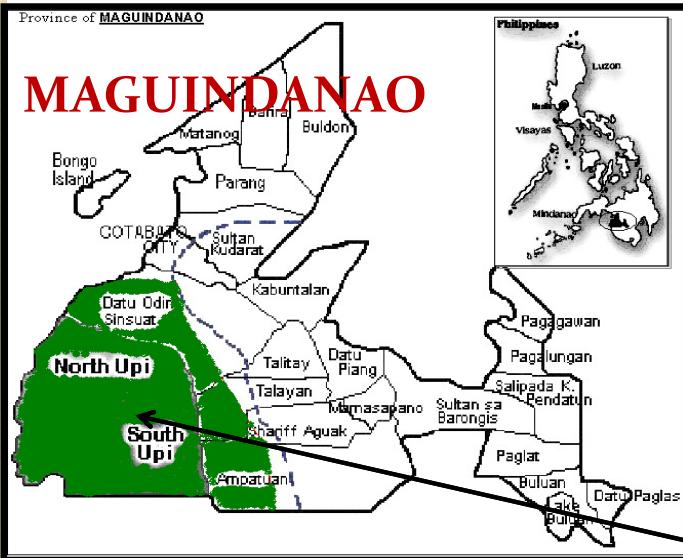
For resources, he said the rights of the IPs on matters of exploitation of natural resources that may be found

within their ancestral domain areas shall be upheld and respected. The tribe shall have priority right in the utilization and management of all numeral resources to include strategic minerals and forestry resources.

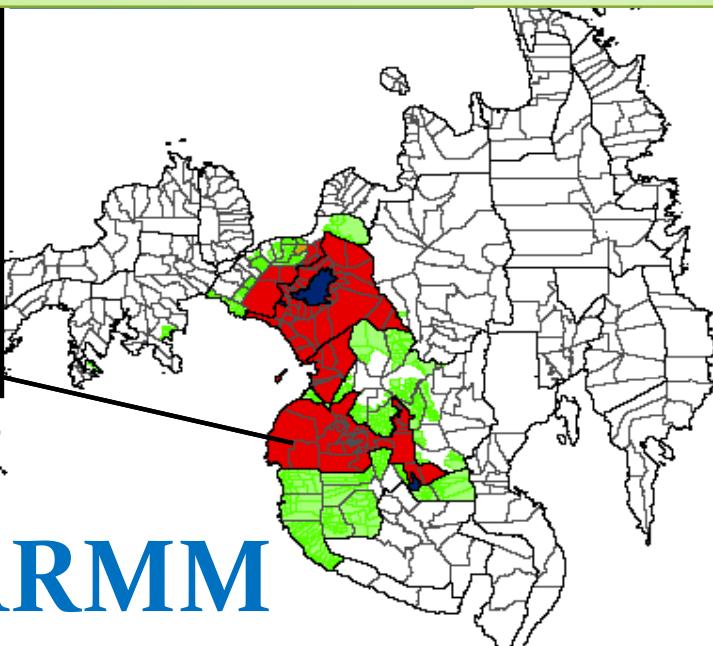
The IP position on governance, Bandara said they will conform to any type or form of governance that maybe agreed upon and mutually adopted, hence it is also the desire of the tribe to have equal opportunities and representation in all levels of governance, side by side with their Bangsamoro brothers.

Provided, however, he said that in the territory identified to the Teduray, Lambangian and Dulangan Manobo tribes, their right to rule and govern must be pursued, implemented, recognized and respected vis-à-vis their traditional and customary laws in a form of a genuine autonomy within the Bangsamoro nation.





## TEDURAY, LAMBANGIAN & DULANGAN MANOBO



Even as they number more than half a million, IPs in the ARMM are neglected and ignored by the State: **23 years in ARMM and 15 years of IPRA**.

Therefore, IP-ARMM peace agenda is legitimate and not just a ride in agenda in GRP-MILF peace negotiations.

(From a presentation of Timuay Alim Bandara with diagram by Prof. Rudy Rodil.)

# The long IPRA 'brownout' in the ARMM

IPs in the ARMM remain hopeful as they used to, clinging to and trusting that that very thin line for survival would not snap too soon.

“ ”





THE struggle continues for the recognition and protection of Indigenous Peoples' rights, particularly in the Autonomous Region in Muslim Mindanao (ARMM).

