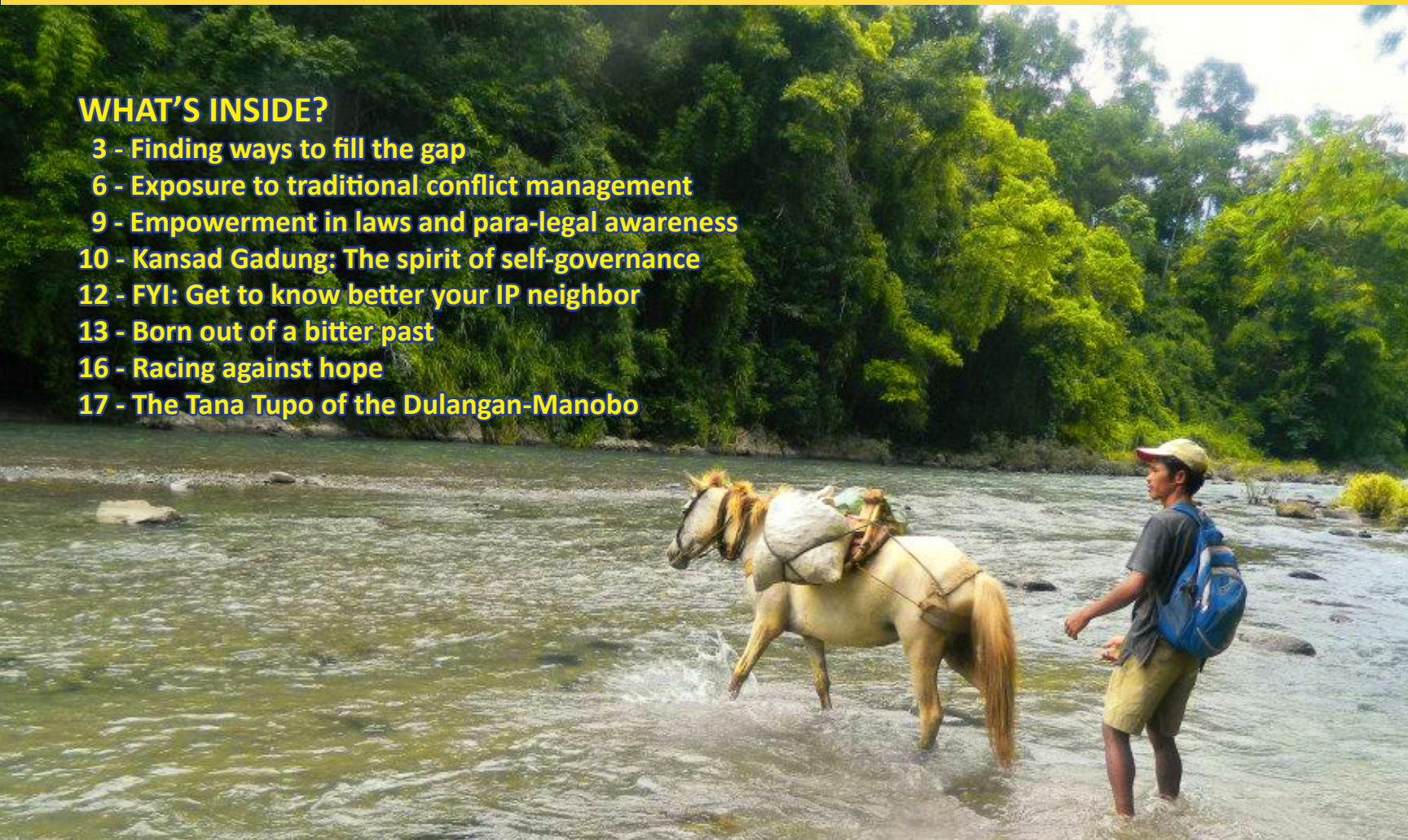


WHAT'S INSIDE?

- 3 - Finding ways to fill the gap
- 6 - Exposure to traditional conflict management
- 9 - Empowerment in laws and para-legal awareness
- 10 - Kansad Gadung: The spirit of self-governance
- 12 - FYI: Get to know better your IP neighbor
- 13 - Born out of a bitter past
- 16 - Racing against hope
- 17 - The Tana Tupo of the Dulangan-Manobo



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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.



