

Philippines

The National Commission on Indigenous Peoples (NCIP) estimates the population of indigenous peoples in the Philippines at between 12 and 15 million distributed into approximately 110 different ethno-linguistic groups or ‘cultural communities’ (Pedragosa, 2012). However, there is no detailed breakdown of disaggregation of data from the Government as of 2015 (Molintas, 2004).

Indigenous peoples are defined by the Indigenous Peoples’ Rights Act (IPRA) of 1997 as “a group of people or homogeneous societies identified by self-ascription and ascription by others, who have continually lived as organized communities on community-bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, become historically differentiated from the majority of Filipinos. ICCs/IPs (Indigenous Cultural Communities/indigenous peoples) shall likewise include peoples who are regarded as indigenous on account of their descent from populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural and political institutions,

Condensed from *The Indigenous Peoples in the Philippines: A Background* by Dave de Vera and Shirley Libre of Philippine Association for Intercultural Development (PAFID). For more details of the case, contact: devera.dave@gmail.com or balayluwad@yahoo.com.



Manobo children getting ready for a harvest ritual.

Photo by Dave de Vera

but who may have been displaced from their traditional domains or who may have resettled outside the ancestral domains (IPRA, Chapter II, Section 3h).”

A vast majority of the estimated country’s indigenous peoples reside in the uplands with the remaining biodiverse ecosystems that they claim as part of their ancestral domain (AD).

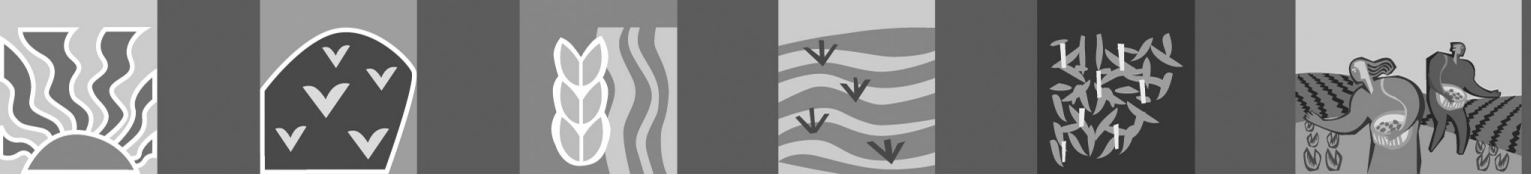
Out of the 128 identified key biodiversity areas, 96 or 75% are within the traditional territories of IPs. Most indigenous communities, however, do not have legal recognition over their traditional

lands, thus limiting their ability to freely conduct their livelihood activities and traditional resource management.

Challenges the sector faces

The destruction of the environment continues at an alarming rate and the loss of its forest cover has increased exponentially in the last two decades.

The country also has to cope with an influx of mining operations and other extractive development activities in its uplands. Further, the demand for land and natural resources continues



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to rise with the unabated migration of lowland families into the mountains. Thus, there exists a very volatile mix of stakeholders who are in strong competition for the limited resources of the uplands.

Indigenous peoples are especially vulnerable as most of the remaining natural resources in the country along with the ecosystem services that are crucial in ensuring human survival, such as watersheds, are found within the traditional lands of the indigenous communities.

The indigenous people represent a substantial sector of the country’s population (14%). However, in spite of their substantial numbers, they are among the poorest and the most disadvantaged social groups in the country. Illiteracy, unemployment and incidence of poverty are much higher among them than the rest of the population.

Indigenous peoples’ settlements are remote, without access to basic services, and are characterized by a high incidence of morbidity, mortality and malnutrition. There are 110 major

indigenous groups in the Philippines. Most of the indigenous peoples depend on traditional swidden agriculture utilizing available upland areas. However, most of these traditional cultivation sites and fallow areas have now been degraded and are further threatened by the influx of migrant farmers who have introduced unsustainable lowland commercial farming practices.

The IPs remain as one of the most under-represented sectors in the governance of the Philippines. Without the necessary wherewithal, the sector has not been able to actively participate in the political exercises and as such merely settle for token representation in the legislature and other elective posts in Government. Available opportunities for participation in policy making are limited by the sector’s capacity to engage the bureaucracy and the ruling political elite.

International Policies

The Philippines holds the distinction of being the first country in Southeast Asia to enact a law recognizing the traditional rights of indigenous peoples over ancestral domains with the passage of IPRA in 1997. This should have established the framework for its international policy direction in dealing with issues pertaining to indigenous peoples rights.

Under the stewardship of Ms. Vicky Corpus (current UN Rapporteur for IPs), the Draft Declaration on the Rights of Indigenous Peoples (UNDRIP) was introduced before the historic first session of the UN Human Rights Committee in June 2006. While there was initial hesitation from the representatives of the Philippine Government in the United Nations (UN), the UNDRIP was subsequently ratified by the Philippines.



The Philippines is a signatory to the Convention on Biodiversity (CBD), which lays the internationally accepted standards on the protection of the rights and welfare of indigenous peoples in the conservation of natural resources within their territories.

