

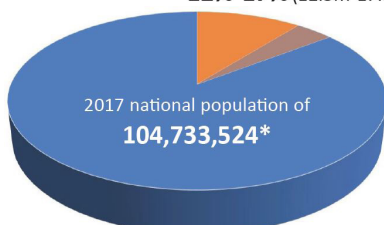
Indigenous Peoples and the Sustainable Development Goals

PHILIPPINES

I DATA ON POPULATION AND LANGUAGE (NATIONAL)

OUR NUMBERS COUNT

Indigenous Peoples:
12%-17% (12.5M-17.8M)



* Based on estimates from the http://countrymeters.info/en/Philippines#population_2017 as of 01 January 2018.



The Philippines has **187 languages**: 183 are living; and 4 are extinct.

Of the **living languages**,
175 are **indigenous**
8 are **non-indigenous**.
41 are **institutional**, 72
are **developing**, 45 are
vigorous, 14 are in **trouble**,
and 11 are **dying**.



POPULATION

110

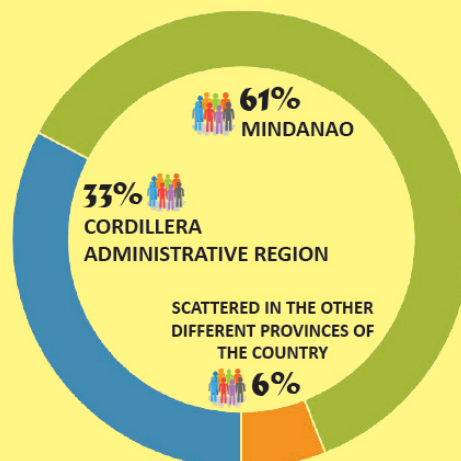
ethnolinguistic groups are identified as indigenous peoples

Source: NCIP

1.2

million ancestral domain holders are in 221 territories delineated under Certificates of Ancestral Domain Titles (CADT)

Indigenous Peoples are found in:



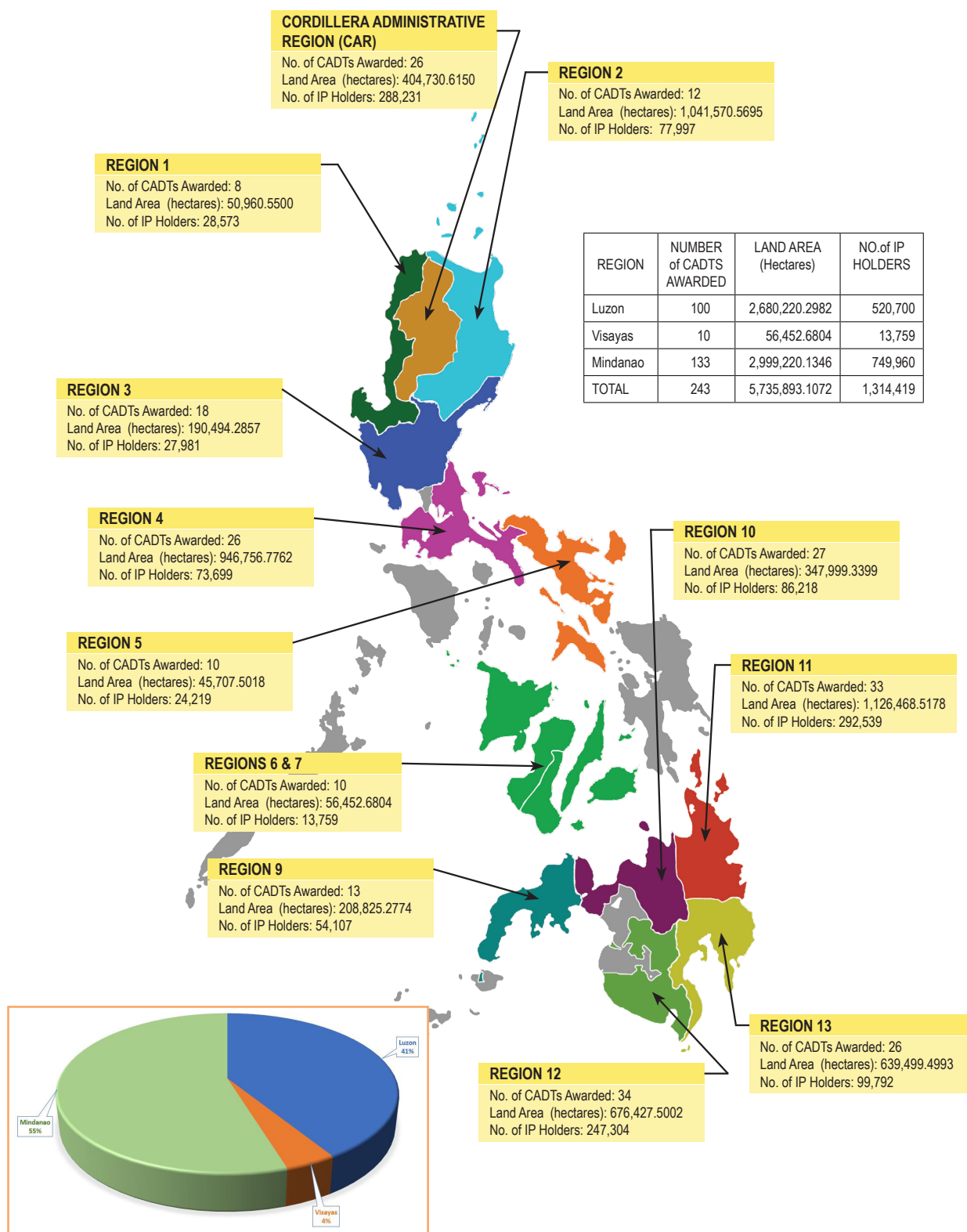
Source: NCIP, 2009

5

sites in Mindanao, late registration starting 2012 benefited more than 9,000 indigenous peoples by mid-2016 (UNFPA) showing the under-reporting of births of indigenous children

II. DATA ON CADTs (NATIONAL)

Approved CADTs per region, land area and number of IP holders



In terms of territories, about 7.7 million hectares are occupied by the IPs or 26% of the 30 million hectares total land area of the country. As of April 30, 2019, the NCIP has issued 243 CADTs with a total land area of 5,735,893.1072 hectares and a total of 1,314,419 IPs as rights holders or about 9.39% of the total estimated IP population of 14,000,000.