Development
Consultants Inc.
DEVCON

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.

Fiyo teresang!



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TEXTS & VISUAL CONCEPTS:
ROMMEL G. REBOLLIDO
IN COORDINATION WITH IPDEV

Table Battle and Ball
of Yarn Exercise in
steps to empower
indigenous peoples
(IPs)?

“”

Finding ways to fill the gap



MILESTONES & EVENTS



May – June 2013
Trainings on Timuay Justice & Governance, Needs-specific Para-Legal Training



May 30, 2013
5th Project Sounding Board Meeting



June 10-13, 2013
Exposure Trip to Kansad Gadung (Malacañang of the IPs)



June 17-18, 2013
Exposure Trip to Compostela Valley Province (IP Self-Governance)



June 18, 2013
Exposure Trip to Pamulaan (IP College, University of Southeastern Philippines)



“TABLE Battle” and “Ball of Yarn Exercise” in steps to empower indigenous peoples (IP)?

The terms may trigger images of food-munching individuals and people working out in a gym, but, these actually have nothing to do with eating or physical fitness.

Among community workers in IPDEV, especially trainers from the Development Consultants (DEVCON), these are essentially demonstrative training methods they use in that



challenging work of imparting ideas and enhancing skills to nearly 3,000 targetted indigenous peoples from 80 barangays of the Autonomous Region in Muslims Mindanao (ARMM).

The training course aimed at forming indigenous peoples organizations consist of four modules: IP Leadership, IP Conflict Management, Organizational Management and Rights-based Approach.

DEVCON trainers started conducting the trainings in June 2013 in the 23 barangays of Upi and six barangays of Datu Odin Sinsuat town, both in Maguindanao province.

One trainor has this to say, “Food and fitness? They may just be metaphors in our work of feeding people with ideas, knowledge and skills.”

Indeed, it can just be that in this urgent need to fill an open gap that for years marginalized and put at a disadvantage indigenous peoples and their communities.

A reality gap check on IP leadership revealed that out of the 80 barangays identified for training, some 56 have Fenuwo or tribal council and 14 of these are not functional. Also, some 24 IP barangays have not established their traditional village structure.

On IP conflict settlement, only 21 barangays are adherent to traditional settlement. Five barangays have no significant knowledge of the IP way



of conflict settlement. About 45 barangays are knowledgeable of the IP settlement process but are already practicing a mix of the mainstream and traditional systems.

An overwhelming 65 barangays showed they are aware of their rights although many appeared reluctant to advance or promote them. All the barangays of Upi and South Upi towns in Maguindanao have claimed significant knowledge of their rights as IPs.

Worth to note is that about 43 or half of the targetted barangays have already been reached by the issue on the Framework Agreement on the Bangsamoro.



In the ensuing training sessions, many IP communities reaffirmed the formation of indigenous peoples organizations as a means to advance their struggle for recognition and development.

After learning of their rights as IPs and the traditional practices of other tribes, many IP communities value the formation of Fenuwo and tribal councils as a means to restore and strengthen their traditional system of governance.

The sessions allowed a venue to tell the story of Mamalu and Tabunaway, a portion of Mindanao’s history that was never given prominence.

Many IPs among the younger

generations are unaware of that story of leaders Amil and Ado due to the ensuing developments in Mindanao and changes in society, until it became part of the IPs historical injustices.

In several barangays, the story of Mamalu and Tabunaway took some twist. In 27 barangays, it has been passed to several generations that Tabunaway is a female while 43 barangays shared their knowledge of the history that Tabunaway and Mamalu are brothers and Tabunaway opted to embrace Islam.

In 10 barangays, they heard the story for the first time, when told during training.

That given, food and fitness should not just be metaphors after all.



"WITH our faith as indigenous people, we need not fear what lies ahead."

Such declared Supreme Justice (Fagilidan) Domingo Olubalang as he stated, "Am more than 70 years old now. My days are numbered. It is my commitment to be a light and guide to the tribe to stand up. I will serve until my last days."

