

Kētindēg

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IPDEV
Empowering Indigenous
Peoples in the Autonomous
Region in Muslim Mindanao

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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.

Fiyo teresang!



To find out more about IPDEV:



for IPDEV videos and radio recordings.



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IF WE were to put a monetary value to each fully grown tree, which can absorb 50,000 gallons of water every rainfall; shed tons of leaves that are converted to rich fertilizer that nourishes plants that nourish other life forms; cools our surroundings at the equivalent of 40 air conditioners at full blast; and multiply that by the number of trees in one square kilometre; and multiply that further by the number of years that we human beings get for free – would it ever be equal to the amount of money the number of board feet we will earn after say, five-ten-fifty years of relentless logging, environmental degradation?

Add to that the monetary value of food, dress, dances, rituals, weather forecasting (which now has a fancy-sounding name - *ethnometeorology*, governance & justice systems, flora, fauna, sacred places, lore & history.

Deduct from that the same amount of money we spend on flood victims, landslide victims, health problems, rehabilitation and disease that resulted

MILESTONES & EVENTS



Apr 5, 2014
Inputs on Indigenous Knowledge Systems and Practices (IKSPs) in the Planning workshop for the Bangsamoro Development Plan for the Environment



Apr 6-7, 2014
UNDP Consultations with IP leaders on the Bangsamoro Development Plan for the Environment



Apr 20, 2014
BTC IP Representative Froilyn Tenorio Mendoza signed the Bangsamoro Basic Law (BBL) with reservation



May 5-7, 2014
Exchange and Networking Meeting for IP Organizations



May 19, 2014
9th Project Sounding Board Meeting

from lack of nutritious food and fresh air that forests would have readily provided. Would the equation or the sum or the dividend or the difference be all worth it? Do we even have the numbers right now in our heads?

With that value that is mind-boggling to compute, one researcher said, “No government can afford to lose its own cultures and if I may add, the forests that go with it.”

The journey for Lumad recognition in the ARMM did not start yesterday, last year nor in the last decade. Like many of its fellow Lumads in Mindanao, it has suffered, again in the words of researchers – minoritization – with the entry of settlers and their different versions of development.

Many policies, mostly conflicting ones, have been passed but remain wanting to be fully implemented, because they have been conflicting in the first place.

Many days are celebrated in honor and in the name of the IPs – World IP Day, IPRA Day, UNDRIP Day – there’s almost always something to celebrate any day.

But there are glimmers of hope. Twenty-seven years after EDSA Revolution, sixteen years after the passing of IPRA, ten years after Resolution 269, five years after MMAA

241 – it was pronounced by the ARMM Government in January of 2013 that there are no legal impediments in implementing the IPRA in the ARMM.

Moreover, the National Commission on Indigenous Peoples (NCIP) now has a Mindanawon Chair, an IP, a lawyer and a lady at that, and brings with her an awareness and consciousness level unique to our context.

In January this year, the NCIP issued an En Banc Resolution reiterating their commitment to exercise their mandate under the IPRA and things are cranking off to a relatively good start.

Though long in coming, these two developments provide a glimmer of hope in the journey of the Lumads. It is hoped that the endless passing around of the Lumads in the ARMM, marginalized as they are, would finally come to a stop.

The ongoing theme for World IP Day is: “Indigenous Peoples Building Alliances: Honouring Treaties, Agreements and other Constructive Arrangements”.

We support the call of the Lumads in the ARMM for all of us to look at IPRA again as the government’s



peace agreement with the Indigenous Peoples. As pacts and agreements were forged orally in the ways of our forefathers, manifestation of this Word of Honor is the issuance of the Certificate of Ancestral Domain Title (CADT) and the full implementation of the law.

In many of our roundtable discussions it is often asked why the IP development agenda is not highlighted. The answer may be just lying around and we who are in the mainstream have yet to see it. For many of us, the resources that we can make millions from are individual logs; cubic meters of rock, gravel and sand; ores of gold, copper, manganese; vast tracks of forested land that can be levelled for pineapples, bananas and African palm that are actually foreigners to local soil. But to the indigenous eye, the forest is the resource.

It’s the same forest that protects us from warm weather, the same forest that protects us from flooding, landslides, disease. How can we just eradicate forests whose services we have always had for free? Only a mind with distorted mathematics would justify sense and logic in such an equation.

The Lumads in the ARMM – Teduray, Lambangian, Dulangan Manobo and Higaonon – need all the support they can get. From us who are in privileged positions, let this be a call. Remember that we, too, at certain points in our respective histories, also suffered oppression from the powerful and the mighty. Let us not be the oppressors of today by depriving the Lumads of what are rightfully theirs. As one IP leader put it, “You can consult us anytime on sustainable development. We have been doing it for thousands of years.” []

This article was written by Aven Acuña-Gulo, project manager of IPDEV, a three-year EU-assisted project for the recognition and empowerment of Indigenous Peoples in the ARMM.





May 20, 2014
Memorandum of Agreement
Signing IPDEV-UNDP-LGU South
Upi on Solar Electrification for
four (4) barangays



May 21, 2014
22 Rotary Peace Students
from Chulalongkorn
University visit IPDEV



May 30, 2014
Fact-finding mission with
Teduray mother whose
premature baby died in a
hospital after falling from
delivery table



June 3, 2014
Information Education
Campaign for LGUs on
the Ancestral Domain
Delineation



June 4-5, 2014
Natural Resources Utilization
and Management Planning
Training / Polomolok, South
Cotabato



June 6-7, 2014
Presentation of IP Perspectives
on Development / International
Peace Conference organized by the
Archdiocese of Cotabato / Notre
Dame University

Soldiers plant trees for IPs



SOLDIERS of the 6th Infantry Division (6ID) of the Philippine Army went out of their way to plant trees on 9 August 2014, to celebrate the International Day of the World's Indigenous Peoples. This is in line with IPDEV's activities on Building Forests.

Forests are very important to the lives of Indigenous Peoples. Forests protect everyone from climate change, landslides, floods.

Unregulated logging, mining, quarrying, chemical farming contribute to the environmental disasters in Maguindanao, a province which is home to three Indigenous Peoples: Teduray, Lambangian, and Dulangan Manobo; and Lanao del Sur, where Higaonons also live.

Together with members of the Armed Forces of the Philippines and civilian employees of the 6th Infantry Division, participants estimated to be around 500, planted some 1000 mahogany seedlings in the Dimapatoy



Watershed.

IPDEV planted two bamboo seedlings along a gully, symbolic of the pliant nature and versatile use of the world's tallest grass, along with its capacity to protect riverbanks.

The planting site was a two-hour walk uphill from the Metro Cotabato Water District Pump Station.

Major General Edmundo Pangilinan, 6ID commander, hopes that with a very conservative estimate of 25 percent survival rate of the planted seedlings, this first initiative will leave a legacy of 250 trees to the next

generation.

They plan to have another round of tree planting event before the year ends.

Aveen Acuna-Gulo, IPDEV Project Manager, expressed her appreciation to the 6ID for putting into action their motto of "protecting the people and securing the land" by helping build forests.

"The good energies of the Teduray, Lambangian, Dulangan Manobo and Higaonon tribes will also be with you," she said.





June 12-14, 2014
Institute for Autonomy and
Governance (IAG)
Teambuilding,
General Santos City



June 21-22, 2014
Para-Tech Training on
Contour Farming



June 24, 2014
Congressional Consultation
on the Bangsamoro Basic
Law, Upi, Maguindanao



June 25, 2014
Congressional
Consultation on the
Bangsamoro Basic Law,
Midsayap, Cotabato



June 26, 2014
Congressional Consultation
on the Bangsamoro Basic
Law, Ateneo de Davao
University



June 27-29, 2014
Training of Trainors, IP
Communications Group
(IPComm)

2014 State of the Indigenous Peoples Address



WE, the bae, datu, fulong, baylan, timuay, mantikadong, the indigenous leaders of indigenous communities in Luzon, Visayas, and Mindanao, belonging to the different tribes of the B'laan, Higaonon, Kalanguya-Ifugao, Mansaka, Erumanen ne Menuvu, Erumanen ne Menuvu Kirinteken, Aeta-Abellen, Dumagat, Pala'wan, Subanen, Subanon, Ilongot, Manobo Matigsalog, Egongot (Ilongot) Bugkalot, Bukidnon, Manubo Blit, Teduray, Tagbanwa, Tasaday, Lambangi-an, Ybanag, Remontado, Aeta, Ayta, at T'boli-Ubo, together in solidarity with our friends, allies and partners have gathered here in the University of the Philippines in Diliman, Quezon City from 23 to 25 July 2014, to convey the true state of the indigenous peoples in Philippines.

TRUTH

We are the indigenous peoples of the land — peoples descended from ancestors and communities who have been time immemorial occupants and owners of territories in Mindanaw, Visayas, and Luzon. Ancestral domains — land and natural resources — is life; life is our ancestral domains. We, indigenous peoples respect our ancestral domains, which will be inherited and taken care of by generations to come. We are peoples with our own culture, beliefs, customs,

traditions, and laws.

JUSTICE

What is legal is not necessarily just. Philippine state policies fail to address our concerns and realities as indigenous peoples. These policies are insensitive to our diverse cultures. They do not correct and remedy historical and present injustices, and human rights violations and abuses that we continue to suffer.

1. Policies on mining and other extractives, plantations, and other exploitation of land and natural resources continue to trample upon our rights as first stewards of the land, and our right to consent or dissent to activities encroaching upon our ancestral domains. Mining destroys our territories, degrades our bodies by chemicals, and compromises our health especially indigenous women. Mining fails to justly compensate for the loss of resources, and leaves our territories unrehabilitated and in its plundered state.

We are victims of militarization and human rights violations because of the entry of these companies. Violence and threat of violence is used to suppress our voices, including extrajudicial killings of indigenous leaders.

The promised benefits of policies on the extraction, development

and utilization of natural resources continue to be enjoyed only by the private powerful few while, like beggars, we are left to wait for dole-outs from culturally insensitive projects like the 4Ps Program; or compelled to abide by policies ignorant of the real situation of indigenous women such as the prohibition for traditional healers to assist in childbirth, or disallowing birth to occur at home.

2. The Joint Administrative Order No. 1 series of 2012 by the NCIP, DENR, DAR and LRA compromised our basic and legal rights and resulted in the further delay in the processing of the certification of titles over our ancestral domains. We reject policies like JAO1 that do not have our participation in its formulation, and which are deliberately made complex resulting in the delay of the processing of CADTs and ultimately, in the denial of our rights.

Meanwhile, with other marginalized peoples, communities and sectors, we, indigenous peoples, have our ways to resolve land and other conflicts. We will not be deceived by projects or activities like the National Greening Program (NGP) by which fake indigenous leaders were created as well as fake NGOs, and which make us compete against each other, or fight against our co-equals and fellows, whom like us are similarly exploited

Mining destroys our territories, degrades our bodies by chemicals, and compromises our health especially indigenous women. Mining fails to justly compensate for the loss of resources, and leaves our territories unrehabilitated and in its plundered state.





July 1, 2014
Global Partnerships on the Prevention of Armed Conflict (GPACC) delegates visit IPDEV



July 7-10, 2014
Benedikt Seeman, Country Reresentative for Konrad Adenauer Stiftung (KAS) visits IAG Office, meets with IPDEV Team, IP Leaders, CDPI, 6ID Phil. Army



July 8, 2014
10th Project Sounding Board (PSB) Meeting



July 18, 2014
Information Education Campaign (IEC) on the Ancestral Domain Delineation, Mt Firis



July 24, 2014
Roundtable Discussion on IP Child and Maternal Health Care: Indigenous Practices vis-à-vis No Home-Birthing Policy of Government



Aug 4-6, 2014
IPComm members undergo trainings on newswriting and radio c/o KuMuNet andforumZFD



and downtrodden.

3. We, as indigenous peoples, have our own governance, our own Indigenous Political Structures (IPS). Our own governance and IPS are often not reflected in state laws and policies. We recognize the women in our community as equals and partners in decision-making. The state policy of “IP mandatory representation in local legislative councils” has generally been used by local political elites for their own selfish interests. While

we do not entirely reject this “IP mandatory representation in local legislative councils” — we reject fake “representatives” that are chosen by LGUs, by the NCIP, or by any person or entity that do not have our mandate nor represent our true and collective interest, and which only satisfy a person’s or a few’s greed.

PEACE

We are indigenous peoples; we have the right to self-determination. We, too, want lasting peace in Mindanaw. We support everyone who works for the attainment of peace in Mindanaw. We support the full inclusion of indigenous peoples rights in the core area in the Bangsamoro Basic Law and full exclusion of the adjacent IP territories. We recognize the diversity of indigenous peoples and communities in Mindanaw. We affirm that our identity as indigenous peoples is intrinsically linked with our ancestral domains. Lasting peace in Mindanaw can only be achieved if all rights are recognized, respected and protected and no one is excluded.

EQUALITY

We, indigenous peoples, are human beings and as such are not inferior to anyone. We condemn any form of discrimination, separating us from the rest of the Filipino people through

health, education, access to food and peaceful living.

WE ARE INDIGENOUS PEOPLES AND WE CONTINUE TO ASSERT OUR RIGHTS! UNITED, WE SHALL STRUGGLE!

Recognize and Respect Indigenous Peoples’ Rights over Ancestral Domains! Recognize and Respect the rights of Indigenous Women!

Scrap the Mining Act of 1995!

Enact the Alternative Minerals Management Bill! Fast track the processing and awarding of CADTs!

Scrap JAO 1 series of 2012! Respect Indigenous Peoples’ Governance and Indigenous Political Structures!

Full participation of IPs in all levels of Decision making affecting ADs/ALS!

Investigate the implementation of NGP in Ancestral Domains!

Ensure consistency of 4Ps with the customs and traditions of its IP beneficiaries!

Investigate incidents of human rights violations and hold Human Rights violators accountable!

Respect Indigenous Peoples’ Customary Laws!

Transform the NCIP! Make government officials accountable!

Recognize Indigenous Peoples Rights in the Bangsamoro Basic Law!

Full Support of the Peace Agreements!