The CBD also provides a framework for the recognition of Traditional Knowledge Systems as an acceptable and viable option for the management of natural resources and the environment.

However, in spite of the tremendous advances made by the indigenous communities along with their support groups and advocates, the Philippine Legislature has yet to ratify the International Labor Organization Convention 169. The convention (ILO 169) is a legal, international treaty that provides the basic standards to protect indigenous workers within the framework of respect for indigenous and tribal peoples' cultures, their distinct ways of life, and their traditions and customs.

Given the limitations of the Government bureaucracy and the effectivity of international law, the Philippines has been actively complying with its commitments and obligations with the treaties, agreements and declarations that it has signed and adopted.

Ancestral Domains in the Philippines

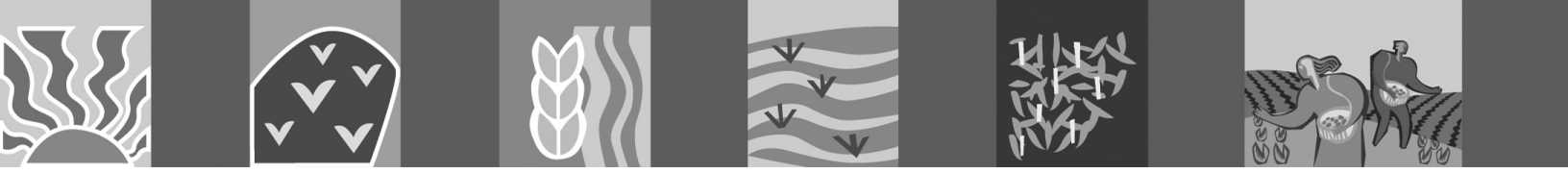
Ancestral domains are defined in the Indigenous Peoples Rights Act as:

“all areas generally belonging to ICCs/IPs comprising lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownership, occupied or possessed by ICCs/IPs, themselves or through their

ancestors, communally or individually since time immemorial, continuously to the present except when interrupted by war, force majeure or displacement by force, deceit, stealth or as a consequence of government projects or any other voluntary dealings entered into by government and private individuals, corporations, and which are necessary to ensure their economic, social and cultural welfare. It shall include ancestral land, forests, pasture, residential, agricultural, and other lands individually owned whether alienable and disposable or otherwise, hunting grounds, burial grounds, worship areas, bodies of water, mineral and other natural resources, and lands which may no longer be exclusively occupied by ICCs/IPs but which they traditionally had access to for their subsistence and traditional activities, particularly the home ranges of ICCs/IPs who are still nomadic and/or shifting cultivators” (IPRA, Chapter 2, Sec. 3a)

With the Philippines consisting of at least 7,100 islands, ancestral domains come in various forms and configurations. These can be found in the upland ecosystems all the way to the coastal zones of the Archipelago. Under the IPRA, the disposition of ancestral domains can either be communal ownership or through clan or family ownership. As such, a Certificate of Ancestral Domain Title (CADT) is issued to a community while a Certificate of Ancestral Land Title (CALT) is awarded to clan or family claimants.

As of 2015, the NCIP has issued 158 CADTs and 258 CALTs covering 4,323,728.722 hectares (ha) or 14% of the nation's total land area. These are distributed all over the country with the islands



Manobo IPs posing with their 3D model of ancestral domains.
Photo by Dave de Vera

of Luzon and Mindanao hosting the majority of titles with 77 and 76 CADTs respectively, while the island groups host five ancestral domain titles.

Ancestral Domain and the Environment

A very significant statistic that shows the critical role that the indigenous peoples play in the area of climate change and in the conservation of ecological integrity is the geographical distribution of Environmentally Critical Areas such as Key Biodiversity Areas (KBAs), Protected Areas and Important Bird Areas in the Philippines.

Key Biodiversity Areas are defined by the International Union of Conservation Networks (IUCN) as areas that represent the most important sites for biodiversity conservation worldwide

(IUCN, 2011). Key biodiversity areas are places of international importance for the conservation of biodiversity through protected areas and other governance mechanisms (Ibid).

Protected Areas (PAs), on the other hand, are areas of high environmental significance that have been reserved through executive edict or legislation, while Important Bird Areas (IBAs) are defined as areas recognized as being globally important habitat for the conservation of bird populations. Currently there are about 10,000 IBAs worldwide and form part of a country’s existing protected area network, and are therefore protected under national legislation.

The ancestral domains of indigenous communities in the Philippines cover nearly 25% of the



country's total land area (see Map 1). There are 128 terrestrial sites designated as KBAs covering at least 7,610,943 ha in the country. Seventy-one of these KBAs or 55% of all KBAs overlap with ancestral domain titles. Further, almost 90% of all the remaining forest cover in the country can also be found in ancestral domain areas (see Map 2).

Clearly, with the aforementioned data, a case could be made that the indigenous communities in the Philippines, through their traditional resource management systems, are the actual stewards who provide de-facto governance to the most important and environmentally significant areas in the country. The evidence is clear that the role they play in order to ensure the survival of the country has to be respected and recognized.