The Fagilidan was among participants who shared and learned from experiences of other indigenous peoples and communities on

traditional conflict management and tribal justice, a program launched by IPDEV.

In that training activity, leaders and their "secondliners" from the Higaonon, Teduray, Lambangian and Dulangan-Manobo went through field coaching and exposure trips, tackling issues aimed at strengthening indigenous self-governance and justice systems.

Timuay Labi Sannie Bello talked about "Oryantasyon ng Gawaing

Kefedewan" (Orientation on Tribal Justice Work). He explained that Kéfédéwan (tribal justice) work is only one of three branches of Timuay Justice and Governance work. The two others are Council of Chieftains or Mintéd sa Ingéd and departmental work or Kasarigan.

A simulation of a Tiyawan (conflict settlement) was conducted with two groups performing on two most common cases - land boundary conflict and marital infidelity.

The simulation on marital infidelity showed the more traditional way of case settlement. The processes and principles went as follows:

- The husband-complainant went to the Kefeduwan (tribal justice) to complain that his wife was having an affair with another man.
- After receiving the complain, the Kefeduwan made an investigation for a probable cause. After probable cause was established, he scheduled a Tiyawan proper or actual case settlement to the parties. He did not allow the respondents to appear during the Tiyawan to avoid a possible confrontation.

He first oriented the parties to the case as his introduction.

First, he listened to is the side of the complainant, then both the parents of the respondents.

In the argumentation, all possible details have been exhausted. Lobbying

HANDY TOOL. A modern way of imparting knowledge, participants to trainings on tribal conflict settlement view a video of the traditional Tiyawan.





by all parties have been considered.

After weighing the arguments presented, the Kefeduwan asked the complaining party on what could be their demand. The demand was to double the dowry which is two carabaos, two horses, and 5,000 pesos in cash. The Kefeduwan then asks the party of the respondents on what they can say about the demand.

The respondents' party argued that they incurred huge expenses during the regal wedding party and sought to have the "double-the-dowry" demand to already include the liabilities to their lone child.

Both the parties agreed. In such

case, voluntarily agreeing means the 'broken feelings' – which is the core of conflict, has already been patched-up.

The agreed final judgment include a bundle of: double-the-dowry, that the child shall be at father's side, and PhP 1,000 as 'tantangan' for the respondents to shake hands with the complainant - as a sign of acceptance to the agreement. A written agreement was signed by the parties and Kefeduwan along with the conduct of a 'Tulak' (ritual) to sanctify the agreement.

As to the simulated settlement

seemed to have went well, it was noticed that Tiyanan only involved one Kefeduwan who acted as judge kefeduwan. The parties did not have a counsel on each side. No 'binuwaya' (metaphor) was used. Binuwaya was to spare the parties from harsh terms and insults.

Higaonon Rodolfo Linsagan commented that the TJG Tiyanan process and principles are just similar to that of the Higaonon tribe. He was happy and inspired to witness indigenous justice system still being practiced.



Empowerment in laws and para-legal awareness

ALLOWING them to have adequate skills, ideas and ability to tackle para-legal issues, select groups among the indigenous peoples from 80 barangays in the Autonomous Region in Muslim Mindanao underwent training on need-specific para-legal concerns.

The trainings were done to 152 individuals identified from among the Teduray, Lambangian, Higaonon and Dulangan-Manobo. Also trained were 16 IP leaders, or four from each tribe.

Participants were given orientation on para-legal work, law and para-legalism, process of court order, how to document, how to investigate and how to make a simple fact sheet and affidavit.

Done in a mix of lecture, workshop

and sharing by experts, the training course also tackled such topics as the Indigenous Peoples Rights Act (IPRA); Legal Processes (Prosesong Legal); Investigation (Imbistigasyon); Documentation (Dokumentasyon); Evidence (Ebidensiya); Barangay Justice System (Katarungang Pambarangay); and Traditional Justice System.

It is worth to note during the training sessions that IP leaders training have shown relative knowledge about IPRA. The biggest concern they have was the recent land-grabbing by armed groups and they fear such violence will go on.