“IT will be IPRA plus plus plus,” Cagayan de Oro Rep. Rufus Rodriguez told a crowd of about 400 at the Upi School Gym during the public hearing on October 22, 2014. It was the first out of town hearing on the Bangsamoro Basic Law or what is known as House Bill 4994.

The chair of the 75-member House of Representatives’ Ad Hoc Committee on the Bangsamoro Basic Law (AHCBBL) assured the residents of this predominantly Lumad town that what the Indigenous Peoples Rights Act (IPRA) had given them will not be diminished, but will instead be enhanced in the future Bangsamoro.

Cong. Rodriguez explained that although HB 4994 does not specifically mention IPRA, both government (GPH) and the Moro Islamic Liberation Front (MILF) claim that the BBL provides for all the rights guaranteed under IPRA, a national law passed on October 29,

1997, although not implemented in the IP areas under the Autonomous Region in Muslim Mindanao (ARMM), the core territory of the proposed Bangsamoro government.

The indigenous peoples should not worry, he said, because the proposed BBL —recognizes, promotes and protects the rights of the IPS to: their native titles and/or fusaka inged, indigenous customs and traditions, justice systems and indigenous political structures; an equitable share in revenues from the utilization of resources in their ancestral lands; free and prior informed consent; political participation in the Bangsamoro Government including reserved seats for the Indigenous Peoples in the Bangsamoro Parliament; basic services; freedom of choice as to their identity.

But does the BBL really offer more than the IPRA? No.

Does the BBL offer more than the IPRA?

Arguably, the four bundles of rights recognized in the IPRA are mentioned in some of the provisions of the BBL. The BBL version, however, pales in comparison with the bundles of rights as already enshrined in the IPRA, the Philippine Constitution and the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP). By way of comparison, the provisions in the IPRA which can be related to some of the IP provisions in the BBL are herein enumerated in succeeding tables.

As a legal practitioner on IP rights, and one who took part in defending some applications for certificate of ancestral domain titles before the NCIP, I submit that there are some BBL provisions on indigenous people’s rights that cast serious issues on the IP rights that are already protected and recognized by the IPRA and other legal instruments.

I. The indigenous people’s right to ancestral domains/ancestral lands being



Aug 9, 2014
Sixth Infantry Division
conducts Tree Planting
Activities for World IP Day
at Dimapatoy Watershed



Aug 11, 2014
World IP Day Celebration:
Tedurays raise deep
concern on Mining
Activities in Upi



Aug 12, 2014
CSOs are oriented on the
Extractive Industry Transparency
Initiative (EITI) in partnership
with Kilos Ka and Bantay Kita, St
Joseph Retreat Center



Aug 14, 2014
Seventeen (17)
Rotary Peace Scholars
of Chulalongkorn
University visit IPDEV



Aug 30, 2014
Consultation on Violations of IP
Rights, Romonggaob, South Upi
initiated by BTC Commissioner
Mendoza and the Third Party
Monitoring Team (TPMT)



Aug 30, 2014
Donor's Ocular Visit, Benuan
Elementary School, Bgy Kuya,
South Upi

| IPRA | BBL |
|---|--|
| <p>1) Rights to Ancestral Domains/Ancestral Lands</p> <p>a) Right of Ownership.</p> <p>b) Right to Develop Lands and Natural Resources.</p> <ul style="list-style-type: none"> - right to develop, control and use - to manage and conserve natural resources - to benefit and share the profits from allocation and utilization - to negotiate the terms and conditions for the exploration - the right to an informed and intelligent participation in the formulation and implementation of any project x x x x and to receive just and fair compensation for any damages which they may sustain as a result of the project - and the right to effective measures by the government to prevent any interference with, alienation and encroachment upon these rights <p>c) Right to Stay in the Territories.</p> <p>d) Right in Case of Displacement.</p> <p>e) Right to Regulate Entry of Migrants</p> <p>f) Right to Safe and Clean Air and Water.</p> <p>g) Right to Claim Parts of Reservations.</p> <p>h) Right to Resolve Conflict.</p> | <p>To recognize constructive or traditional possession of lands and resources by indigenous cultural communities subject to judicial affirmation, the petition for which shall be instituted within a period of ten (10) years from the effectivity of this Basic Law. The procedure for judicial affirmation of imperfect titles under existing laws shall, as far as practicable, apply to the judicial affirmation of titles to ancestral lands.</p> <p>Sec. 5. Indigenous People's Rights. -The Bangsamoro Government recognizes the rights of the indigenous peoples, and shall adopt measures for the promotion and protection of their rights, the right to their native titles and/or <i>pisula ingul</i>, indigenous customs and traditions, justice systems and indigenous political structures, right to an equitable share in revenues from utilization of resources in their ancestral lands, right to free, prior and informed consent, right to political participation in the Bangsamoro Government including reserved seats for the indigenous peoples in the Bangsamoro parliament, the right to basic services and the right to freedom of choice as to their identity.</p> |
| <p>2) Right to Self-government and empowerment</p> <p>SEC. 13. Self-Governance. - The State recognizes the inherent right of ICCs/IPs to self-governance and self-determination and respects the integrity of their values, practices and institutions. Consequently, the State shall guarantee the right of ICCs/IPs to freely pursue their economic, social and cultural development.</p> | <p>Sec. 5. Council of Leaders. - The Bangsamoro Council of Leaders shall consist of the Chief Minister, provincial governors, mayors of chartered cities, and representatives from the non-Moro indigenous communities, women, settler communities, and other sectors. The Bangsamoro Council of Leaders shall be chaired by the Chief Minister. The Council shall advise the Chief Minister on matters of governance in the Bangsamoro. The representation of the non-Moro indigenous communities shall be pursuant to their customary laws and indigenous processes.</p> |

subject to judicial affirmation

As mentioned in the BBL, the recognition of ownership of ancestral domains of indigenous cultural communities is subject to judicial affirmation. What does judicial affirmation/confirmation entail? In the case of *Gregoria Martinez vs. Court of Appeals*, the Supreme Court explained the procedure and other requirements on judicial confirmation of imperfect title.

The confirmation of imperfect or incomplete titles to alienable and disposable agricultural land of the public domain may be done in two ways: judicial legalization or judicial confirmation of imperfect or incomplete titles under Chapter VIII, and administrative legalization or free patent under Chapter VII of the Public Land Act.

Any citizen of the Philippines, occupying lands of the public domain or claiming to own any such lands or an interest therein, but whose titles have not been perfected or completed, may apply with the RTC of the province where the

| | |
|--|---|
| <p>SEC. 15. Justice System, Conflict Resolution Institutions, and Peace Building Processes.</p> <ul style="list-style-type: none"> - right to use their own commonly accepted justice systems, conflict resolution institutions, peace building processes or mechanisms and other customary laws and practices <p>SEC. 16. Right to Participate in Decision-Making right to participate fully, if they so choose, at all levels of decision-making in matters which may affect their rights, lives and destinies</p> <p>SEC. 17. Right to Determine and Decide Priorities for Development.</p> <ul style="list-style-type: none"> - the right to determine and decide their own priorities for development affecting their lives, beliefs, institutions, spiritual well-being, and the lands they own, occupy or use. <p>SEC. 18. Tribal Barangays. - The ICCs/IPs living in contiguous areas or communities where they form the predominant population but which are located in municipalities, provinces or cities where they do not constitute the majority of the population, may form or constitute a separate barangay in accordance with the Local Government Code on the creation of tribal barangays.</p> | <p>Sec. 1. Justice System in the Bangsamoro. The justice system in the Bangsamoro shall consist of Shariah Law which shall have supremacy and application over Muslims only; the traditional or tribal justice system, for the indigenous people in the Bangsamoro; the local courts and alternative dispute resolution systems. Nothing herein shall be construed to operate to the prejudice of non-Muslims and non-indigenous peoples.</p> <p>The Bangsamoro Parliament may likewise create appropriate local government units in the areas inhabited predominantly by indigenous peoples.</p> |
| <p>3) Social Justice and Human Rights</p> <p>SEC. 21. Equal Protection and Non-discrimination of ICCs/IPs.</p> <p>SEC. 22. Rights during Armed Conflict</p> <p>SEC. 23. Freedom from Discrimination and Right to Equal Opportunity and Treatment</p> <p>SEC. 24. Unlawful Acts Pertaining to Employment.</p> <p>SEC. 25. Basic Services.</p> | <p>Sec. 6. Customary Rights and Traditions - The customs, beliefs and traditions of the people in the Bangsamoro are hereby recognized, protected and guaranteed. The Bangsamoro Parliament shall adopt measures to ensure mutual respect and protection of the distinct beliefs, customs and traditions of the Bangsamoro people and other inhabitants in the Bangsamoro. No person in the Bangsamoro shall be subjected to any form of discrimination on account of creed, religion, ethnic origin, parentage or sex.</p> |
| <p>4) Right to Cultural Integrity</p> <p>SEC. 29. Protection of Indigenous Culture, Traditions and Institutions</p> <p>SEC. 31. Recognition of Cultural Diversity. - The State shall endeavor to have the dignity and diversity of the cultures, traditions, histories and aspirations of the ICCs/IPs appropriately reflected in all forms of education, public information and cultural educational exchange.</p> | <p>Section 6 on Customary Rights and Traditions.</p> <p>The Bangsamoro Parliament shall adopt measures to ensure mutual respect and protection of the distinct beliefs, customs and traditions of the Bangsamoro people and other inhabitants in the Bangsamoro.</p> |

land is located for confirmation of his/her claim and the issuance of a certificate of title therefore under the Property Registration Decree. Such applicants must by themselves or through their predecessors in interest have been in open, continuous, exclusive, and notorious possession and occupation of alienable and disposable agricultural lands of the public domain, under a bona fide claim of acquisition or ownership, since June 12, 1945, except when prevented by war or force majeure, shall be conclusively presumed to have performed all the conditions essential to a Government grant. At present, such applications

for judicial confirmation of imperfect or incomplete titles must be filed prior to 31 December 2020; and must cover an area of up to 12 hectares only.

When the conditions specified in Section 48(b) of the Public Land Act are complied with, the possessor is deemed to have acquired, by operation of law, a right to a grant, without the necessity of a certificate of title being issued. The land, therefore, ceased to be of the public domain, and beyond the authority of the director of lands to dispose of. The application for confirmation is a mere formality, the lack of which does not affect the legal sufficiency of the title as would be evidenced by the patent and the Torrens title to be issued upon the strength of said patent. For all legal intents and purposes, the land is segregated from the public domain, because the beneficiary is —conclusively presumed to have performed all the conditions essential to a Government grant and shall be entitled to a certificate of title under the provisions of this chapter.

Section 44, Chapter VII of the Public Land Act provides that the applicant for administrative confirmation of imperfect title must be a natural born citizen of the Philippines who is not the owner of more than 12 hectares and who, for at least 30 years prior to the effectivity of Republic Act No. 6940 amending the Public Land Act, has continuously occupied and cultivated, either by himself or through his predecessor-in-interest, a tract or tracts of agricultural public land subject to disposition, who shall have paid the

real estate tax thereon while the same has not

Based on the above, judicial confirmation before rights to ownership over indigenous people's lands may be confirmed/awarded, would entail additional burden on indigenous communities, other than what is required under the IPRA, which may constrain them from protecting their lands through formal titling. In comparison, the IPRA adopts a participatory approach where the decisive role of indigenous communities in all activities relevant to the recognition and titling of ancestral domains is made imperative.

Under the Indigenous Peoples Rights Act, self-delineation is the guiding principle in the identification and delineation of ancestral domains (Sec. 51, Chap VIII, RA 8371). This principle of self-delineation is more in keeping with the Constitution that recognizes the applicability of customary laws in determining the extent and ownership of ancestral domains (Article XII, Sec. 5); even the UNDRIP states that indigenous peoples have the right to participate in State processes in giving due recognition to indigenous people's territories and resources (Article 27, UNDRIP).

As will be explained, the rights to ancestral domains of indigenous peoples recognized in the Constitution, the UNDRIP and the IPRA are threatened in ways that may destroy the essence of these domains to Filipino indigenous communities.

a. It threatens to challenge the identity

of the ancestral domains

Judicial affirmation/confirmation of imperfect title to lands is required in the process of acquiring title to lands in the Philippines pursuant to the Regalian doctrine applicable in our jurisdiction. — Pursuant to the Regalian Doctrine (*Jura Regalia*), a legal concept first introduced into the country from the West by Spain through the Laws of the Indies and the Royal Cedula, all lands of the public domain belong to the State. This means that the State is the source of any asserted right to ownership of land, and is charged with the conservation of such patrimony. All lands not appearing to be clearly under private ownership are presumed to belong to the State. Also, public lands remain part of the inalienable land of the public domain unless the State is shown to have reclassified or alienated them to private persons.

In contrast, the land and territorial claims of indigenous peoples is deemed embedded in history, prior to the establishment of States. In the Philippines, the IPRA recognizes that indigenous people's ancestral domains have never been public lands, since they are held based on pre-conquest rights of indigenous communities under a claim of private ownership and are indisputably presumed to have been held that way since before the Spanish Conquest. These pre-conquest rights to ancestral domains are known as the native title. xxx

It might, perhaps, be proper and sufficient to say that when, as far back as

Read more, page 46



Sept 6-8, 2014
Fact-finding Mission on
mining activities on Mt
Fakal



Sept 8-9, 2014
Validation Mission for
Dulangan Manobo, Social
Preparation Activities for
Ancestral Domain Delineation



Sept 10-12, 2014
Last Exchange and
Networking Meeting



Sept 19, 2014
DSWD-Mindanao
Humanitarian Team (MHT)
Convergence Meeting
(IPDEV is under the
Protection Cluster)



Sept 24-27, 2014
Teduray ADS DPP Validated
together with Genealogy



Oct 1-3, 2014
UNICEF Seminar on Creating
Connections: Training of Trainers
on IP Adolescent Health
(Para-HTs)

Celebration, solidarity and hope

COURTESIES.

I welcome you all to this event of celebration, solidarity, and hope.

We celebrate today the consensus reached in the Bangsamoro Transition Commission (BTC) of the draft public policies governing the Indigenous People in the Bangsamoro. This consensus was possible because of the historical kinship that all indigenous people in Mindanao share for centuries of struggle against all forms of colonization.