National Laws, Policies, Programs, Structures, and Mechanisms

Conservation and Protection Policies

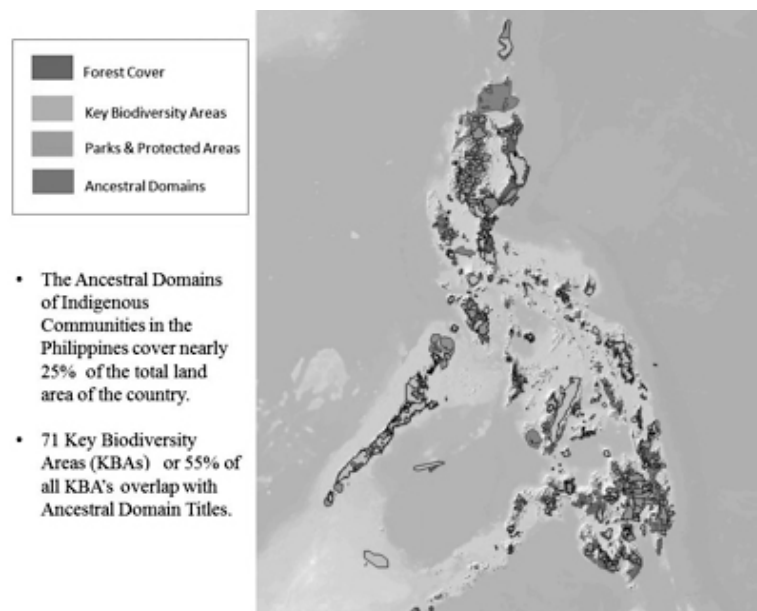
Efforts at conservation or management of natural resources (or a semblance of it) in the country officially began in June 1863 when the Spanish Regime created the *Inspeccion General de Montes*. The Americans renamed *Inspeccion* into 'Forestry Bureau' in 1900. It was reconstituted into the Bureau of Forestry in 1953 and later organized into the Bureau of Forest Development (BFD) in 1975.

With the establishment of the BFD came the much reviled Forestry Code of 1975 which defined that "all lands of at least 18% slope and above are permanently part of the Forest Zone" and as such criminalized the

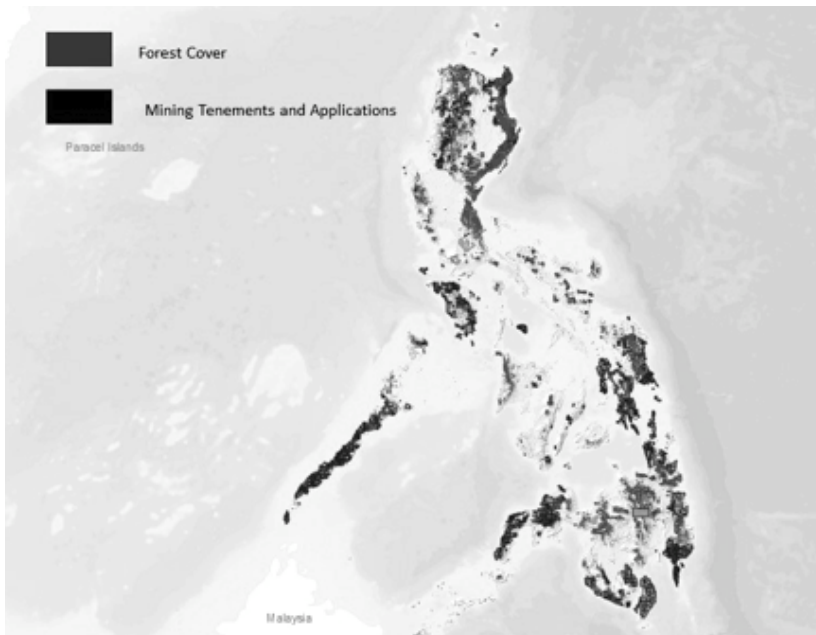
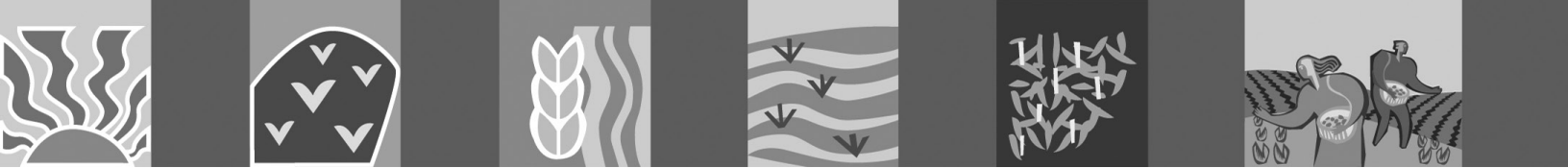
"habitation and occupation of the Forest Zone without the express approval of the Government" (Revised Forestry Code, 1975). The Forestry Code of 1975 effectively rendered the existence of indigenous communities in the forest zone as illegal and provided a penal provision for the "arrest, prosecution and punishment" of violators of the Forestry Code. Under this regime, forest resources were placed under the full control of the state with all processing, distribution and utilization of the forest and its resources becoming the exclusive domain of the Government. Sadly, the Government mindset, which created such a policy environment, prevails in spite of the many advances of the IP sector through the years.