Among the Higaonon and other IPs from Wao, Lanao del Sur, admitted

having "very limited knowledge" about the IPRA. Many of the terms mentioned in the law were strange to them.

They were eager to have in their town the mandatory representatives in the barangays and municipality and be provided with basic social services by government.

Most Lambangian and Dulangan-Manobo participants, on the other hand, appeared to have limited knowledge of IP rights. Paralegalism proved educational and helpful to them.

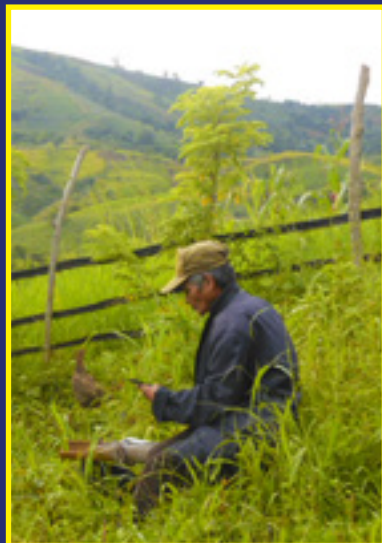
Many among the Teduray have shown good knowledge about IP rights even as Paralegalism provided them helpful insights.

KANSAD GADUNG is considered the “Malacanang of the IPs” as it is the Teduray-Lambangian Seat of Governance.

It is perched some 1,200 meters above sea level along the slopes of Mt. Fakal in Maguindanao. Amid the woods and foliage, the Timuay Justice Hall is the prominent main building in a cluster of wooden structures that was built by Tedurays for about a decade, from 1990-2010.

A Lambangian on his first visit to the

Kansad Gadung: The spirit of self-governance



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place, described his trip to Kansad Gadung as “Never easy! We walked for one day and then we rode a motorcycle over muddy slippery road. The motorcycle crashed three times but thanks God we were not hurt. I’m so happy to reach Kansad Gadung. I never thought I could reach this far and historic place that I just used to hear from stories of my parents.”

What makes it different from the usual seat of governance many would know is that the structure was built to last and made sacred by the energy and spirit of those who put it all together, a struggling, persevering yet cheerful people.

FYI

Get to know better your IP neighbor



THE Indigenous Peoples (IP) within the core territory of the ARMM are predominantly residing in the towns of Ampatuan, Datu Abdullah Sangki, Datu Blah Sinsuat, Datu Hoffer Ampatuan, Datu OdinSinsuat, Datu Saudi Ampatuan, Datu Odin Sinsuat, Datu Saudi Ampatuan, Datu Unsay, Guindulungan, South Upi, Talayan, Upi, all in Maguindanao and the town of Wao in Lanao del Sur.

These IPs are mainly Tedurays, Lambangian, and Dulangan Manobo folks whose ancestors have lived and established a way of life defining their uniquely meaningful, rich, and persistent life since time immemorial.

Based on a 2013 survey conducted by the IPDEV, there

are about 122,914 individuals in 18,135 IP households presently residing in 80 barangays (villages) of the aforementioned 12 towns. While the Teduray, Lambangian, and Dulangan Manobo tribes claim ancestral origin to this vast territory, there are also other IP individuals and families who migrated to these towns from nearby provinces and have established their economic activities, livelihood sources, and residence in the area.

The recent survey indicates the presence of the other 18 “migrant IP groups” in the 12 municipalities. Overall, the constitutive IP tribal affiliations in the territory already indicate 21 tribes comprising the

122,914 total IP population (2013).

The IPs’ ancestral territory in mainland ARMM spans a total perimeter area of 215,941 hectares (plus 93,779 hectares. coastal waters).

The territory straddles over the present towns of Upi, South Upi, Datu Odin Sinsuat, and Datu Blah Sinsuat in Maguindanao and also includes parts of Guindulungan, Talayan, Shariff Aguak, Ampatuan, and Cotabato City.