This solidarity and kinship makes us hopeful and confident that we will overcome more challenges in our collective and continuing assertion for self-determination.

The provisions on the IPs in the draft BBL are consistent and build on the terms of the Comprehensive Agreement on the Bangsamoro (CAB).

Let me provide you the main features of the draft provisions.

The heart of this section is the recognition by the Bangsamoro government of the rights of the indigenous peoples and it is mandatory that it adopts measures to protect and promote IP rights particularly the following:

- 1) The right of the IPs to their native titles and/or fusakainged, indigenous customs and tradition, justice systems and indigenous political structures;
- 2) Right to an equitable share in revenues from utilization of resources in their ancestral lands;
- 3) Right to free and prior and informed consent;
- 4) Right to political participation including at least two (2) reserved seats for the IPs in the Parliament;
- 5) Right to basic services and;
- 6) Right to freedom of choice as to their identity.

The reserved seats in the Parliament were expressly identified as allocated for the Tedurays, Lambangian, Dulangan Manobo,

(IP Policy Speech delivered by Bangsamoro Transition Commission Chair Mohagher Iqbal during the Solidarity Event, May 23, 2014, Sharingri-la EDSA Hotel, Mandaluyong City)



Blaan and Higaonon. The customary processes of these IP groups will generate a list of nominees from which the Chief Minister will appoint the IP reserved seats representatives.

The draft further provides that it is mandatory for Parliament to enact the mechanisms for the equitable shares of the IPs to exploration of natural resources in their ancestral lands subject to their exercise of their right to free, prior and informed consent. The Parliament will also have to legislate a justice system appropriate for the indigenous peoples as defined by them.

The draft BBL reiterates the obligation of the Bangsamoro government as provided for in the CAB to protect the rights of the IPs in accordance with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

The draft also provides that the Parliament may create an appropriate office or ministry for the IPs which shall be part of the Bangsamoro cabinet to develop and implement the programs for the IPs.

The Parliament may create appropriate local government units in the areas inhabited predominantly by the IPs subject to the criteria it may set forth in the regional Local Government Code.

I make the following observations on these draft provisions.

First, they provide guarantees for the protection and promotion of the rights of the IPs in the Bangsamoro. When the Bangsamoro government is in place, the IPs should be confident that their native title and/or fusakainged over particular areas is recognized and within these areas, they will enjoy broad rights.

Second, the provisions are broadly formulated to allow the parliament enough flexibility to evolve the mechanisms for the full protection and promotion of the IP rights in the context of the Bangsamoro.

Third, the provisions do not make any distinction as to Islamized and non-Islamized IPs to promote unity and

kinship among the different IP groups founded on shared vision, principles and future. The only instance that particular IP groups were mentioned is with reference to the reserved seats for IPs to forestall any doubt that those seats were indeed reserved for these IP groups.

Fourth, the provisions clearly establish the strong foundation for continuing dialogue and the assertion of the IPs of their rights on one hand and the concomitant obligation on the part of the Bangsamoro government to protect and promote IP rights guaranteed under international and domestic laws on the other. In the end, guarantees and protection in law are good only up to the extent that the IPs themselves are able to assert and demand respect for their rights. On the other hand, the Bangsamoro government will have to enact policies to ensure that the IP's right to their native title are effectively exercised.

The IP provisions in the draft BBL provide only the general principles. Mechanisms, structures and processes have to be fleshed out in regional legislations. The BTC understands the predicament of the IPs under the ARMM where applicable laws and mechanisms for the exercise of their rights were vague, inadequate and when recognized, were poorly implemented. It is for this reason that the BTC has formed a multi-stakeholder task force on indigenous concerns to begin even at this early stage a consensus-building process for putting in place the mechanisms and processes to implement the IP provisions in the Basic Law. The task force is mandated to complete the following tasks before the BTC ends its term:

Build support of all stakeholders to the IP provisions in the Draft Basic Law.

Continue to explore and dialogue on the best mechanisms and processes to implement the IP provisions that include among others the identification of IP areas and tenurial instruments for submission as legislation to the BTC, BTA



Oct 7-8, 2014
IP Exposure Tour to Manila: Overview of the De Bono Thinking Methods on Decision-Making / Tour of Intramuros, Rizal Park, National Museum, NCIP National Office,



Oct 8, 2014
Last National Roundtable Discussions on IP Provisions in the Bangsamoro Basic Law



Oct 15, 2014
IPDEV submits comments on Draft ARMM Mining Bill



Oct 18, 2014
Exploratory Meeting with UNICEF for Partnership on IP Adolescent Health (Para-HTs)



Oct 20, 2014
Teduray/Lambangian Monom is documented by researcher Elmer Nocheseda of Ateneo de Manila



Oct 28-30, 2014
First Indigenous Peoples Cultural Festival held at Notre Dame University in Cotabato City



and to the Bangsamoro Parliament.

Conduct confidence-building measures to foster understanding and cooperation between and among IP groups.

The establishment of the task force concretely demonstrates our commitment to respect and promote the rights and welfare of all IPsespecially the IP groups that continue to feel marginalized in the autonomous region. Reaching a consensus on this roadmap for the IPs has not been easy. The IP issue has been one of the most difficult and complex concerns I addressed as Chair of the BTC. Understandably, groups held on to unshakeable ancestral domain claims backed by clashing interpretation of international and domestic legal and political principles.

Yet, a zero-sum, take no prisoners' approach in addressing this complex issue proved counter-productive and destructive of relationships that are key to building peace in our communities. We made progress only when we took on a new lens and develop a new language that will foster unity not division in our communities. With this new lens, we can now imagine a Bangsamoro where all groups equitably and mutually reap what have been gained

in our quest for self-determination on top of rights already enjoyed by each and every person or group. We should focus our energies to weaving our beliefs, laws and rights towards forming a tapestry of peace, unity and progress in the Bangsamoro.

Let me call on the IP stakeholders and champions to engage the BTC task force and continue the dialogue we began in the BTC towards realizing the vision behind the IP policies in the proposed BBL. For those who believe that the Indigenous Peoples' Rights Act (IPRA) answers the long struggle of the IPs to protect their ancestral domain claim, rest assured that we respect that stand. There is no rancour in our heart. It is part of their right to self-determination. In the same vein, I am appealing to them [to] also respect the view and stand of the MILF, clearly contained in all signed documents and in the proposed BBL, that there is only one ancestral domain in the Bangsamoro, which is owned by Moros and IPs. Give us the chance to prove that in the Bangsamoro, the IPs have a bright future. This we will prove once the Bangsamoro is in place.

Let me thank the two IP representatives in the BTC, Commissioner Froilyn Mendoza and Commissioner Melanio Ulama who were both passionate in articulating the sentiments of the IPs in the drafting of the law. I thank them for their openness to explore avenues for cooperation and consensus.

I would like to thank all my fellow commissioners for exerting the effort to understand the complex subject of the IPs. My gratitude to the IP experts and advocates who helped us explore possible options moving forward.

Finally, let me thank the Center for Humanitarian Dialogue (CHD) with support from the European Union (EU) for providing technical, facilitation and logistical support to the consensus-building process. CHD will continue to provide assistance to the Task Force on IP Concerns.

Thank you.

Group eyes IPs' peace agenda



the delegates are SUARAM (Malaysia's Human Rights Organization); Indonesian Peacebuilding Institute, Kdadalak Sulimutuk Institut and Ermera Farmers Union (UNAER); Youth for Peace and Development Academy (YDA); National Democratic Institute for International Affairs (NDI); University of Netherlands; Asian Forum for Human Rights and Development (FORUM-ASIA); Gaston Z. Ortigas Peace Institute; Kachin Peace Network; Generation Peace Youth Network (GenPeace); Center for Peace Education, Mindanao PeaceWeavers.

The Solidarity Mission is meeting with various stakeholders in support of the passing of the Bangsamoro Basic Law (BBL).

It was also an opportunity for them to hear the agenda of the Indigenous Peoples in Maguindanao namely the Teduray, Lambangian and Dulangan Manobo, which is mainly the inclusion of IP rights.

AN 18-member Solidarity Mission from the Global Partnerships on the Prevention of Armed Conflict (GPPAC) visited the Institute for Autonomy & Governance (IAG) on July 1, 2014.

The mission, led by Gus Micalat of the International Initiatives for Dialogue (IID), came with representatives from Malaysia, Aceh, Timor Leste, South Thailand, Cambodia, Netherlands, Myanmar and the Philippines.

Other organizational affiliations of





Nov 4-6, 2014
IPComm members undergo training on Basic Journalism with Kutawato Multi-Media Network (KuMuNet) and forumZFD



Nov 17, 2014
Launching of Cultural Village Competition, ARMM 25th Anniversary. Teduray Village part of Maguindanao Village



Nov 19-20, 2014
IP Health Summit, Brokenshire, Davao City



Nov 20 – Dec 11
Final Session with Barangays: ESDEV Evaluation / Signing off of Community Volunteers / Turning over of IPDEV Tarpaulin Maps



Nov 21, 2014
Meeting with IP leaders on ADSDPP implementing mechanisms (Upi)



Nov 27-38, 2014
IP Representative undergo training on Mushroom Production in Central Mindanao University, Musuan, Bukidnon

“WE hope that this time, we will be heard, and our desires as a people will actually be considered and included in the forging of a genuine peace here in Mindanao.”

This was expressed by Timuay Alim Bandara, a Teduray leader of the Timuay Justice and Governance, in the congressional hearing held in Upi, Maguindanao on August 25, 2014.

The Committee on the National Cultural Communities and Indigenous Peoples of the House of Representatives conducted yesterday the first ever congressional public consultation in Upi, Maguindanao on the “Hopes and Aspirations of the Indigenous Peoples in the Bangsamoro” that gathered close to 800 participants from North and South Upi.

The six members of the committee led by Rep. Nancy A. Catamco heard the various issues and concerns of the Teduray, Lambangian and Dulangan Manobo relating to their socio-cultural, economic and political future in the Bangsamoro.

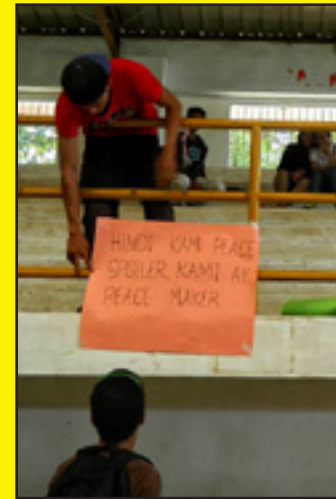
The committee hoped that this discourse will prepare them in deliberating the Bangsamoro Basic Law (BBL) once it reaches Congress.

“We all agreed that we are supporting the peace process but there are several issues that we want to clarify especially on the ancestral domains in the Bangsamoro”, said Rep. Catamco.

The Teduray, Lambangian and Dulangan Manobo in the prospective Bangsamoro are more or less 122, 327 individuals in a 201, 850-hectare unified ancestral domain claim which covers the whole area of Upi, Datu Blah Sinsuat and South Upi as well as some parts of Datu Odin Sinsuat, Shariff Aguak, Datu Hofer, Talayan, Guindulungan, Ampatuan and Datu

CONGRESSIONAL COMMITTEE CONSULTATIONS

Hurt and confused



Abdullah Sangki in Maguindanao.

Some 17 years after the Indigenous Peoples’ Rights Act (IPRA) was signed, the delineation process still remains at the initial stage despite the problems of logging, mining and other development projects that continue to plague the indigenous communities.

Bandara shared his fear that despite their incessant efforts to peacefully struggle for its delineation, the Comprehensive Agreement on the Bangsamoro (CAB) specifically in the Annex on Power-Sharing, placed the ancestral domain of the indigenous peoples under the exclusive power of

the Bangsamoro.

“Our participation in this public consultation is a manifestation that we are already hurt and confused,” Bandara lamented.

Meanwhile, Cong. Teddy Baguilat, the vice-chair of the committee assured the indigenous peoples that “the BBL is not a hindrance to the ancestral domain delineation. We encourage the NCIP to continue with the delineation.”

This long-drawn assertion of the IPs in the proposed core territory of the Bangsamoro is a product of raising the stakes in the peace process and

making it more inclusive. Along this line, Timuay Labi Sannie Bello of the Timuay Justice and Governance (TJG) ended with an appeal that this politically-negotiated settlement made to address the historical injustices done to the Bangsamoro peoples will likewise correct the injustices done to the Indigenous Peoples through the passage of time.

The consultation was hosted by the local government of Upi led by Mayor Ramon Piang, Sr. The Committee will hold further public consultations in Midsayap and Davao on June 25 and 26, respectively.



Jun 12-14, 2014
Institute for Autonomy and
Governance (IAG)
Teambuilding,
General Santos City



Jun 21-22, 2014
Para-Tech Training on
Contour Farming



Jun 24, 2014
Congressional Consultation
on the Bangsamoro Basic
Law, Upi, Maguindanao



Jun 25, 2014
Congressional
Consultation on the
Bangsamoro Basic
Law, Midsayap,
Cotabato



Jun 26, 2014
Congressional
Consultation on the
Bangsamoro Basic
Law, Ateneo de Davao
University



Jun 27-29, 2014
Training of Trainers,
IP Communications
Group (IPComm)



Dec 12, 2014
IPDEV
Decommissioning
Workshop

Awards for awesome wards!

“Talk for an hour, you produce air. Plant seeds for an hour, wait for a week, you produce plants.”

- Indigenous Wisdom

JOEL Jurimocha bested other IP para-technicians in the Autonomous Region in Muslim Mindanao (ARMM), taking the top spot in the Para-Technician Awards.

Jurimocha is known to have shared his learning in organic farming, multi-cropping and contour farming among other farmers in his place in Bugabungan as well as in Kiga and Bungcog, all in Upi, Maguindanao.

He is into his own advocacy, promoting gardening among schools and residents.

Fernando Bansigan took the second place in the Paratech Awards. Bansigan is known for his involvement in other community services and still able to



Joel Jurimocha shows the fruit of his labor in his two-hectare farm.