This is so despite the passage in 1997 of Indigenous Peoples Rights Act (IPRA) which ensures the protection of the IPs' right to ancestral domain and lands, right to self-governance and empowerment, social justice and human rights, and right to cultural integrity.

The IPRA also provides for the establishment of the National Commission for the Indigenous Peoples (NCIP) which is mandated to "protect and promote the interest and well-being of the IPs

with due regard to their beliefs, customs, traditions and institutions."

Unfortunately NCIP has yet to prove its worth to the IPs in ARMM as IPRA has never been implemented and NCIP has not established an office in the ARMM, even to this date amid the existence of so many legal instruments and measures, both domestic and international.

Years ago, Elena Damaso, a development anthropologist and consultant on IP matters, noted that the rights promised by IPRA have not been fully enjoyed and exercised by the marginalized ethnic groups in the ARMM.

The possibility of devolving the functions of the NCIP to ARMM has

been explored as early as 2003, which has led to the Regional Legislative Assembly (RLA) passing Resolution No. 269 in August 2003.

In 2005, RLA again passed Resolution No 119, approving the implementation of Resolution No 269 for the delineation of the ancestral domain claims of the non-Moro IPs in the ARMM.

The following year, Administrative Order No 1 was issued to serve as guideline in the implementation of the FreeandPriorInformedConsentorFPIC.

FPIC is the consensus of all members of the Indigenous Cultural Communities which is determined in accordance with their respective customary laws and practices that is



free from any external manipulation, interference and coercion and obtained after fully disclosing the intent and scope of the program/project/activity, in a language and process the community understands.

In 2007, the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) was passed.

The Muslim Mindanao Autonomy Act 241, also known as the Tribal Peoples' Rights Act, was passed in 2008. The implementing rules and regulations of such law, however, came five years after in 2012.

A technical working group was formed to discuss and formulate an executive order to devolve the functions of NCIP to the ARMM, the output of which was submitted to Malacanang,

but no word has been heard of it.

At the time, NCIP Commissioner Santos Unsad even lobbied for the devolution of NCIP in ARMM but he disclosed that some NCIP commissioners, IPs as they are, were cold to the idea.

Comm. Froilyn Mendoza of the Transition Commission crafting the Bangsamoro basic law, has lamented that until now, the biggest issues of ancestral domain protection, development aggression and human rights have not been fully addressed.

She said there is a "brownout (outage)" when it comes to the proper implementation of the IPRA within the ARMM.

The late Raffy Nabre, who - before his death - was DEVCON's Executive

Director, pointed out that the residual power and authority of national agencies such as the NCIP can be explored to move issues forward.

Nabre used to say that whatever is the status of the implementation of IPRA in the autonomous region, at the end of the day, it is still NCIP that must resolve IP issues.

As a good start, "Why not simplify the issue on ancestral domain according to evidence to determine where in ARMM is the IP ancestral domain?"

ARMM governor Mujiv Hataman himself declared there is no legal impediment in implementing IPRA in the ARMM.

To all these, IPs in the ARMM remain hopeful as they used to, clinging to and trusting that that very thin line for survival would not snap too soon.

### **Coordination Office**

Konrad-Adenauer-Stiftung  
5/F Cambridge Bldg.,  
108 Tordesillas cor. Gallardo Sts.,  
Makati City, Philippines  
Tel: (02) 403-6773  
Mob: 0915-139-1449  
Email miriam.ipdev@gmail.com

### **Implementing Office**

Institute for Autonomy and Governance  
2/F UMEX Building  
Notre Dame University  
Notre Dame Avenue  
Cotabato City, Philippines  
Telefax: (064) 421-2071  
Mob: 0999-991-3221  
Email aveen.ipdev@gmail.com

### **Delegation of the European Union to the Philippines**

30/F Tower II, RCBC Plaza,  
6819 Ayala Ave. cor. Gil Puyat  
Makati City, 1200, Philippines  
Phone: +63 2 859-5100  
Fax: +63 2 859-5109  
Website: <http://eeas.europa.eu/delegations/philippines>  
Facebook: <http://www.facebook.com/#!/EUDelegationToThePhilippines>  
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The European Union (EU) numbers 27 different nations determined to shape their future closely together. Over a period of enlargement of more than 50 years, they have, together, built a zone of peace, stability, progress and solidarity. The EU is a model for overcoming conflict and promoting reconciliation through close co-operation to achieve common goals, while respecting national sovereignty and territorial integrity. But the EU is not focused on itself. Its ambition is to share its achievements and values with countries beyond its borders.