Collectively referred as the TLAMADC (Teduray, Lambangian, Dulangan Manobo Ancestral Domain Claim), it comprises the Ancestral Territories of the three major IP communities in the core territory of the Bangsamoro and these are Teduray (277,677 hectares), Lambangian (25,967 hectares), and Dulangan Manobo (6,075 hectares)

THE TIMUAY JUSTICE AND GOVERNANCE

Born out of a bitter past

PART of a continuing training among indigenous peoples (IP) in the Autonomous Region in Muslim Mindanao (ARMM), a group of about 80 leaders from the Higaonon, Dulangan-Manobo, Lambangian, and Teduray trekked and gathered at Kansad Gadung for an exposure to

the Timuay Justice and Governance, a system that has been effectively applied among mostly Teduray communities.

Kansad Gadung has been described as the Malacanang of the IPs in ARMM.

Timuay Labi Sannie Bello, who spoke on the TJG, said it was not easy for the leaders then in coming out with the TJG, but the difficulties they went through strengthened and gave better resolve to the system that has guided many Fenuwos (traditional tribal villages) in self-governance.

“The TJG was born out of a bitter past, yet, it came out strong and dependable in our daily quest for self-preservation and governance,” the Supreme Chief pointed out.





Strengthening of Dyaga (tribal defense) is also one vital option – to defend lands against armed landgrabbers.

“”

In the ensuing discussions, Bello explained the principles of TJG which include: Closeness and Good Relationship with Nature; Collective Leadership; Communal Ownership of Everything in the Community; Equal Status of Every Human in the Society; Peace of Mind as Basis of Justice and Development; and Progressive Pluralism.

The Timuay Labi took chance to deliver his report on the “State of the TJG” where he enumerated the expanse of areas reached and covered by TJG as well as the communities where Fenuwos have been established and consolidated.

He also talked about the various

projects put up; positions on peace negotiation between the government (GPH) and Moro Islamic Liberation Front, including the Framework Agreement on the Bangsamoro.

On the discussion on governance, Mrs. Cornelio, an organizer of TJG, explained that TJG’s main position is the assertion of Bangsa-Mamalu Autonomous Governance (BMAG).

She said the BMAG concept is genuinely indigenous in form and in substance – as against the proposed Rajah Mamalu Province or IPs province by some mainstream-oriented IP leaders.

IP leaders fear that the IPs province concept will run counter to the right

to self-determination and may just be used as vehicle for development aggression.

What if the BMAG position of TJG is not achieved? Mrs. Cornelio retorted that continuing grassroots organizing shall educate people not to be fooled nor attracted by deceptive development aggression promises. Strengthening of Dyaga (tribal defense) is also one vital option – to defend lands against armed landgrabbers.

Learning about the Fenuwos, the Lambangian leaders bared that their communities have not yet been reached by TJG organizing.

The Lambangian said they prefer the TJG and not be dominated by

mainstream “BLGU tribal councils” which they termed as “half-baked.”

Datu Obing of the Dulangan-Manobo sought help from the experienced TJG in their tribal governance and justice as they are like “a child needing a helping hand from an adult.”

Highlight of the exposure trip was the simulation of a Tiyawan (conflict settlement) that was performed by members of the Fagilidan (Supreme Justice Council) and selected Dulangan-Manobo and Lambangian participants.

The simulation case was about the ‘dignity’ of housewife whose pregnancy was doubted by the husband as a result of an affair with a

bachelor neighbor.

It was proven during the Tiyawan process, where the husband, wife and the bachelor were present, that the husband was wrong and that no affair existed. The Fagilidan ordered the husband to pay the fine of one horse and P500 each to the wife and the bachelor, and cheerfully reconciled the parties involved “with smiles and handshakes.”

Higaonon Rodolfo Linsagan commented that the TJG Tiyawan process and principles are just similar to that of the Higaonon tribe. He was happy and inspired to witness indigenous justice system still being practiced.

NCIP says it is at a curious juncture as to the future of IPs in Mindanao once the Bangsamoro basic law is in place.

Racing against hope



A Dulangan Manobo in Tubak, Ampatuan, 2013

DESPITE the more than a hundred thousand Indigenous Peoples residing since time immemorial in the Autonomous Region in Muslim Mindanao (ARMM), the Indigenous Peoples' Rights Act (IPRA) is deemed not applicable in the region due to its autonomy under the ARMM Organic Act or Republic Act 9054.