In 1987, the BFD and the Wood Industry Development Authority (WIDA) merged to become the Forest Management Bureau (FMB) and the Protected Areas and Wildlife Bureau was created.

In June 1992, the National Integrated Protected Areas System (NIPAS) was established in the Philippines. In 1995, the Community-Based



Map 1. Areas covered by forest, key biodiversity areas, parks & protected areas, and ancestral domains in the Philippines.



Map 2. Forest cover and mining tenements in the Philippines.
Map by PAFID

Forest Management (CBFM) was adopted as the national strategy for the sustainable development of the country's forestland resources.

It is noteworthy to underscore that under the 1987 Philippine Constitution, the NIPAS Act of 1992 is the very first law of the republic that expressly defines indigenous cultural community "as a group of people sharing common bonds of language, customs, traditions and other distinctive cultural traits, and who have, since time immemorial, occupied, possessed and utilized a territory" (NIPAS Act, Section 4d). The same law provides that "ancestral lands and customary rights and interest arising shall be accorded due recognition" and government shall "have no power to neither evict indigenous communities from their present occupancy nor resettle them to another area without their consent" (NIPAS Act, Section 13).

Notwithstanding the acknowledgement of the rights of IPs in the NIPAS law, there has been

resistance and criticism from the sector regarding the scope and coverage of the law. Most National Parks and Protected Areas are situated within traditional lands and territories. Many communities decry the establishment of new governance structures such as the Protected Area Management Board (PAMB) and the formulation of Protected Area Management Plans as an expression of disrespect and infringement on their rights as the 'owners' of the land.

Extraction, Utilization and Development Policies

The Mining Act of 1985 (RA 7924)

The economy of the Philippines is the 46th largest in the world, with an estimated 2010 gross domestic product (nominal) of \$189 billion. A newly industrialized country, the Philippine economy has been transitioning from one based on agriculture to one based more on services and manufacturing. Hence, the enactment of laws that shall support, enhance, encourage and provide incentives to industries that shall generate the necessary revenues needed by the government to jumpstart its economy.

In a further bid to secure the status of a newly emergent economy, the identification of additional sources of revenue was expanded. Mining was deemed to be the most effective way of generating the needed revenues of the Philippines. In response, the Philippine Government along with the mining industry worked for the passage of a new Mining Law, which would invigorate the underperforming industry in the Philippines. Republic Act 7924 was passed into law in 1985



and it was heralded by the mining industry as the renaissance of the industry in the country. The new Mining Law provided a host of incentives to attract investors to establish their operations in mineralized areas in the country. These included fiscal incentives such as tax holidays, liberal profit sharing arrangements including allowing 100% foreign equity. Further, auxiliary rights consisting of (1) Timber Rights, and 2) Right of Way and Easement were afforded to investors.

Throughout the terms of three Presidents: Fidel Ramos, Joseph Estrada and Gloria Macapagal-Arroyo, the promotion of the mining industry was a major priority. In fact, the government adopted even the official line that “Mining shall be the main driver of development for the new millennium.”

The Mining Act of 1985 has had the biggest impact on the land rights of indigenous peoples. Majority of mining applications and operations are found within ancestral domains and in environmentally critical areas. Serious conflicts have arisen due to the establishment of a parallel and more powerful governance structure by the mining corporations, which often marginalized the traditional authority of the indigenous community. Further, the environmental destruction and introduction of alien value-systems into the ancestral domain of the peoples often resulted in violence and conflicts.

Emergence and Establishment of ECOZONES

Special Economic Zones or ECOZONES are selected areas in the country that are transformed into highly developed agro-industrial, tourist/recreational, commercial, banking, investment, and financial centers, and where highly trained workers and efficient services will be made available to commercial enterprises.

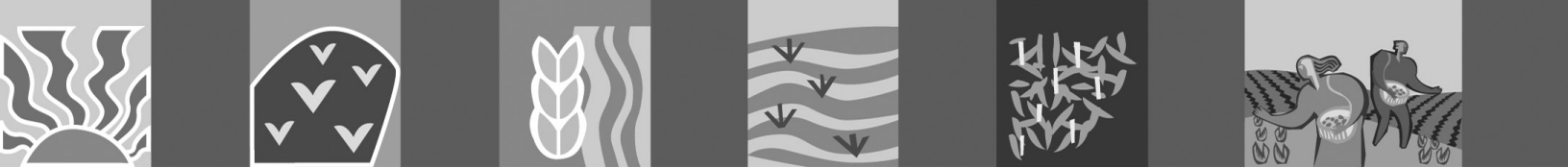
This began with the enactment of the Bases Conversion Act of 1992 or Republic Act No. 7227 which mandated the conversion of US Bases in the Philippines into other productive uses to promote economic development in Central Luzon and created the Subic Special Economic Zone, Subic Base Metropolitan Authority (SBMA) and the Clark Special Economic Zone. This law paved the way for the growth of more ECOZONES through the enactment of the Special Economic Zone Act of 1995 or Republic Act No. 7916.