Fernando Bansigan promotes organic farming in his community.



perform as a para technician to 13 farmers in Awang, Datu Odin Sinsuat town in Maguindanao.

Bansigan is recognized for his successful endeavor in planting food crops like banana, vegetables, sweet potato, cassava and in applying contour farming and bayanihan to his own farm.

Jurimocha and Bansigan were among nine IPs nominated and screened for the Para-Technician Awards by IPDEV in the 1st IP Cultural Festival held during the 17th IPRA Thanksgiving Day on 29 October 2014 at the Notre Dame University Gymnasium in Cotabato City.

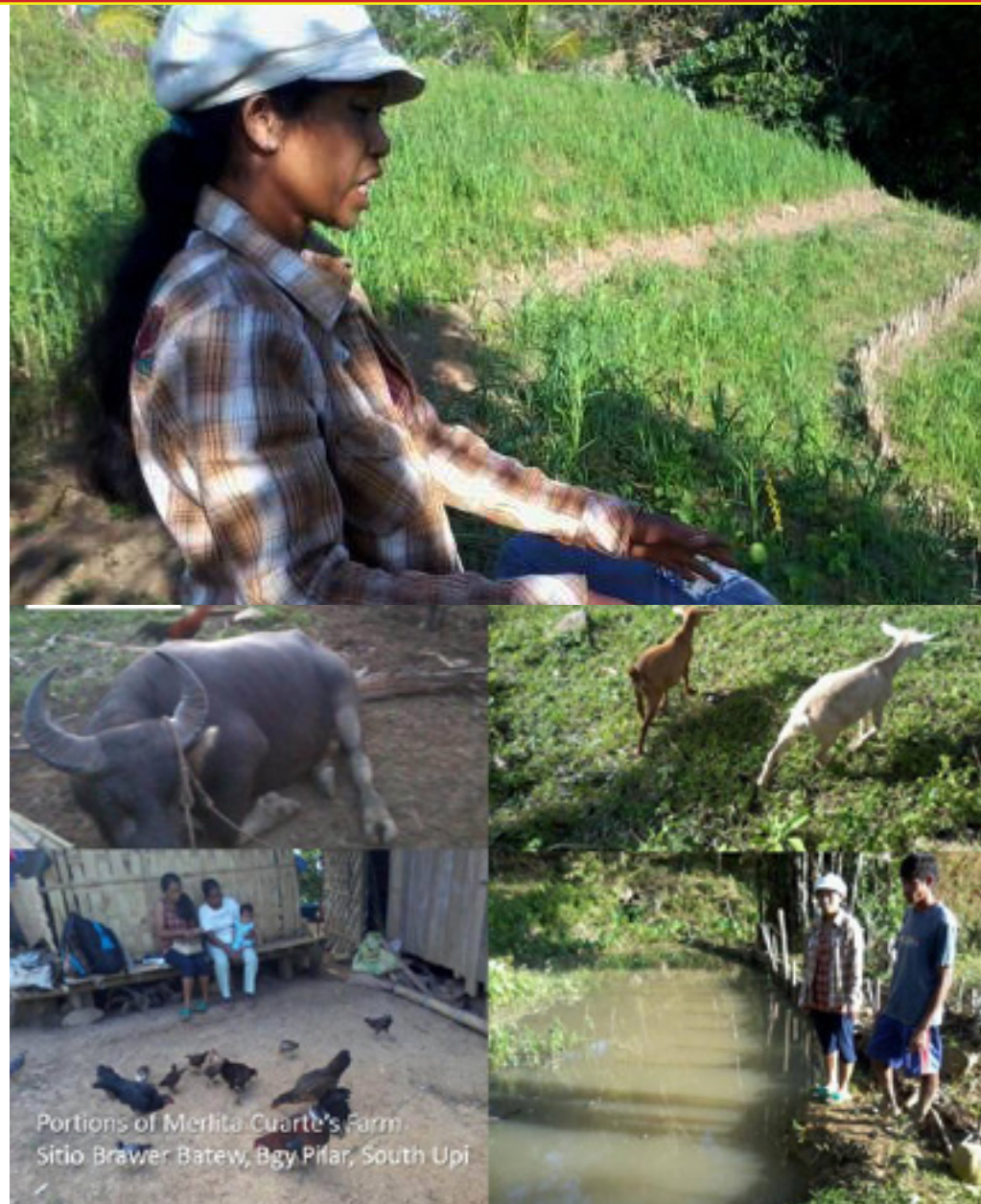
The nominees were screened

according to how they assisted their fellow farmers in implementing their individual farm plans; how they applied human-friendly and environment-friendly farming technologies.

Trainings provided by IPDEV to 80 barangays included Sustainable Agriculture, Coastal Resource Management, Natural Resource Management & Planning, Sloping Agricultural Land Technology (SALT), organic farming (vermicomposting), among others.

Harnessing the land that is connected to the life of the IP is based on the indigenous concept of Sulagad which is the system of farming that ensures self-sufficiency when it comes





Portions of Merlita Cuarte's Farm
Sitio Brawer Batew, Bgy Pilar, South Upi

to food production.

The other nominees include Ben Arthur Avila from Mirab, Upi, Liezel Dagat of Bongo, Mandrezo Kindan, 61, of Kauran, Ampatuan, Maguindanao, Ernesto Mao of Badak, Armida Namoc of Tinungkaan, and Rosie Oguid, also of Tinungkaan and Imelda Villareal of Lamud,

The Para-Technician Awards criteria for judging include assistance to fellow IP farmers in the implementation of individual farm lots plan 20 percent, paratech must showcase and demonstrate application of new but environment and human-friendly technologies 30 percent, lobby and represent IP organization to access support for agriculture and farming activities of IPs in the barangay (municipal, province, ARMM) 10 percent, participation of original farmers in the three consecutive session of farm planning activity 10 percent, fellow farmers adoption of sustainable farming system technology 20 percent, and paratech's own farm plan implementation 10 percent.

Best Farms

For IPs with the Best Farms, Merlita Cuarte of Sitio Brawer, Pilar, South Upi, Maguindanao, garnered the first prize.

Cuarte is an exemplar of a woman with high level of hard work and



Portion of Juliemar Carumba's Farm

passion for farming. She was able to convince her husband to embrace sustainable agriculture. An active community service provider, Cuarte has a big heart for sick and needy relatives and neighbors.

Juliemar Carumba of Sitio Rifra, Looy, South Upi, Maguindanao, took second place, with his contour farm full of fruit trees, corn and vegetables

which he grows using traditional organic methods. Carumba do not use chemical-based herbicides, believing it will destroy the soil.

In his farm, Carumba planted marigold and lemongrass as natural pest repellent. He raises cows, a carabao, hogs, sheeps, chicken and is developing a fishpond.

He believes that when planting

sweet potato, ladies must sit down. Seeing stars when planting means good harvest.

Third place went to Melvin Mariano of Kinitaan, Upi, Maguindanao. Like Carumba, Mariano employs Sloping Agricultural Land Technology (SALT) in his farm. He maintains a vermibed and has been using the harvested vermicast on his vegetable crops.



Portion of Melvin Mariano's Farm
Bgy Kinitaan, Upi

Mariano practices the traditional "Batya," a ritual before planting that seeks for power and authority to take care of the plants.

After only just a year of undergoing training, twelve (12) IPs were nominated and screened for the Best Farm Awards by IPDEV in the 1st IP Cultural Festival held during the 17th IPRA Thanksgiving Day on 29 October 2014.

The nominees were screened

according to how they applied Sloping Agricultural Land Technology (SALT), Organic Farming / Vermiculture Fertilizer Production; and Indigenous Knowledge Systems and Practices (IKSPs); and not using herbicides and weedkillers.

The application of sustainable agriculture technology makes cultivating the land a joy, rather than a burden to the farmer.

Harnessing the land that is

connected to the life of the IP is based on the indigenous concept of Sulagad which is the system of farming that ensures self-sufficiency when it comes to food production.

Other nominees for the awards were Marlon Samar of Lamud, South Upi, Maguindanao, Junie Tapioc of Biarong, South Upi, Juanario Bello of sitio Brongis, Kibleg, Upi, Simplicio Martin of Matuber, Datu Odin Sinsuat town in Maguindanao, Melinda Emoy



Portion of Juanario Bello's Farm
Sitio Brongis, Kibleg, Upi

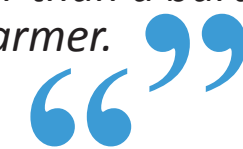
of sitio Segawit, Ranao Pilayan in Upi, Ronie Alejo of Rifao, Upi, Elena Usman of sitio Kabalu, Borongotan, Upi, and Fernando Kanakan of Tomcor, Ampatuan, Maguindanao, and Susan Quinentoz of sitio Mitug, Kusiong, Datu Odin Sinsuat town.

The criteria for judging include: For a) SALT farming 45 percent, Permanent crops 15 percent, short term crops 5 percent, crop rotation 5 percent, livestock, poultry, fishpond 10%,

contours 10 percent. For b) organic 45 percent, vermi production and use 20 percent, concoctions/soil conditioners 15 percent, insect repellent plants 5 percent, knowledge 5 percent; For IKSP in Agri 5 percent, ritual before planting and after harvest, analyzing the cosmos as to what period/day is best for planting; d) doing away with herbicide 5 percent.

The awards came as IPDEV wraps up its three years of service.

The application of sustainable agriculture technology makes cultivating the land a joy, rather than a burden to the farmer.





Reliving and enriching *Sulagad*

SOME 25 IP residents of Sitio Paningusan, Barangay Awang, Datu Odin Sinsuat town in Maguindanao, participated in a training on Contour Farming.

The skies were clear and the sun was shining bright. The heavy downpour the day before rendered the soil manageable for staking and digging.

Participants learn Contour Farming along with Diversified Integrated Farming Systems (DIFS) which is actually the indigenous farming practice of Sulagad.

The process of reclaiming the land will free them from dependence on chemical agricultural inputs.

Economic empowerment also means Food Security in the household

level.

According to Teduray Leader Jovito Martin: "Our tribe started suffering from crisis when the cash economy came in. We thought our lives will be better if we sell all our produce. It's time to revive the age-old practice of retaining in the home our harvest for our needs and sell only the excess."

Sitio Paningusan was chosen to be the model farm-cum-nursery from where other Para-Technicians can train and bring back to their respective barangays what they have

learned. The area is approximately 10 kilometers from the heart of Cotabato City. It has its own small lake, sloping land, farmlands, mini-forests. The Indigenous Peoples' Organization has just been organized and registered.

Model farms will be chosen from the 80 IPDEV-covered barangays. Participants themselves developed the selection criteria based from their learnings in the past year and a half on sustainable agriculture and Natural Resource Management.



A return to those old ideal ways



PARTICIPANTS to IPDEV's Diversified Integrated Farming Systems from barangays Rifao, Bantek, and Ranao Pilayan, in Upi, barangay Romongaob in South Upi, and barangay Fugotan in Talayan town were asked to describe their life being a farmer.

All of them claimed they have lands of their own, with sizes ranging from two to eight hectares. They said the lands are planted to diverse crops along with several livestock.

As such, they said their lives are on the average, not poor.

It was explained to them that living a farmer's life on the average is an indication of their own positive mentality towards farm-especially hard work.

They were told that for many IP non-leader farmers who are poor, their situation may also be an indication that they fail to fully develop their land-which all can be due to question of hardwork.

Notably, many IP farmers today develop only about a quarter to a hectare of their 2-5 hectare land area. Thus, making the rest idle and wasted.

This is, of course, aside from external factors which are beyond control of individual farmers like weather conditions, road condition, exploitation by buyer-traders, and several other factors.

They were reminded of the time-tested Teduray and Lambangian Sustainable Agricultural Practices such as the Sulagad and Mesegetey, the bayanihan system, and the Indigenous Knowledge Systems and Practices on



farming.

In addition, they were told about the current capacity and potentials of IPs and their communities – which include barangays, as corn/rice/mango/coconut/coffee/and/or rubber-producers.

There are also barangays with abundant supply of water for irrigation; there are barangays which are near the national hi-way and cost efficient; IPs have land which have potential for full utilization, there are sitios which do not yet use chemicals and so on.

The participants were also informed of RA 10068 otherwise known as Organic Agriculture of 2010 and the significance of organic agriculture.

It was emphasized to them that RA 10068 specifically identifies the IPs and its role in the promotion of



organic agriculture, and the benefit of practicing organic agriculture which is cost-efficient, environment and health-friendly.

They were shown some example about the Roles of IP Organic Para-Technician such as their own farm being an organic model farm that is diversified and integrated; to train organic adopters; to do farm visitations; to link with related gov't agencies, NGOs, UN agencies to possible assistance and training; etc.

Further, they were given orientation on the complementary role of local government units, national government agencies, non-government organizations and other agencies such as provision of more training, agriculture projects, linkage to markets, among others.

Development Facilitator Crisostomo

Jamotillo, an agriculturist by profession answered several technical questions.

During the discussion, many of the participants themselves acknowledged that many IPs are wanting in hard work, that is why they lag behind compared to non-IPs. They are challenged to work more in farming and utilize idle portions of land and plant more permanent crops.

The second day of the training, the trainees visited farms and found out that Paratech Ronie Alejo's farm is diversified with banana, rubber, rice, several fruit trees, vegetables, and integrated with goat, boars, and carabao.

It can be noted that the effort to bring back the IPs to their old organic ways in sustainable farming has been so far gaining ground.



Festival in the truest sense

IT IS a unique experience having to see and feel how indigenous peoples live.

The four IP tribes Teduray, Lambangian, Dulangan Manobo and Higaonon gathered for the First IP Cultural Festival on 27-29 October 2014 at Notre Dame University in Cotabato City, bringing with them treasures of their domains like houses, household and farm implements, ways of preparing food, hunting, games, conflict settlements, chanting, clothing, musical instruments, farm products, and more.

The tribes also showcased their own language, the diverse designs and distinct construction materials of their houses

Each tribe has their own stories of suffering and joy to tell, of lessons and dreams to pursue. And in that two-day First IP Cultural Festival, a

chance to bond and share ideas and show “lowlanders” the richness of this country’s heritage.