Adding to the IPs' woes, the National Commission on Indigenous Peoples (NCIP) did not devolve in the ARMM. That means no NCIP in the ARMM to take care of IP matters, like securing IP rights, settling disputes and processing ancestral domain claims within the region.

The seeming neglect by government

on IPs in the ARMM has given IP leaders more resolve to work things on their own even as they remain hopeful that proper authorities will look their way in days to come.

January 9, 2013, a legal opinion by NCIP Legal Affairs Office, acknowledged that NCIP has "a small margin of, opportunity to extend its helping hand to the IPs before the (Bangsamoro) basic law comes full circle. NCIP can do a lot of things that are within its authority and financial and technical capacity to pursue plans and programs for the protection and recognition of the rights the IPs in the ARMM while preparations for the Bangsamoro framework is underway."

Yet, as the commission gears to address the IP concerns in the region, it points out on the following challenges:

(a) It may take a year or less for the Bangsamoro basic law to be fully implemented in identified areas in Mindanao. This small window of opportunity might not be sufficient for the NCIP to fully attain its target in delineating ancestral domain in the ARMM, taking into consideration boundary conflicts, political entity interventions, and complaints and cases that may arise during the delineation process;

(b) For one, the limitation of its budget and shortness of technical personnel to conduct survey activities might hamper the processing of CADT /CALT applications;

(c) Tasking is one problem. The Commission has to identify what NCIP region or regions will implement the program. If not feasible, composite team or a task force must be created by the commission to deal with the gargantuan tasks. Whatever arrangement is made, some on-going tasks and programs in other areas and regions must be sacrificed to accommodate the urgency of the ARMM targets;

(d) Legal challenges are not farfetched. Third parties who may be affected by the ongoing delineation are expected to file cases in the courts to challenge our authority in extending our jurisdiction over the ARMM areas. Though we truly believe that there are no legal impediments in doing so, we cannot stop affected parties to raise questions in the proper fora.

The 'TANA TUPO' of the Dulangan-Manobo



The Tana Tupo is basically the ancestral domain or the natural habitat of the Dulangan Manobo since time immemorial.

“”

“WE live with our Tana Tupo. Our people can be nothing without it.”

Kap Kadingilan, a Dulangan-Manobo leader, said the Tana Tupo is the only thing they can leave for their children when they die.

“Our children must have the proper education so that they can protect and preserve our Tana Tupo,” remarked Kadingilan, who is barangay captain of Tubak, Ampatuan in Maguindanao province.

Tubak is a remote mountain village inhabited by almost a thousand mostly indigenous Dulangan-Manobo and Teduray folks that rely mainly on the land, river and the forests around them for their daily subsistence, a practice handed to them for generations in which they refer to as Tana Tupo.

The Tana Tupo is basically the ancestral domain or the natural habitat of the Dulangan Manobo since time immemorial.

That natural habitat spreads 6,075 hectares of mountains, rivers, forests and fertile valleys which is life to the Dulangan Manobo folks.

But, like most indigenous communities, that of the Dulangan Manobo have their own troubles. They are being regarded as an intruder to what is suppose to be their own by a Manila-based timber company.

With that, they seemingly face a stiff uphill battle in asserting what rightfully and traditionally belongs to them.

Pinning their hopes on their Tana Tupo, the Dulangan-Manobo community on May 4, 2013, formally

adopted their own ancestral domain sustainable development and protection plan (ADSDPP), an instrument formulated by the IP community, listing their own policies, mechanisms and strategies for the sustainable management and development of all resources within the domain, to include cultural and human resources.

Aided by IPDEV, the Dulangan Manobo ADSDPP was put together

in a series of consultation among community members.

In adopting their ADSDPP, Tubak residents said they now have a good fighting chance in asserting their rights as IPs and for their children to get the proper education.

Many Dulangan Manobo elders believe their children must have the proper education “so that they can protect and preserve our Tana Tupo.”

MONUMENT. IP children turn into a playground what remains of an obviously over a century-old tree toppled and cut for its commercial value, a sordid reminder of how vulnerable IP communities are to exploitation and intrusion.



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The European Union (EU) numbers 28 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.