The first ECOZONES in the country were established in ancestral domains. As in the case of the Mining Act, new and more powerful governance structures and planning modalities were put in place, which supplanted the existing traditional leadership structures and resource management arrangements of the affected indigenous communities. Moreover, these new ECOZONES did not recognize the rights and ownership of the IPs over their ancestral domains.

The Indigenous Peoples Rights Act (IPRA)

In 1997, the landmark legislation known as the Indigenous Peoples Rights Act (IPRA) was enacted to recognize, protect and promote the rights of indigenous peoples. It is well-documented and there is evidence that centuries before the creation of the Philippine State, the various indigenous communities in the archipelago had been managing these resources since time immemorial through their traditional knowledge, systems and practices. This provided a venue and legal backbone for the recognition of the traditional rights of communities over their ancestral domain.

The IPRA is seen as the most radical policy reform with regard to tenurial security of indigenous peoples in the region. The IPRA goes beyond



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the contract-based resource management agreements between the state and the community as it recognizes the “ownership” of the indigenous community over their traditional territories which include land, bodies of water and all other natural resources therein. Furthermore, the IPRA provides tenurial security to the community with issuance of an ownership title to the concerned indigenous clan or community.

The IPRA included “self delineation” as the guiding principle in the identification of ancestral domain claims. However, due to the lack of resources and skills in the National Commission on Indigenous Peoples (NCIP), the government has not been able to provide the necessary services to the IP sector to realize this mandate and issue the necessary titles.

In its first three years of existence, the NCIP was not able to issue a single CADT, rather it certified community consent for dozens of mining applications, an act which it had no legal power to effect under the IPRA. Initial findings of the Office of the President’s Performance Audit of the NCIP reveal that the agency is ill-equipped, the staff poorly trained and lacking field experience or appropriate cultural sensitivity to handle land

conflicts and issues of resource access affecting indigenous communities.

With an average budget of P500 million for its national operations and a staffing pattern beleaguered by a lack of capacity and skills, the NCIP faces severe constraints in serving the aspirations of the indigenous peoples’ sector. Thus it is actively seeking the help of the private sector, in particular members of civil society who have had extensive experience in the field of ancestral domain claims and community mapping.

Eighteen years hence, so much still remains to be done. To date, very limited development activities in support of the Ancestral Domain Management Plans have been implemented in the IP areas. Problems in the implementation of the IPRA continue to fester and severely limit the capacity of indigenous communities to truly benefit from the mandate of the IPRA.

The inability of the government to fully implement the IPRA in order to address the problems and concerns of the indigenous communities is rooted in conflicting policies, capacity gaps and a questionable commitment to empower indigenous communities.

Ranged against all odds, as of 2015 the following have been awarded; 158 Certificate of Ancestral Domain Titles (CADTs), 258 Certificate of Ancestral Land Titles (CALTs) with a total coverage of 4,323,782.722 ha or 14% of the total land area of the Philippines. There are still 557 applications that are pending or in process with a total area of 2,670,101.20 ha.

Assessment of Key Actors

The most important contributions of the IPRA is the institutionalization of the principle of self-



determination, the recognition of the ‘ownership’ of IPs to their lands and domains and obligation to secure a Free Prior Informed Consent (FPIC) from IP communities for any development activity that may affect them. Henceforth, all laws, policies, and programs have to acknowledge, respect and comply with the above-mentioned principles.

However, there have been loopholes that have been exploited by various interest groups to go around the FPIC requirements. Furthermore, there has been a difficulty in enforcing and implementing many of the progressive provisions of the IPRA mainly due to the unfamiliarity of many state actors along with CSO workers who are expected to advocate for the law and provide support to IP communities.

Admittedly, there is a dearth of development workers who have the capacity to support IP communities and address their land issues. For years, CSO advocacy has mainly focused on agrarian reform issues and paid little attention to IP advocacy, which was left to a small community of CSOs who specialized in indigenous peoples’ rights. There is a need to build support among a broader community of CSOs and build their capacity to enable them to provide services to the IP sector.

At the same time, the front-line implementors of government have not been able to facilitate the implementation of the IPRA and execute what is expected of them by the IP communities due to their unfamiliarity with the law.