The festival allowed a glimpse to an IP community, where people are gathered, yet nobody is seated higher than the rest. Life goes on altogether – merrymaking, settling conflict, exchanging goods. On the sides were the elders, observing and waiting to be consulted with their gifts of wisdom and providing guidance.

The idea of holding the First IP Cultural Festival came in the last year of IPDEV operations.

It was an offshoot of so many small activities that highlighted the indigenous skills, systems and practices of the IPs in mainland ARMM.

The IP Communications Group or IPComm, a small group of representatives from the Teduray,

Lambangian, Dulangan Manobo and Higaonon, which serves as messenger of crucial information to their respective communities, was instrumental in bringing together the festival.

The IPComm is a communication strategy that was built on the constraints of conducting the conventional media campaigns using radio, television, print and the internet which normally entails substantial expense.

The idea first came about when IPDEV supported a Tribal Solidarity March to Mt Firis in October 2012, where the first major Kanduli (Prayer Ritual) was held on their Sacred Place after armed men who occupied it since the year 2000 have already left.

Invitations were circulated through email, radio announcements and text messages; knowing fully well

that many of the 80-IPDEV covered barangays do not have access to radio and cellular phones.

When at least 700 men, women, children, babies came to join the Kanduli in a place where most non-IPs find difficult to climb, it dawned upon the IP Comm that there must be an indigenous way of spreading messages across the ancestral domains.

The Framework Agreement on the Bangsamoro (FAB) had just been signed that time and the translation that reached the IP communities was for them to vacate their lands because non-IPs are reclaiming it for themselves; that IPs could no longer raise pigs as it is not allowed under the Bangsamoro; that leaders down to the barangay level should all be Bangsamoro, among other misleading messages that clearly are not in the agreement.

What if tables were turned around? If others are not listening to what the IPs are saying, then maybe can the IPs listen to what everybody else is saying and relay that to the community?

That paved the way for the formation of IPComm Group. It did not have a proper name at first; but the objective was clear. There are important messages and information that the community needs to know as objectively and as timely as possible without being tied up to whether they have radio and cellphones or not. IPComm members have had earlier para-legal training on the different legal framework for Indigenous Peoples i.e. UNDRIP, IPRA, MMA 241, DILG MC on IPMR, FPIC among others.



The unwritten rule was to share the message to one’s immediate circle of influence: And this is no other than the family – spouses, children, brothers, sisters, uncles, aunties, grandparents. Being so eloquent in sharing information to PTAs, sanggunians, associations, organizations can only be effective if members of the family also know what one is talking about, especially if the issue at hand is self-determination and assertion. This is building on what the IP communities already have: themselves.

Communicating the issues affecting the IPs cannot be solely on the burden of the few who are working on the Certificate of Ancestral Domain Title (CADT). The rest have to continue rebuilding the forests, reviving the soil, reclaiming the land and redeeming cultural pride.

The IPComm Group thought that showcasing this work can start small with a cultural festival; one that they can call their own even without the

presence of IPDEV and other external movers. After thorough examination, there was a realization that there hasn’t been one like this in recent history, where indigenous knowledge, systems and practices are showcased in one occasion.

So they tasked it upon themselves to organize, mobilize, and finally have the very 1st-Ever IP Cultural Festival.

Whether the same content will be replicated in a year or two, only time – which is a friend of Indigenous Wisdom – will tell.

(We thank all the generous hearts and kindred spirits that made this festival possible: to Fr Charlie Inzon OMI NDU President for providing such a spacious venue; to Gov Hataman for the prizes for the Best Paratech and Best Farm Lot awardees; to DSWD Asec Rahima Alba and Datu Abdullah Sangki Mayor Miriam Mangudadatu for more prizes; to Upi Mayor Ramon Piang for Rayray Band; to South Upi Mayor Abdullah Campong and Wao Mayor Balicao for the dumptrucks. Documenting this occasion in photos and videos are dynamic Teduray young men Ricky Batitao and Frederic Lorenzo who were trained by no less than iWatch Producer Fr Ponpon Vasquez OMI; and our very own IPDEV in-house repository of indigenous knowledge Thata Cornelio Martin.)



Who are protecting the IP children and youth in the ARMM?

(Presented by IPDEV Project Manager Aveen Acuña-Gulo to the Ako Para Sa Bata International Conference at SMX Convention Center, Manila, on December 5, 2014.)



FIYO Teresang! In the Teduray language, it roughly means Good Energies.

My presentation is about the Indigenous Peoples in the Autonomous Region in Muslim Mindanao. We have heard questions like, “How can there be IPs in a Muslim Region?”

So basically that’s the problem: the IPs are the “unseen”, the “invisible” members of the area where we are.

Where there are Indigenous Peoples, there are men, women, elderly, children and youth. Let me begin with saying that what the IPs are going through, the children and the youth are also going through as well.

Who are the IP children and youth? They are either Teduray, Lambangian, Dulangan Manobo or Higaanon. They live in 309,720 hectares of ancestral domain claim which include coastal

waters. They generally come from small families: 52% with having four or less family members; and only around 40% having 5-8 family members. They generally have reached elementary level; but only 11% graduate from the grades, 4% graduate from high school, and 1% finish college.

There are factors affecting children and youth among the Indigenous peoples. Just like many other children and youth around the world, they are facing tremendous challenges in the context of globalization rapid development. Let’s try to look at some factors. I have 27 slides so let me try to compress it in 20 minutes.

Birth, rites of passage, arranged marriages, parent-child relationship, spirituality, health, nutrition, unregistered births, gender perspectives, discrimination, cyclical

conflict, rape-slays, peer support, pop culture, information technology, literacy, mismatched government interventions, NGO-CSO-FBO-Academe-Business interventions, general lack of government presence at all levels.

These set of factors are by any means not comprehensive and in no particular order; this is only a glimpse of how much work needs to be done for the IPs so that they can catch up after years of marginalization without losing their identity.

Let us try to see how these factors are being practiced, and what are its implications.

Birth. When a child is born, the father hangs the umbilical cord to a tree that is solely for the newly-born. The father says a prayer for the child to be as strong as the tree, and firmly rooted to the land. He also prays that

the newly-born child will also bear the values and good characteristics of his/her forebears.

Implication: With the rate that forests are being ravaged, in a way the child – who may now be a grown person – is severed from his connectedness to the land.

[At this point ladies and gentlemen I’d like also to introduce to you someone who is a treasure trove of indigenous knowledge – an IP Woman Leader. Her name is Conchita Quinlat. She’s right there. She is from the Lambangian and Teduray tribe and she wears many hats in her community: she is a day care worker, a teacher, a mother – and her recent engagement is being a member of the IP Communications Group. The context of the IPComm Group is that if people are not listening to the IPs, then maybe the IPs can listen to what

the world outside them is saying and communicate it back to the communities where they come from].

Arranged Marriages. The union of two people is arranged by the parents from both sides. Most marriages are dowry-driven; where girls who live near the highway or economic centers get higher dowries than their counterpart in the interiors. Girls are sometimes have already been married by the time they reach their menarche. Those who are betrothed usually have low self-esteem; thus may affect their own child-rearing capability.

Current practices may no longer involve actual costs of dowries but tokens.

Men are said to have unlimited number of wives; but this is only done under compelling circumstances, with the guidance and agreement of

elders. So far with IPDEV experience the most that we know are only three. Having more than one partner not necessarily for marital unions are said to be just a recent phenomenon.

Unregistered Births. IP children usually have one name. With the entry of settlers, if a child is born in a community with strong Christian influence, s/he is given a Western name. If s/he is born in a community with strong Muslim influence, s/he is given an Arabic name. For example if you hear names starting with Mo, that means “Father of”; similar with the Mac or Fitz which means “Son of”. Thus Mokolina means father of Kolina; Mokudef father of Kudef; and so on and so forth.

Thus if a child/person is given other names, his/her being IP is usually not reflected in school records. Or s/he can be given fake registration records

used in human trafficking; and be subject to multiple registrations during elections.

Gender Perspectives. While males who manifest female behaviour is not frowned upon in IP society, the person also has to contend with arranged marriages where it is the norm for him to take a wife. Asserting one's rights as an LGBT is a recent phenomenon and there is tolerance in general towards unruly behaviour associated with gay youth.

Females have very strong influence in IP society, especially as arbiters.

Rites of Passage. Girls experiencing menarche are made to jump three steps from their stairs to maintain the number of menstruation days to three. But the practice is said to be also diminishing in the sense that even if a girl doesn't jump, the number of days remain more or less constant. Circumcision among the men is said to have come only within the last 30-40 years, mostly due to social pressure.

Health. The bliyan or healer takes care of the pregnant woman. When she is due, the bliyan even stays in the house to monitor the actual moment of childbirth. The current No-Birthing Policy of the government is seen as an affront to the time-honored skills and handed-down gifts of the bliyan, as the policy seems to treat them as dirty and unhygienic.

The IP is also pressured to produce money to be able to buy the medicines prescribed by health personnel, even if they also have time-honored ways of staying healthy with plants and food that have always been within

their immediate surroundings and can be had for free.

Health Care. Rather than go through the indignity of putting up a fight, the IP would rather not go to a health center if only to be treated harshly by health personnel or worse.

Nutrition. The IP has sulagad, which is the IP concept of Food Sovereignty has been there long before modern civilization even coined the word. But feeding programs given to IP children include what is now called Killer Whites: white rice, white flour, white sugar, milk. This is not the diet of the IP. The lure of commercially-produced food is robbing children and young people of real nutrients. One implication of this is that mothers now seem to believe that it is the duty of government to nourish her own children.

Parent-Child Relationship. In an IP community, the family is not nuclear, but clannish. Today parents have to juggle their parenting roles with the challenges that they have to face every day, which include the constant threat of encroachment into their ancestral lands. They have to look after their security inasmuch as those who encroach into their lands are usually armed.

Today's youth among the IP is also confronted with the fact that their elders are being killed because of land conflict. Due to lack of legal support, these cases often go unresolved and the calls of young people for justice and protection go unheeded. This leaves another generation of young people who are trying to figure out

the anger and confusion they feel within.

Parents also leave their families to work as OFWs. Absentee parenting leaves the IP child to ask life questions from his age group who generally doesn't necessarily know any better.

Peer Support. Loyuk, or peer support among the IP has always been present in many of their socio-economic activities: farming, fishing, hunting, learning. The increasing gap between young people and their parents also limit the guidance a child is supposed to get.

Spirituality. The IP child is confronted with the concepts and values of two dominant religions: Christianity and Islam over his own indigenous spirituality. Christianity is divided further into Episcopal, Baptist, Catholic and folk Christianity; in the same way that Muslims has its own folk practices that are perceived to be Islamic.

The IP child is also confronted with the fact that his sacred grounds are being logged, deforested, mined, and replaced with plantations. While places of worship for Christians and Muslims are actual buildings, the places of worship for an IP are mountains, rivers, rocks, trees – which were erected not by humans but by nature. Implication: If someone occupies or destroys your place of worship, what would you feel?

(Note: The very first slide in my presentation shows the pilgrimage site of the Teduray and Lambangian Tribes. If Muslims have Mecca and Christians have the Holy Land, Mt Firis



is for the IPs. This sacred mountain was occupied by MILF in 1997 to set up Camp Omar. The camp has recently been taken back by the Armed Forces of the Philippines and the IPs are now gradually returning back to their ancestral land).

Pop Culture. Alcoholic beverages came with the entry of settlers; choice of partners as an individual choice is a recent influence of mainstream society; drug use is already seen among IP youth; young people become vulnerable to gang wars and rape in hangout places like dances and videoke joints.

Information Technology. Relationships that are developed through texting and social media is seen as a strain between parents and young people.

Rape-slays. The customary laws have a way of resolving rape cases in a discreet way where only the immediate families of aggressor and aggrieved are involved. Rape-slays are a recent phenomenon attributed to drug use and easy access to pornographic material through the digital age. Indigenous forms of conflict resolution for rape-slay cases already seem to be inapplicable because many of the present-day rape cases already involve killings.

Discrimination. Recent cases of discrimination involve a Teduray mother and a Teduray high school student. The mother's premature baby (7 months old) died after falling off the delivery table in the Cotabato Regional Hospital because she was not given immediate attention in the

emergency room. The high school student was made to stop her dance midway because the teacher thought it has no relation to Linggo ng Wika.

Cyclical armed conflict. Young people are recruited into the Moro armed fronts. The latest being the Bangsamoro Islamic Armed Forces. Shortly before that was the MILF; then earlier back, the MNLF, Tuptik. They are also recruited by private armed groups and cattle rustlers. Families of these young people also cannot refuse the invitation for fear of their security.

Low literacy rates. Projects, usually infrastructure, have reached IP communities. IPDEV has assessed quite a number; but these are either not fully utilized, neglected, used for some other purpose, or not functioning at all. This could be attributed to the low absorptive capacity of the community for external inputs; or that the priority of the community is something else. And since governance has a lot to do with transparency and accountability, transparency can only mean something if people know how what to look for; and accountability can only mean something if people know how to count. That said, projects can be effective if people know how to read and write and count.

Mismatched interventions. School buildings instead of schools; clinics/hospitals instead of health care; water systems instead of water source preservation; commercial inputs instead of sustainable--not financing dependent, agriculture. People are subjected to trainings left and right

without necessarily addressing the education part.

What are the implications? The culture of dependence is innocently promoted with the proliferation of external assistance thus contradicting sustainability. Bayanihan or communal effort is dismantled because every step of say, agricultural production cycle requires money; even paid manual labor is already hard to come by because people have liquid cash to spend coming from the Conditional Cash Transfers (4Ps).

NGOs CSOs FBOs Academe Business. That the people do not feel the presence of government is fertile ground for non-government organizations, civil society organizations, faith-based organizations, academe and business to intervene without government as impartial referee. Thus, each sector comes in with their own set of vision, agenda; their own set of rules and ways of doing things – thus confusing the community further. Among these sectors, it is usually business that outruns government because it is always profitable to engage with the rest of the other sectors.

Conflicting Government Policies. Policies on sustainable development have a disconnect with the environment. IPRA, DAR, DENR, Mining Laws. Ancestral Domain Sustainability and Protection Plans of the Teduray, Lambangian and Dulangan Manobo do not include monocrop plantations and mining.