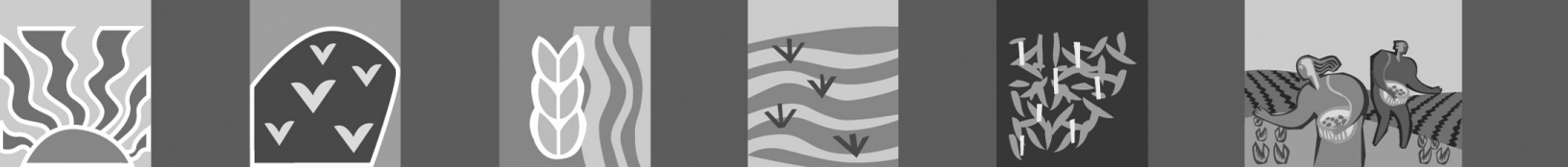
Many applications for ancestral domain titles face opposition from government agencies and local government units (LGUs) who deem the awarding of titles as a threat to their authority and jurisdiction. In other instances, the nature of the opposition is based on the mistaken belief

that IP communities do not have the capacity to manage large tracts of lands; hence, applications for titles should be opposed as these may pose a threat to the conservation of critical natural resources. However, to its credit, the Department of Interior and Local Government (DILG) has recently issued a Memorandum-Circular to all the attached agencies under its jurisdiction, which provides information and enjoins all to comply with the lawful mandate of the IPRA.

The business sector, on the other hand, raises the loss of potential revenue as its basis for opposing the implementation of the progressive provisions of the IPRA. The mining industry has constantly raised the specter of the loss of revenue in areas that the IP communities consider as sacred and ritual areas and are thus declared as off limits to any form of disturbance. The need for a dialogue between the IP sector and the business sector is imperative. The antagonistic position against the rights of IPs is rooted in the lack of understanding and appreciation by the business sector of not only the IPRA but the very nature of the aspirations of the IP sector.

The effectivity of IP leaders to advocate for the full implementation of the IPRA also needs to be enhanced. Nearly two decades since the enactment of the IPRA, many communities are still unaware of the bundle of rights that they are supposed to have and enjoy.

Clearly, there is a need for a concerted effort among many actors to fully realize the mandate of the IPRA. But in order to push for the effective and full implementation of probably the most progressive and ‘pro-people law’ in the Philippines, many limitations and capacity gaps that remain among the concerned agencies and institutions need to be properly addressed.



State of Organizing and role of CSOs in the IP Sector

The enactment of the IPRA has ignited a substantial growth in the number of NGOs and other social development organizations working with IP communities. Prior to the passage of the law there was a dearth of capable groups specializing on IP issues. While the increased number of NGOs working on IP issues bodes well for the future, this has also raised the incidence of conflicts with communities. There have been numerous instances where well-meaning NGOs, with little or no exposure to the cultures and ways of IP communities but very eager to implement projects, have generated local conflicts among community members.

Indigenous communities have clearly benefited from the assistance and support provided by NGOs and other advocates. Currently there are hundreds of indigenous peoples organizations (IPOs) in the country actively engaged in various activities and are in partnership with the civil, development agencies including Government.

Currently there are several active national coalitions of IP communities, the *Katutubong Samahan ng Pilipinas* (KASAPI), the *Kalipunan ng Mamayang Pilipino* (KAMP) and the National Coalition of Indigenous Peoples in the Philippines (NCIPP). Under these national aggrupations are several layers of regional, provincial as well as local IPOs all over the Philippines.

There still divisions within the indigenous peoples movement in the Philippines. This is expected due to the volatility of the issues that are being tackled by the sector and the intensity of the personalities involved as well. However, it must be said that there are instances where the civil society and government must share the blame in

the furtherance of the divisions among the ranks of the IP sector.

The picture, though, is promising. While there are very strong challenges against the IPs in the Philippines, there are very clear signals that show growth and progress in the sector. While the IPOs still need to build their capacity, most civil society groups working with the sector now have IP community members among their ranks. In fact in some groups, the majority of the staff and officers of the organization come from the ranks of indigenous communities. Thus, this explains why the IP agenda clearly resonates in most IP support groups' activities and policy directions.

Opportunities and strategies to advance Indigenous Peoples' Customary Rights

The issue of climate change is at the top of the list and acknowledged as the priority agenda of the Philippine Government. In order to ensure the country's adaptability to the effects of climate change, the Philippines is a signatory to many International Covenants and Agreements that provide the international framework to address the impacts of climate change. Most noteworthy of these is the CBD which has set several targets to achieve biodiversity conservation.

Target 11, one of the most important in the CBD, aims to achieve by 2020, that "*at least 17% of terrestrial and inland water, and 10% of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, are conserved through effectively and equitably managed, ecologically representative and well-connected systems of protected areas and other effective area-based conservation measures, and integrated into the wider landscapes and seascapes*" (Convention on Biodiversity, Aichi Target 11).



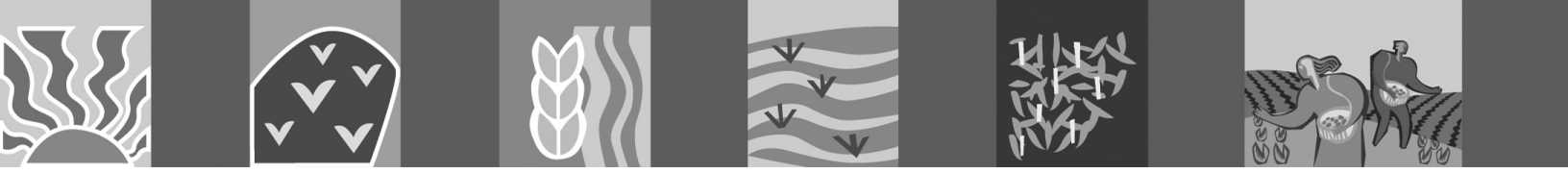
Mulbog IPs in Balabac doing land use domain coding identifying the sacred zones of their ancestral domain.
Photo by Dave de Vera

Target 11 can only be achieved if the Government, as well as other sectors in Philippine society, set in place the proper policies and process for the recognition of the critical role that the indigenous communities play in the protection and conservation of Key Biodiversity Areas (KBAs) in the Philippines. The data presented earlier clearly illustrates the importance of the traditional governance and resource management systems of indigenous communities with regard to the conservation of the environment in the country.

This international commitment to the CBD can provide an opportunity for indigenous communities to work alongside government and lobby for the full implementation of the IPRA.

Under the IPRA, indigenous communities can secure titles and define their own indigenous community conservation areas (ICCAs) and enforce their traditional resource management systems in these areas. Hence, KBAs in the country would be provided with an effective area-based conservation governance measure.

As custodians and owners of the last remaining natural resources in the Philippines, indigenous communities can look at the viability of engaging other sectors and resource-users in demanding and negotiating for payment for ecosystem services (PES). PES are incentives offered to farmers or landowners in exchange for managing their land to provide some sort of



ecological service. They have been defined as a transparent system for the additional provision of environmental services through conditional payments to voluntary providers (Tacconi, 2012).

With most of the water sheds and other viable hydrological sources of the country under the governance of the indigenous communities, systems to recognize and pay for the eco-

system services provided by the IPs in managing and maintaining the resources should be institutionalized. This shall not only give long-overdue justice to the IPs but enable them to secure a stable source of revenues that shall address their socio-economic needs as well as defray the costs of protecting the natural resource and sustain it for future generations. ■

Case Study

THE ANCESTRAL DOMAIN OF THE TAGBANUA OF CORON ISLAND AND THE LOCAL TOURISM

The Calamian Tagbanua inhabit the beautiful limestone island of Coron, one of the Calamianes islands of North Palawan. They consider themselves the caretakers of their *Teeb Ang Suriblayen* (ancestral domain), tasked to maintain the richness and diversity of Earth life for the welfare of present and future generations. This holistic self-concept of ecological stewardship is at the heart of the Tagbanua's traditional resource management and their determination to fight for self-management and tenurial rights over their ancestral domain.

By the mid-1980s the marine resources surrounding the island were being degraded at an alarming rate by dynamite, cyanide, and other illegal and destructive fishing methods. The situation was so serious that the Tagbanua began facing food shortages. Worse, the sacred clan caves where they harvest with care the edible bird's nest were leased out to non-Tagbanua entrepreneurs by the municipal government. Powerful politicians and businessmen are planning to take over the island for tourism development. In response to these ecological assaults, they sought ways to secure their land and resource rights with the timeline presented below.

Major Gains from the Awarding of the CADT

With the issuance of the Certificate of Ancestral Domain Certificate (CADC) in 1998 and the consequent awarding of a Certificate of Ancestral Domain Title



(CADT) in 2002, the Tagbanua have since been able to achieve major gains:

- They were able to convince the government to recognize the local traditional leadership as an "Interim Protected Area Management Board". The local government also respected and recognized their Ancestral Domain Management Plan, which provides guidelines for the utilization and management of the land and seas and the conservation of the natural resources within the island.



- Most of Coron's forests are still intact. There has been a noticeable decrease in illegal fishing within the reefs inside their marine territories but the limited capacity of the community to physically enforce their regulations have enabled some unscrupulous individuals to take advantage of the situation.
- More importantly, the local tourism industry operators are now required to secure annual permits from the Tagbanua community before they could bring tourists to the island.
- The ecological tourism in the island is now under the full management of the Tagbanua. They opened two lakes, Kayangan and Barracuda Lakes, to visitors and enforced a new set of regulations to maintain the cleanliness and sacredness of the lakes and to minimize the disturbance to the diverse plants and animals living in the lakes and the surrounding forest. They have also developed a system of distributing social benefits to the community from the income of their local tourism.

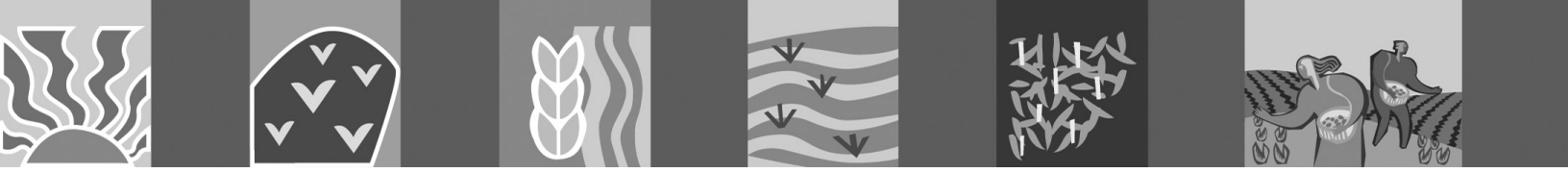
The success of the Tagbanua in securing tenure over their traditional territories has inspired 11 other Tagbanua communities to file claims over their territories. Furthermore, the CADT has provided the Tagbanua of Coron the wherewithal to be respected and be at par with other stakeholders in the area. This new arrangement will go a long way in enabling the Tagbanua to pursue their identified development and conservation priorities.