Indigenous forms of weather forecasting is now known as ethnometeorology; sulagad is



TREASURE TROVE: Conchita Quinlat

biodynamic farming (it's a step above organic farming and sustainable agriculture); the use of indigenous plants as medicines is ethnopharmacology – which means, the so-called modern civilization has just come up with names of something that has always been there.

Bangsamoro Basic Law. IPRA is a peace agreement that was forged by the Philippine Government with its Indigenous Peoples. RA 8371 was fought without a united armed confrontation with government but in the legal battlegrounds of congress.

Provisions on IPs, children and youth have already been incorporated into the draft BBL which is now under review by congress. This is seen to

be another duplication of conflicting policies that run the danger of not being implemented properly if at all, including the law that created the ARMM.

Implication: Government has a lot to prove that it will not make a repeat of neglecting the IPs brought about by previous laws. Culture cannot be legislated; and no government -- if it has wisdom -- can afford to lose its own cultures.

General lack of government (as duty bearers) to respond to the needs of the IPs in general and their children and youth in particular. Duty bearers are government – its officials and employees at all levels who are sworn to protect its people. With



government officials and employees who continue to manifest preference over personal/familial interest from common good, the fear that violations on the rights of Indigenous Peoples, their children and youth will continue, is validated.

RECOMMENDATIONS:
Education-centered intervention. Any intervention can only be effective if IP children and youth know how to read and write and count. Where there is a child who is willing to learn and someone who is willing to teach and learning takes place there is a school.

Results-oriented Research. Indigenous Skills Systems and Practices have been there since time immemorial. It's a race against time

to have these documented. And more importantly, not just research for research's sake – but for the benefit of the IPs.

Free Prior Informed Consent. Before any intervention can be done on ancestral land, there should be FPIC. In short, it is only rightful that we (government or non-government, miners or plantation companies, etc), ask permission from them and tell them our intentions in a language and process they understand. Not just making them sign documents.

Make duty-bearers accountable. It is not wise to duplicate what government is supposed to be doing. Government is duty-bound to protect its people. The rest of us can only bridge the gap between the duty

bearers and the rights holders – and in the context of our conference, the IP Children and Youth. Let us work to make government – the duty bearers, function.

CONCLUSION:
The Indigenous Peoples have sustained themselves through thousands of years. The survival of the IPs also means the survival of its men, women, elderly, youth and children. They have been there since time immemorial; they are meant to continue for generations to come.

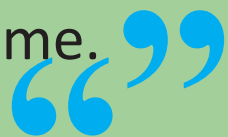
And since an indigenous person is always connected to the land, may our intentions towards them be also connected to the land.

May we all live long. As they say in the Teduray language: Meuyag!

Mining equates to IPs extinction



History will tell us that only the mining companies have enriched themselves; leaving the people poorer than they were before the miners came.”



AT LEAST a dozen representatives of the Teduray were present on short notice during the ARMM Multi-Partite Forum on Environment and Natural Resources called for by the Regional Government on August 21, 2014.

Facilitated by Fr Eliseo R. Mercado Jr, OMI of the Institute for Autonomy and Governance (IAG), the forum sought to clarify environment issues triggered by activities that are seen by the Indigenous Peoples as leading to mining on their sacred grounds. (This was a topic of concern during the celebration of the World IP Day; and a forum had just been conducted right after by the Bantay Kita together with the Extractive Industries Transparency Initiative EITI)

Resource speakers from government were the DENR-ARMM; the National Greening Program (NGP); and the

Mines and Geosciences Bureau (MGB). Atty Randolph Parcasio of the MNLF was also around along with Assemblyman Kahar Ibay.

From the CSO side were Ban Toxics, Legal Resource Center / Alyansa Kontra Mina; Mahintana Foundation; and the Foundation for Philippine Environment.

ARMM has yet to craft an Environment Code; it needs to come up with a pro-people, pro-environment, and responsible mining policy.

Bliyan (spiritual leader) Johnny Mokudef shared that Mt Fakal is the 9th most sacred place for the Teduray tribe.

It is the place where spiritual leaders conduct a prayer ritual to drive away sickness and disasters. It is also the place where they talk to the spirits of

good harvest; to the spirits of quiet and peace. It is also the place where they appeal to the spirits of conflict to leave them alone. If this sacred place is taken from us, what will become of us.

Mt Fakal is also the source of rivers and creeks that pass through several barangays and empties into the coastal town of Datu Blah. As a biodiversity zone, it is the tribe's source of herbal/ medicinal plants some of which cannot be found in other places. A cure for leprosy has been found here.

As Tedurays we have spirits of the mountains; spirits of the water; spirits of the trees. We talk to them.

He expressed his thanks for the opportunity to share with you our suggestions on how the sacred practices of the tribe can be protected.

Armand Pacudan of FPE says that

technical maps are very important tools so as to identify the convergence areas like ancestral domains, mineral sites, water sources, forest covers geohazard and vulnerable sites to avoid overlaps. Environmental risk assessments also include how communities will be affected.

Timuay Jovito Martin, Teduray Tribal Leader and representative of the Organization of Teduray Lambangian Conference (OTLAC) noted that no amount of money can compensate for the displacement and whose lives of the people will be disrupted with the entry of mining activities.

History will tell us that only the mining companies have enriched themselves; leaving the people poorer than they were before the miners came.

He asked, "What will happen to the

next generation? Land is life for us. We cannot just exchange the cost of our root crops, our plants, our soil to mining."

Former Assemblyman Deonato Mokudef, IP Representative to the Regional Legislative Assembly (RLA), noted that the Philippines is composed of many islands that if mined, would pose the danger of being swallowed whole by the sea; compared to mining areas like Australia which is one big land mass.

The law states that several areas should not be mined, i.e. burial grounds and watersheds. He is also concerned that while a mining law is being crafted, mechanisms should be in place to check ongoing activities that may either deceive people into going into mining or putting them offguard. Whether responsible or irresponsible mining, we still have to hear about responsible mining.

Atty. Villanueva shared that current policies have built-in safeguards. But mining companies have a way of making communities quarrel among themselves and be divided on the issue. Mining companies just give powerpoint presentations and claim they already consulted the people and that they have already given their consent.

Free in the Free Prior Informed Consent (FPIC) means the consent should not be forced. The requirements are stringent but LGUs just issue permits right away without going through the process as enumerated by law.

The National Water Resources Board

has to review and deliberate on water permits as mining activities usually impact on water resources.

LRC is excited and hopeful that in their partnerships with Indigenous Peoples in the past 25 years, this current experience in the ARMM is a good timing. It will help in answering the question whether mining is indeed the answer to poverty. There are many studies pointing to agriculture as more important in addressing poverty.

This should also help us answer the question on whether energy interventions are for the people or for mining industries.

She sees this as a good opportunity for the ARMM to exercise its responsibility; as what is in the law is not necessarily just. She recommends the Alternative Minerals Management Bill and the People's Mining Bill as good references.

Ms. Aveen Acuña-Gulo of IPDEV noted that while all the presenters provided both advantages and disadvantages of mining, there was no mention of the social impact of the said extractive industry. Things like guns, drugs, and prostitution in mining areas are often featured in news and documentaries. Armed with new-found money, accounts of philandering husbands and quarreling families are replete but do not appear in the presentations. We may be facing more problems on domestic violence and gender issues.

Acuña-Gulo also noted that with industries like this, a place is usually swarmed with outsiders who will work in the mines. She asked if this is the



kind of society we would want in the ancestral domains. This information is very crucial because most of the time, only the promise of big money is dangled to the communities without mentioning the negative social effects.

She also noted the carbon sequestration / carbon trading mentioned by Ms Zuraida Anayatin of the FPE as a strong alternative to mining as a means of revenue generation.

Acuña-Gulo is also the convenor of Vetiver Forum, a group of volunteers who use Vetiver grass in erosion prevention.

Atty Grace Villanueva of LRC shared that in their experience, a lawyer

for a mining company asked why communities keep on repeating the issue of quarreling families. Atty Villanueva asked the question back to that same lawyer as to why should it not be repeated when it is a reality? Why should family values be not important to us as good Filipino citizens?

Ms Evelyn Cubelo of Ban Toxics calls these social vices. It is said that miners take drugs before going into the tunnels to remove their fear for danger. It is the dream of their group for the next generation to have a toxic-free environment.

Mr Armand Pacudan of the Foundation for the Philippine



Environment (FPE) noted that in the Philippines, Environmental Compliance Certificates (ECC) and the Free Prior Informed Consent (FPIC) processes are not respected by both mining companies and government agencies that are supposed to implement and enforce the law. Records show how mining companies brazenly encroach into ancestral domains, watersheds, protected areas. Before fact-finding missions can recommend sanctions, the concerned areas are already ravaged.

Ms. Froilyn Tenorio Mendoza said she came not as Commissioner of the Bangsamoro Transition Commission but as Teduray Lambangian Women's



Organization Incorporated or TLWOI.

She said a letter of concern was already sent to the DENR-ARMM. She emphasized that the fear of the people is not unfounded, inasmuch as they have been on the receiving end of many violations concerning the environment citing the disappearance of vast forest areas just in the recent past. Now that the forests are gone, the threat of mining is impending.

DENR-ARMM did not issue any permit to explore in Maguindanao. The application to conduct mining activities in Upi was still during previous administrations. The approved permit to operate was for nickel mining operations in Languyan, Tawi-tawi;

but this was done after a stringent compliance of the requirements.

According to Executive Secretary Laisa Alamia who is also an environmental lawyer, they did not give tax holidays to the operator; and even increased the tax from .5 percent to five percent.

The response of Governor Hataman on the MPSA for Upi was for the LGU of Upi to resolve the conflicts among themselves first i.e. IP rights, among others.

While Secretary Kedtag said that no reports of helicopters landing in the area reached their office, the communities were advised to file the incidents on police blotter as the clearer issue for the moment is trespassing.

Mendoza is also concerned with the absorptive capacity of institutions that are mandated to protect the environment; plus the capacity of the local government units.

While the Philippines has one of the most laws on environmental protection, most of it do not conform to the views of indigenous peoples on the environment as a source of spirituality and culture. The state gives more priority to profits at the expense of its people. When before we the people depended on nature, this time it is nature that is dying and crying out to us for help.

Acuña-Gulo said that many of us have seen the negative effects of mining. She hopes that this time duty holders would be wiser by looking into the lessons brought by these experiences. It is a case of "Been



there; done that” where a lot of people, a lot of studies are telling us not to repeat the same mistakes. She believes that with the minds that have shared their perspectives, “we are in a better footing than we were before.”

Timuay Labi (Supreme Chief) Sannie Bello of the Teduray Justice and Governance (TJG), a tribal-based governance system of the Teduray and Lambangian Tribes expressed his gratitude for the forum. He noted that the discussions for the whole day centered on the quality of implementation of mining laws.

He expressed his full trust on Secretary Kedtag, because when reports on the ongoing mining-related activities in Mt Fakal reached him, he did not waste time to coordinate with the Secretary. They were informed that indeed, the ARMM government

never gave any permit to anybody to conduct such activities.

Timuay Bello said that everyone knowshowenvironmental degradation is directly a cause of climate change. And that the Philippines is inhaling waste materials of advanced nations. The leaves of forests have disappeared and we are no longer breathing fresh air. He hopes that the tribe’s principle of its closeness in relation with nature will not be lost.

The facilitator, Fr. Mercado, requested all the participants to submit in writing to the secretariat their recommendations so that when Governor Hataman asks questions, the DENR-ARMM can respond. Mercado also emphasized that this initiative relies on (your – IP communities) presence owing to the Governor’s keen interest of leaving a pro-people

and pro-environment responsible mining policy as the legacy of his administration; directing five agencies led by the DENR-ARMM to organize this forum. “We continue to journey together.”

Secretary Kedtag thanked Fr Mercado for helping them in making the forum possible. Now that the initiative has started, it is his wish that it will continue. He appreciated all the added knowledge for the day, which would contribute significantly to their response.

He reiterated their office’s commitment to be responsive to the people, not only to the Moro (or Daranaon as called in their dialect); but to everyone in the ARMM.

A committee will be formed to work on the steps forward in the formulation of a sound mining policy based on the ideas that were contributed.

“Don’t leave us”



IPDEV is “Drantong” – a Teduray term meaning “a golden opportunity” for the IPs

LEADERS of Indigenous Peoples in the Autonomous Region in Muslim Mindanao (ARMM) asked for a continuation of IPDEV (or IPDEV 2), saying the project has only met half of the needs of the IPs and that they are like a child learning to walk, they still need guidance by IPDEV.

“Don’t leave us in the middle of journey,” the leaders said in a seeming unison as the three-year project comes to an end.

In the Exchanges and Networking Meeting May 5-7, 2014, IP leaders said IPDEV needs to continue, specially on such concerns as education, organic agriculture and policy advocacy (to ensure that rights stated in BBL will be fully translated to become regional laws and not be diminished in the translation.)

For this, IPDEV project manager Aven Acuna-Gulo said, “We are one with you. This will continue.”

She narrated, “I remember MNLF combatants we trained who said they have boxes of certificates from various trainings but still they cannot find a job.”

Had these combatants been brought back to formal education after the peace agreement, they could have earned PhD degrees or have become physicians, engineers, lawyers, etc.

Let us learn from their experience. Let us push the government to provide higher formal education to tribal

peoples. It would be best if they send teachers to far-flung barangays to reach our communities. Let us go to school.

On the other hand, the IP leaders said in the past three years, IPDEV trainings and exposure trips allowed them the opportunity to learn more than just harnessing their potentials as IPs, especially in productivity, sustainability and the confidence to confront life’s challenges.

They said IPDEV is “Drantong” – a Teduray term meaning “a golden opportunity for the IPs”, that made possible the unity of IP tribes and clans in the ARMM, formation of Peoples Organizations which gave license to access social services.

With IPDEV, issues of IPs have been brought to mainstream’s consciousness, drawing favorable responses.

But, the leaders said there is still much to be done. “Don’t leave us in the middle of journey, we cannot yet fully stand up alone.”

There is still a need to campaign for IP education/IP curriculum development promoting languages, history, customary practices, heritage, and scholarships.

Meantime, they urged other tribes to continue mutual cooperation and organize a regional level umbrella organization, strengthen indigenous spiritual practices and political governance, protect ancestral lands and to stand along the principle of “all for one, one for all.”



Prayer and ritual on World IP Day

THERE are a thousand and one reasons to be thankful for on this year's celebration of World IP Day.

Implementation of the IPRA, completion of the first phase of the delineation process, representation to the Bangsamoro Transition Commission (BTC), publication of the Demographic Profile, completion of the ADSDPP of 3 tribes, formation of twenty-four (24) Registered Indigenous Peoples' Organizations, committed NCIP staff and like-minded partners are among the many things the IPs in the ARMM are thankful for.

Aveen Acuna-Gulo, IPDEV Project Manager, in giving a backgrounder on the activity, remarked that last year's (2013) theme was: "Indigenous Peoples' Alliances: Honouring Treaties, Agreements, and other Constructive Arrangements"

As what has always been done in the past, we appealed, begged, pleaded, lobbied, explained to duty holders to honor agreements the way words were honored in the ways of our foreparents. They responded," she said.

In January this year, the NCIP issued their En Banc Resolution to fulfill their mandate.

Social Preparation commenced right after and in August 5, the Special Provincial Delineation Team submitted their SPAR (Social Preparation Accomplishment Report) to their



principals after a prayer ritual.

The World IP Day Theme for 2014 is "Bridging the Gaps: Implementing the Rights of Indigenous Peoples."

There are already a few bridges. And there are still more gaps. Let's continue building these little bridges, these little victories which in due time, will lead to the IPs having something to hand to the next generation."

It is very timely for the Teduray, Lambangian, Dulangan Manobo and Higaonon as their plea since IPRA was passed in 1997 is to have the law implemented.

Timuay Alim Bandara, Head Claimant of the Teduray Lambangian Dulangan Manobo Ancestral Domain Claimants (TLADMADC) gave updates on the activities conducted during the Social Preparation Stage of the Ancestral Domain Delineation.

Bliyan Rodrigo Mokudef led the prayer ritual. Several partners also came to share their messages of support. Among them are 1st Marine Brigade Commander Emmanuel Salamat; Maj Jimmy Matalam representing the 6th Infantry Division; Kagawad Kalima Gunsu representing the Local Government Unit of Upi, Mr Penalosa of the Parish Pastoral Council, Janel Pesons of the Mindanao Peoples' Peace Movement (MPPM).



Mae Pagco of KuMuNet/ForumZFD and a lady reporter from DXUP came to cover the activity.

The participants prayed for strength to face challenges ahead; and for enlightenment to be open for the better options towards their recognition, protection and empowerment.

A pressing issue was also discussed. Mining explorations have already entered some barangays in Upi without Free Prior and Informed Consent (FPIC). Operators have been reported to talk to clans causing tension among clan members.

The Legal Resource Center provided inputs on the Mining Laws and provided some technical advice on how to avoid conflict.

Mining has destroyed the social fabric in many areas in the country and is seen to repeat the same experience in IP territory in the absence of capacity building of local government units and awareness of the IPs themselves on what they can do to prevent conflict and environmental degradation.

The participants reached a consensus to request their local government for an appropriate response to the situation.

testimony or memory goes, the land has been held by individuals under a claim of private ownership, it will be presumed to have been held in the same way from before the Spanish conquest, and never to have been public land. xxx

A distinction must be made between ownership of land under native title and ownership by acquisitive prescription against the State. Ownership by virtue of native title presupposes that the land has been held by its possessor and his predecessors-in-interest in the concept of an owner since time immemorial. The land is not acquired from the State, that is, Spain or its successors-in-interest, the United States and the Philippine Government. There has been no transfer of title from the State as the land has been regarded as private in character as far back as memory goes. In contrast, ownership of land by acquisitive prescription against the State involves a conversion of the character of the property from alienable public land to private land, which presupposes a transfer of title from the State to a private person. Since native title assumes that the property covered by it is private land and is deemed never to have been part of the public domain, the Solicitor General's thesis that native title under *Cariño* applies only to lands of the public domain is erroneous. Consequently, the classification of lands of the public domain into agricultural, forest or timber, mineral lands, and national parks under the Constitution is irrelevant to the application of the *Cariño* doctrine because the Regalian doctrine which vests in the State ownership of lands of the public domain does not cover ancestral lands and ancestral domains.

b. It fails to recognize the connection of indigenous communities to their territories

It is said that the spiritual and material foundation of indigenous people's cultural identities are sustained by their unique relationships to their traditional territories (Chapter III, Sec. 5, RA 8371); cultural preservation and flourishing therefore lie at the root of claims of indigenous peoples to their traditional territories (*Wiessner, 201120*). This may be regarded as a romanticised or an outdated view on indigenous peoples, however, it remains valid, not only for the preservation of their culture, but also of our shared history as a people.

The requisite judicial affirmation in recognizing indigenous people's ancestral domains poses a danger that may undermine indigenous people's right to self-determination. Distinctly, indigenous people's right to self-determination is more than an expression of their political and economic rights. It embodies their right to live as a people, exercising their respective cultures and traditions. Still, crucial for the effective protection of indigenous people's cultures is the safeguarding of their lands. To emphasize, being 'indigenous' means to live within one's roots; indigenous peoples, in another definition, have been referred to as always been in the place where they are'. This is certainly true for many indigenous communities who were not displaced or were displaced, yet choose to return to their native homelands.

Time and again, indigenous people's right to live distinctly as a people/community has been denied by many governments, through an outright denial, or alternatively, by weakening their rights to their traditional territories. When indigenous peoples seek judicial acknowledgment of their land rights before our regular courts, they have the burden of proving their rights in

accordance with tests and standards that are usually set by the judiciary (McNeil, 2008). These tests and standards may vary from one court to another, depending on the evidence to be proved for their native title and other factors, but the burden of proof would always tend to be cumbersome for indigenous peoples. — One difficulty indigenous claimants face are compounded by the fact that their traditions are generally oral, and courts tend to place greater weight on written documents in determining historical issues arising beyond the limits of living memory (*McNeil, 200825*).

Legal instruments (such as the IPRA, UNDRIP) and case law (even in other countries with indigenous populations) have long recognized the native title to the traditional lands of indigenous peoples and compelled governments to determine, demarcate and title those lands, in accordance with indigenous people's customary laws and practices. How can it be guaranteed that the judicial affirmation process (in the BBL) would honor and endeavor to understand the customary laws and practices of indigenous peoples?

More importantly, can courts sustain the unique spiritual and cultural bonds of indigenous peoples to their territories? Note that our judicial system is more familiar or is governed by the civil law system, unlike in Australia; the common law system forms the basis of Australian jurisprudence. Thus, in one landmark case for Australian indigenous peoples, *Mabo vs. Queensland*, the Australian High Court aptly described the recognition of indigenous customary land tenure by the common law:

Native title has its origin in and is given its content by the traditional laws acknowledged by and the traditional

customs observed by the Indigenous inhabitants of a territory. The nature and incidents of native title must be ascertained as a matter of fact by reference to those laws and customs.

Can this view be sustained in the Philippine setting?

In referring to the judicial affirmation of imperfect title (in the BBL) to be made applicable in proving the rights of indigenous people to their lands, there is a wariness that the outcome may further erode indigenous land rights. It may also open doors for scrupulous people to take advantage of the lack of resources of indigenous communities to apply for judicial titling. As discussed above, the processes and systems in our courts are non-indigenous, so to speak; imposing these processes and systems, for certain, would not be advantageous for indigenous peoples.

In the end, this may lead to disenfranchisement of their rights to their traditional lands and resources, and the eventual extinction of their culture. It may not be amiss to state that this judicial confirmation of imperfect title, at present, may also be availed of by members of indigenous communities, as stated in Section 48(c) of the Public Land Act.28 Although the Public Land Act grants this, it appears that this mode of titling has seldom (or not at all) been availed of by our indigenous communities, since this mode of titling is applicable to individuals and does not recognize a collective application by indigenous communities. But even with such uncertainties being raised, the tensions are heightened by the fact that the IPRA has not yet been fully implemented in the present ARMM, as it already has been elsewhere in the country. With that, the same conveys doubts as to how the BBL's provisions for

indigenous peoples in the Bangsamoro would fare differently.

II. The right to self-governance and empowerment

The United Nations Declaration on the Rights of Indigenous Peoples recognizes the indigenous people's right to self-determination, noting that control by indigenous peoples over developments affecting them and their lands, territories and resources will enable them to maintain and strengthen their institutions, cultures and traditions, and to promote their development in accordance with their aspirations and needs'.

The IPRA similarly recognizes the inherent right of indigenous peoples to self-governance and self-determination and respects the integrity of their values, practices and institutions (Chapter IV, Sec. 13, RA No. 8371). Corollary, the State guarantees the right of ICCs/IPs to freely pursue their economic, social and cultural development. Although problems have been seen in some experiences of indigenous communities, where leaders or some elites within the community misuse their authority, positive possibilities where communities benefit because they have greater autonomy in decision-making also exist. This is true in some stories of indigenous communities whose lands remained intact and responsible management of resources are seen to this day, without interference from outsiders.

In the BBL, it is mentioned that the Bangsamoro Government recognizes the rights of the indigenous peoples, and that it shall adopt measures for the promotion and protection of their rights, their indigenous customs and traditions, justice systems and indigenous political structures. However, the BBL is silent on indigenous people's self-

governance and their right to pursue their own development pursuant to their aspirations and needs. These rights are as crucial as the rights of indigenous peoples to their traditional territories. Absent this right to self-governance, the right to ancestral domains would be rendered meaningless. For how could indigenous communities proceed to protect as well as develop their resources (both natural and human) without autonomy? Without self-determination, the hope of fully empowered indigenous communities remains impossible. If this cannot be guaranteed, then these communities would continue to lose their identity, their resources, and their histories.

III. Can indigenous communities in the ARMM invoke IPRA?

Undeniably, the Philippine Constitution affords legislative powers to autonomous regions. Autonomous governments are given much latitude that the central government cannot impose a uniform system, to allow them to set up their own policies on those specific subjects enumerated in the Constitution (in Section 20, Article X). However, such power given to autonomous governments is not meant to operate to the exclusion of national government's existing policies. In a way, the Constitution, by itself, creates certain limitations or safeguards to ensure national unity. Thus, while it directs that the organic act for autonomous regions should provide legislative powers for these regions, the Constitution make specifically clear that these powers are subject to the Constitution and national laws—

Article X, Section 20. Within its territorial jurisdiction and subject to the provisions of this Constitution and national laws, the organic act of autonomous regions shall provide for legislative powers over: x x x

x x x x

The deliberations of the framers of the Constitution on the above-provision is helpful –

MR. PADILLA. x x We are willing to grant local autonomy, but it seems that we are granting – by enumerating 13 items of additional legislative powers or authority – more powers or more autonomy than those recognized or granted to other provinces, cities and municipalities.

MR. NOLLEDO. Yes, but the Commissioner will notice that in the upper part, these will be subject to national policies and laws. I think that would be the saving clause. That is very important.

x x x x x

THE PRESIDENT. What is the next item?

FR. BERNAS. No. 3 reads: —Ancestral domain and natural resources.

MR. RODRIGO. Natural resources include minerals. Of course, it is understood that this is subject to the Regalian doctrine – that minerals within the autonomous regions belong to the State.

FR. BERNAS. It is subject to the provisions of the Constitution and national laws.

MR. RODRIGO. Yes, thank you.³¹

As in any law that needs to overcome the tests of constitutionality and validity, the legislative powers under the organic act of autonomous governments must not run counter to the Constitution and national laws.

In fact, the Constitution provided another safeguard, reiterating the President’s general supervision applicability over autonomous governments. As stated, the President possesses this administrative power to see that national laws and policies are faithfully executed.³²

To be specific, while it is clear that autonomous governments possess legislative powers on ancestral domains, it does not necessarily follow that RA No. 8371 which dealt already with ancestral domains for indigenous peoples should be disregarded. It is understood then that indigenous communities within these autonomous regions (CAR and the Bangsamoro Autonomous Region) should not be excluded from the protection granted by the Constitution relevant to Filipino indigenous communities and the operation of the IPRA. Along this line, the Constitution elucidates that the State has the duty to protect the rights of indigenous cultural communities to their ancestral lands to ensure their economic, social, and cultural wellbeing (Art. XII, Sec. 5, Constitution). The framers of the 1987 Constitution intended that this provision would apply primarily for indigenous peoples outside of the autonomous regions as well as those within the autonomous regions:

MR. VILLEGAS. —The State SUBJECT TO THE provisions OF THIS CONSTITUTION AND NATIONAL DEVELOPMENT POLICIES AND PROGRAMS, shall PROTECT the rights of indigenous CULTURAL communities to their ancestral lands TO ensure their economic, social AND CULTURAL well-being. CONGRESS MAY PROVIDE FOR THE APPLICABILITY OF customary laws governing property rights OR RELATIONS in determining the ownership and extent of the ancestral domain.

x x x x x

MR. PADILLA. Mr Presiding Officer, with regard to the second sentence which says, —customary laws governing property rights or relations and the idea is that the Congress may be required to codify, I notice that in the Article on Local Governments, particularly Section

18, referring to additional powers of autonomous regions itemized under nine subheadings, mention is made of ancestral home as indicated in item (3); personal family and property relations in item (4); preservation and development of cultural heritage in item (8) and to which I interposed my objections before. Should not the second sentence be more applicable under the Article on Local Governments, rather than under the Article on National Economy and Patrimony?

MR. BENNAGEN. Commissioner Padilla, the provision here in the Article on National Economy and Patrimony is intended primarily for those outside and within the autonomous regions.

MR. PADILLA. Section 18 of the Article on Local Governments refers specifically to autonomous regions with legislative powers.