New Challenges to and Reflections on Indigenous Governance of Ancestral Domains

The management, however, of the Tagbanua Eco-tourism Enterprise from which they earn millions of pesos every year is confronting them with new challenges and deep reflections on the very fiber of their culture, the state of indigenous governance, and the impact of the enterprise on their social and natural environment.

- The enterprise demands a new set of entrepreneurial skills which they have to balance with acquiring skills through training, strengthening of cultural values and traditional management of the elders.
- As the tourism industry grows especially in Mainland Busuanga and Coron, more garbage will be produced and cause pollution in the pristine marine waters and lakes of Coron Island.
- There are community members who are questioning the state of finances and income of

YEAR	Gov't Policy/Program and Tenure Instrument	Actions Taken by the Tagbanua
1982	The Integrated Social Forestry Program of the DENR offered stewardship lease agreements to community organizations through the Certificate of Forestry Stewardship Agreement (CFSA).	<ul style="list-style-type: none"> □ The Tagbanua of Coron Island started organizing and formed the Tagbanua Foundation of Coron Island (TFCI). □ TFCI applied for a CFSA covering 7,748 ha of their ancestral lands to the DENR in 1985.
1990		<ul style="list-style-type: none"> □ The CFSA was approved, covering the whole island of Coron and a small neighboring island, Delian. □ Clan caves where they harvest the edible bird's nest of the balinsasayaw were returned to the ownership of the Tagbanua.
1992	<p>SEP. The Strategic Environmental Plan for Palawan of 1992 or RA 7611 was enacted. This law expanded the definition of ancestral domain to include coastal zones and other submerged areas.</p> <p>NIPAS. The National Integrated Protected Areas System (NIPAS) Act of 1992 or RA 7685 was enacted. Coron Island was listed as part of the Priority Protected Area. This law created the Protected Area Management Board (PAMB) which would be responsible for the management of protected areas.</p>	<ul style="list-style-type: none"> □ TFCI used this act to expand their claim to include their traditional fishing grounds, fish sanctuaries, and diving areas. They began preparing their own management plan, which included these areas. □ TFCI officially demanded that the Island be stricken off as a protected area and removed from the target sites under the NIPAS. □ The TFCI declared instead that the Coron Island is an ancestral domain conserved by the Tagbanua themselves and managed by its own elders.
1993	Department Administrative Order No. 2 of the DENR was implemented. This law provided for a Certificate of Ancestral Domain Claim (CADC) which offered a more secure recognition of ancestral domains.	<ul style="list-style-type: none"> □ The TFCI applied for a CADC to pursue their claim not only to their island but to include as well their ancestral waters. □ TFCI initiated the establishment of SARAGPUNTA, a bigger organization which included the Tagbanua from the other islands in the Calamianes.
1997	IPRA. The Indigenous People's Rights Act (IPRA) of 1997 was enacted. The National Commission on Indigenous Peoples (NCIP) was created as implementing agency. This law allowed the granting of collective and individual rights to land to indigenous peoples through certificates of ancestral domain and land titles.	<ul style="list-style-type: none"> □ The CADC was granted in June 1998 covering 24,520 ha of ancestral land and marine waters, the first its kind in the country. □ TFCI organized workshops to complete their Ancestral Domain Management Plan. Customary laws were codified and included in the management plan. □ The TFCI applied for a Certificate of Ancestral Domain Title (CADT) under the IPRA with the NCIP in 1998.
2002	Administrative Order No. 1 was issued by the NCIP to establish with finality the validity of the CADT as approved by the First Commission.	<ul style="list-style-type: none"> □ The Certificate of Ancestral Domain Title was approved. This is the first ancestral domain title in the world which includes both land and marine territories.



the enterprise. The management team has to find new ways of being more transparent and reporting progress to the community.

- It is important to review the social and economic benefits that are shared with the community members.
- Some members dared open sacred sites such as beaches to tourists which the community elders have not approved. As the local tourism industry grows, the community or some members would be pressured or tempted to open more sacred sites for tourism development. This would challenge the traditional leadership, community harmony and

the traditional values of stewardship and respect over sacred sites.

- The traditional values of the Tagbanua youth working for the enterprise are threatened by the exposure and subsequent succumbing to alcohol, sex and drugs that come along with the growth of the local tourism industry. How will the youth be empowered to face the temptations of this industry? How will they be trained to eventually take over the management of their ancestral domain and the protection of their natural resources in the midst of a totally opposite worldview which is creating changes within that they may not be aware of?

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