MR. VILLEGAS. We are thinking that this specific provision will apply to indigenous cultural communities outside of the autonomous regions, as well as those within the autonomous region. And we were thinking actually of putting it immediately after the provision in the Article on National Economy and Patrimony which talks about the disposition of land. And so, we think this is very appropriate to be included in the Article on National Economy and Patrimony because it actually talks about how certain lands will be disposed of.

x x x x xMR. DAVIDE. May I add some thoughts on this?

The provision on the autonomous regions is very specific. The intention here is to make this applicable even to indigenous communities outside of the autonomous regions. And this is proper under the Article on National Economy and Patrimony for the reason that it



would involve the extent and ownership of ancestral domains. It involves land.³³

In addition to the Constitutional protection and recognition given to Filipino indigenous communities, the Constitution made a directive that Congress may provide for the applicability of customary laws governing property rights or relations in determining the ownership and extent of ancestral domains (Art. XII, Sec. 5, Constitution). This has been made, with Congress enacting Republic Act No. 8371 (IPRA).

The indigenous peoples in the Cordillera Autonomous Region, like several other indigenous communities in the Philippines have chosen/opted to invoke IPRA in the assertion of their rights as indigenous peoples. Admittedly, there are some indigenous communities that refuse IPRA; that there are faults in the implementation of the IPRA; that IPRA itself is not a perfect law; and that IPRA created more conflicts within indigenous communities, and many other reasons to fault this law. But then, IPRA, with its imperfections, remains a valid law which has contributed to the resolution of many conflicts within ancestral domains and which was instrumental in protecting and securing the rights of Filipino indigenous peoples to their native lands. Thus, it is in fact lamentable that, unlike in the

Cordillera Autonomous Regions, the IPRA in the present ARMM has not made any significant stride.

Conclusion:

The BBL should acknowledge the IPRA. It is not clear whether Moro communities identify themselves as indigenous peoples, as per definition given in the IPRA. What is clear, however, is that non-Moro indigenous communities within the ARMM identify themselves as indigenous communities and some, if not all, have chosen the IPRA to assert their rights as a people, with their own distinct territories and traditions, separate from these Moro communities.

The present provisions under the BBL pertaining to the rights of non-Moro indigenous communities should therefore acknowledge the IPRA, in the same way that it acknowledges the Universal Declaration on the Rights of Indigenous Peoples. While the Bangsamoro Government is not precluded from legislating anew on the rights of indigenous peoples, particularly on the subject of ancestral domains, it may rightly create a new law on ancestral domains for its Moro peoples.³⁴ However, for non-Moro indigenous communities, like their indigenous communities counterpart in the Cordillera Administrative Region, the IPRA remains a standing law which

cannot be transgressed or disregarded. Like the Cordillera Administrative Region, the Bangsamoro Government can leave to the National Government, through the National Commission on Indigenous Peoples (NCIP), the duty to implement the IPRA. The Bangsamoro Government can also learn from the inadequacies and failings of the IPRA by enacting an ‘additional’ or a ‘separate’ law for non-Moro indigenous peoples in the ARMM, however, that should just be in addition to the IPRA.

Most of all, the voice of non-Moro indigenous communities manifested in their position papers have been categorical that IPRA should remain effective, whether in present or future jurisdictions;³⁵ can this simple fact be considered vital to justify that IPRA should be acknowledged in any organic act to be created for autonomous governments.

[This is a portion of a legal opinion written by Atty. Melanie Pimentel upon the request of Lumad Mindanaw Peoples Federation (LMPF), through Fr. Albert E. Alejo, SJ. Atty. Pimentel has offered her service on a purely voluntary basis, out of her own interest in the life of the indigenous peoples. Her academic competence is reflected in her graduate research entitled “Examining the Links between Land Title and Optimisation of Use of Traditional Lands of the Aytas of Pastolan, Philippines: Rights Not Felt, Not Seen”. MA Thesis in Development Studies, Massey University, Palmerston North, New Zealand (2012)]

10th Project Sounding Board

MEMBERS of the IPDEV Project Sounding Board (PSB) together with IAG Founding Director Atty Benny Bacani welcome Benedikt Seemann, incoming Director and Country Representative of Konrad Adenauer Stiftung (KAS) Philippines along with Outgoing Director Dr Peter Koepfinger.

“We don’t have a word in German for ‘goodbye’, said Dr Koepfinger. “Only ‘till we see each other again.’” (Auf wiedersehen)



Salamat po!

THE month of January 2015 marks the last month of the IPDEV project! For 36 months, or from February 2012 until January 2015, the IPDEV project was implemented by Konrad-Adenauer-Stiftung (KAS), the Institute for Autonomy and Governance (IAG) and Development Consultants (DEVCON). The target area comprised 80 barangays in the two provinces of Maguindanao and Lanao del Sur in the Philippines. Final beneficiaries of the project were the Indigenous Peoples in ARMM who include the Teduray, Lambangian and Dulangan Manobo in Maguindanao province and the Higaonon in Wao, Lanao del Sur. The target groups were indigenous traditional and formal leaders, IP farmers and fisher folks, IP women





and youth as well as local government units.

Looking back over three project years, the KAS, IAG, DEVCON and especially the IPDEV staff would like to thank all of our supporters! Special thanks to the Delegation of the European Union in the Philippines for their support, to all stakeholders of the project, and especially to the IPs in ARMM. And let's take a moment to commemorate Raffy Nabre, one of the great minds behind IPDEV, whom we miss every day.

Throughout the three project years,

IPDEV had built a broad and solid stakeholder's network and became an arena for dialogue and exchange.

The project started with the collection of basic cultural data and the generation of information serving as baseline references and cultural information to enhance the promotion of non-discrimination and inclusion of IPs and other sustainable and rights-based activities in the four ethnic groups in ARMM. Result-oriented community-based learning sessions on research and documentation were conducted.

With the publication of its demographic survey data in "The Indigenous Peoples of Mainland ARMM" the project set a true milestone. A total of **31.400** households were surveyed in the targeted barangays. Key Informants Interviews, Focus Group Discussions and community mapping to determine existing community institutions and their level of organizational strength were completed. For the first time ever, this publication gives actual numbers about the IP publication in ARMM. The data has been turned

over to responsible national, regional and local government agencies as basis for future use and work in the respective areas.

Download the survey here: <http://www.kas.de/philippinen/en/publications/37850/>

IPDEV identified Peoples Organizations of the vulnerable groups and made them partners in the development process. As of January 2015, out of the 80 barangays covered by IPDEV, 77 are represented in IPOs. A total of 47 Indigenous peoples organizations (IPO) have been officially registered for increased empowerment, sustainable development and participation, 42 of these facilitated by IPDEV.

The project has completed data collection and information gathering for the three Ancestral Domain Sustainable Development and Protection Plans (ADSDPP) for the Teduray, Lambangian and Dulangan Manobo tribes. These have been validated, adopted and printed in English and Tagalog. The ADSDPPs have then been turned over to the communities, LGUs and other stakeholders.

For the Higaonon in the 4 barangays covered by IPDEV in Wao, Lanao del Sur the project has completed the data collection and information gathering for four Barangay Development Plans (BDP) – one for each of the four barangays. The BDPs have been printed and turned over to the Higaonon communities.

As of January 2015, a total of 54



Indigenous Peoples Mandatory Representatives are now in place at barangay, municipal, provincial and regional level for better political participation of IPs.

IPDEV has held various Exchange and Networking meetings, such as an IP Women's Summit on the occasion of the International Women's Month Celebration which was attended by more than 350 IP women from the Teduray, Lambangian, Dulangan-Manobo and Higaonon tribes and also other IP tribes from Wao. On the occasion of IPRA Thanksgiving Day IPDEV held the first ever IP Cultural Festival in Cotabato City from 27-30 October 2014. It was the first of its kind as the IPs in ARMM never celebrated

a cultural festival among themselves before. The event gave the IPs and the municipalities an opportunity to work together as a group and showcase their respective area/ tribe in the event by presenting a tribal house with tribal products, food, traditional songs, dances, games, plays. A total of 286 participants attended the event (162 male, 124 female) and all 12 municipalities that are part of the IPDEV project participated in the event.

In numerous trainings of different kinds and on various topics IPDEV has expanded and enhanced capacity and skills among the IPs in ARMM. To name just a few:

Total of 2,840 individuals (1494 male,

1346 female) and 2706 of them IPs were trained on "leadership", "rights based approach to development", "organizational management", "conflict management" and "participatory rapid appraisal".

There were 1,300 individuals trained as Para-technicians (816 male, 484 female), and 1261 of them were IPs.

There were 168 individuals from the four communities were trained and qualified as para-legals.

Another 223 IPs (153 male, 70 female) have been trained on Sustainable Agriculture, Upland Farming and Coastal Resource Management.

Some 139 IP farmers and 2 Tribal Leaders (117 men, 24 women) were selected among the many community volunteers and para-technicians and have been trained on Natural Resources Utilization and Management Plans.

In multiple visits 146 para-technicians) were trained on sustainable agriculture technology providing them with theoretical and practical knowledge and skills on how to transform land into fruitful, diversified farms. Other Trainings on Sustainable Agriculture, Upland Farming, and Coastal Resource Management trained a total of 223 people.

Individual Farm Lot Plannings were done with 1316 participants (831 male, 485 female), 1279 of them being IPs.

Moreover, the project has held Trainings on Advocacy and Campaign Management reaching

189 participants. On top of that, the project's socio-legal advocacy and campaign events, such as the March 2013 IP Women Summit or the December 2013 IP Summit, saw 640 participants.

IPDEV's Regional Roundtable Discussions on IP Advocacy informed about and discussed IP issues with almost 100 people on different occasions and our National Roundtables on IP Advocacy have reached engaged about the same amount of decision makers at national level. These regular regional and national roundtable discussions on IP rights and discrimination, raised awareness among ARMM and National Agencies and decision makers about the need to systematically improve the legal and socio-economic situation of the

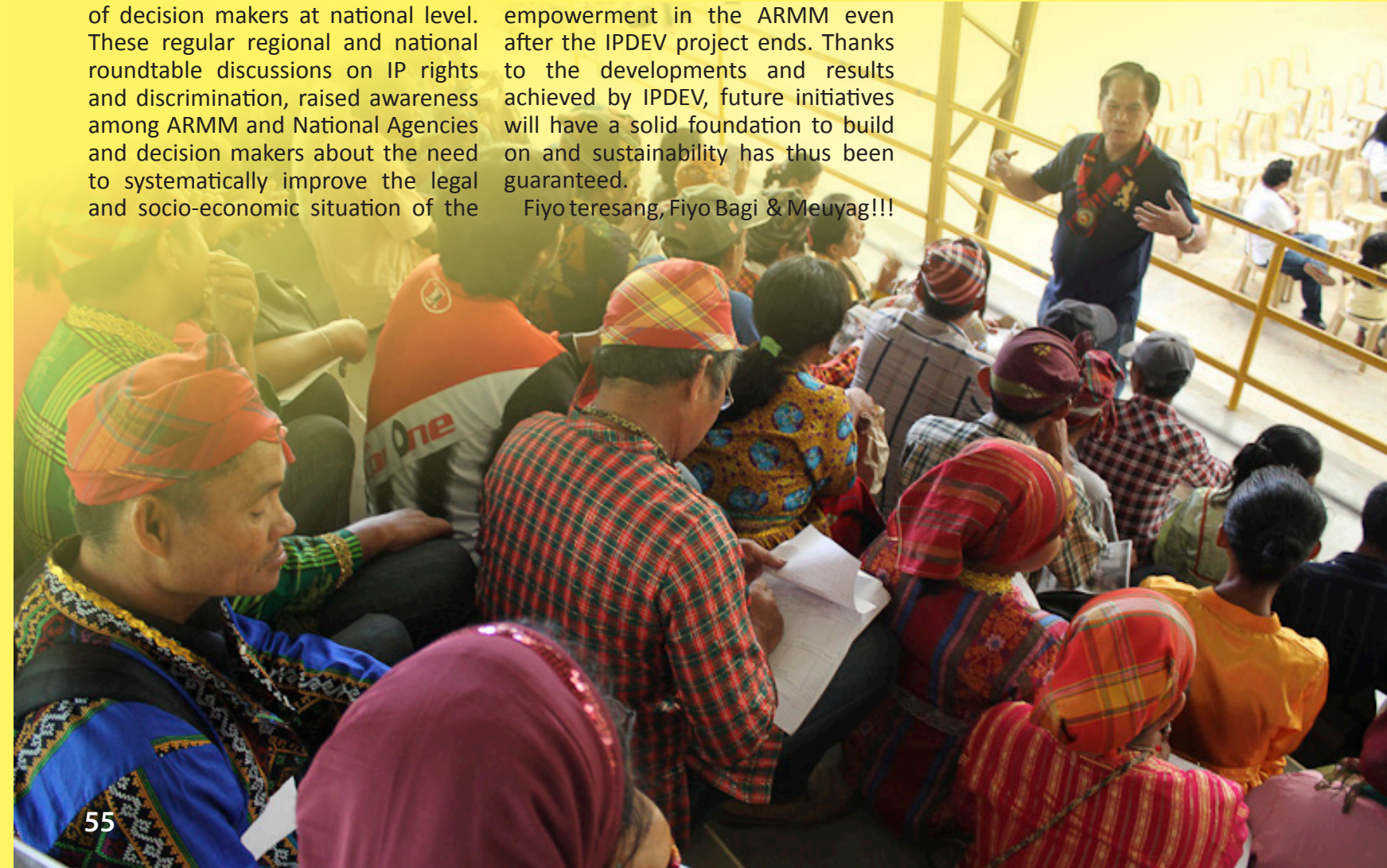
IP in the ARMM.

With these and many other activities, the IPs in the ARMM have been equipped with fundamental and rights-based knowledge and skills towards the promotion of indigenous knowledge, systems and practices and have been trained to eventually increase their active participation in local governance and to effectively advocate and protect their rights.

All three project partners will continue to work towards IP empowerment in the ARMM even after the IPDEV project ends. Thanks to the developments and results achieved by IPDEV, future initiatives will have a solid foundation to build on and sustainability has thus been guaranteed.

Fiyo teresang, Fiyo Bagi & Meuyag!!!

Throughout the three project years, IPDEV had built a broad and solid stakeholder's network and became an arena for dialogue and exchange.



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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.