III. RELEVANT LAWS AND POLICIES

Legal Policies, laws and framework governing IPs in the Philippines

1

1987 Philippine Constitution, Sec. 5

"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."



Enabled the enactment of RA 8371 or the Indigenous Peoples' Rights Act (IPRA) in 1997

2

RA 8371(1997) - The Indigenous Peoples' Rights Act

enabling law that defines the 4 bundles of rights to be enjoyed by indigenous peoples: Rights to Ancestral Domains, Right to Self-Governance and Empowerment, Social Justice and Human Rights, and Cultural Integrity



- Created the National Commission on Indigenous Peoples (NCIP) as the primary government agency mandated to "protect and promote the interest and well-being of the ICCs/IPs with due regard to their beliefs, customs, traditions and institutions."

3

Joint DAR-DENR-LRA-NCIP Administrative Order No. 01, Series of 2012 (JAO 01-12)



The objective of the JAO to address jurisdictional and operational issues between and among these land titling agencies has resulted in undue delay in the issuance and registration of CADTs. Data in 2016 showed that of 182 CADTs issued by the NCIP, less than 50 have been registered with the Land Registration Authority (LRA). Non-registration with the LRA means that the CADT owners are less able to prevent intrusion into their ancestral domains by migrants and corporations.



- The proper implementation of the IPRA is impeded by the lack of independence, capacity, and resources of the NCIP to implement their mandate.
- The existence of laws in contradiction to provisions of IPRA are prioritized for implementation by the government such as the:
- Philippine Mining Act of 1995 liberalizing the mining industry with huge incentive to foreign companies and weak environmental and social protection including IP rights under IPRA
- National Integrated Protected Area System Law with prohibitions and restrictions to the use and management of IP over their lands and resources, and the National Greening Program (NGP)
- 1975 Revised Forestry Code (P.D. 705), and other DENR administrative orders related to the management and utilization of natural resources conflicting with the rights of indigenous peoples (IPs) specifically recognized and protected under the Indigenous Peoples' Rights Act (IPRA).

4

Issuances from the Department of Education

Department Orders (DO): DO 62, s. 2011 - Adopting the National Indigenous Peoples (IP) Education Policy Framework

DO 103, s. 2011 - Creation of Indigenous Peoples Education Office (IPsEO)

DO 32, s. 2015 - Adopting the Indigenous Peoples Education Curriculum Framework

DO 50, s. 2016 - Hiring Guidelines for Teacher I Position in Schools Implementing Indigenous Peoples Education Effective School Year 2016-2017

DO 3, S. 2017, or the Multiyear Implementing Guidelines on the Allocation and Utilization of the IP Education Program Support Fund on January 18, 2017



Enabled the inclusion of IP Ed in the curriculum of public schools and the use of the mother tongue as medium of instruction; allowed the accreditation of community learning centers established in IP communities with IP learners and teachers, with some assistance and support from the LGUs thru School Boards and the Special Education Fund.

5

DOH-DILG-NCIP Joint Memorandum Circular (JMC)

JMC 2013-01 - Guidelines for the Delivery of Basic Health Services for Indigenous Cultural Communities/ Indigenous Peoples

DILG Memorandum Circular 2018-65 – Creation of Provincial Inter-Agency Committee (PIAC) on the Implementation of DOH-NCIP-DILG JMC 2013-01



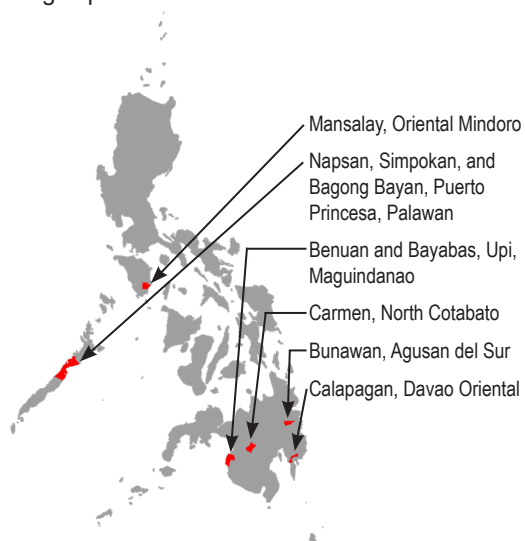
Enabled concerned agencies to finalize process of coming up with the Indigenous Peoples' Strategic Plan for Health for CYs 2018-2022

The proper implementation of the IPRA is impeded by the lack of independence, capacity, and resources of the NCIP to implement their mandate. Further, the existence of laws in contradiction to provisions of IPRA are prioritized for implementation by the government as the

- Philippine Mining Act of 1995 liberalizing the Mining Industry with huge incentive to foreign companies and weak environmental and social protection including IP rights under IPRA
- National Integrated Protected Area System Law with prohibitions and restrictions to the use and management of IP over their lands and resources
- 1975 Revised Forestry Code (P.D. 705), and other DENR administrative orders related to the management and utilization of natural resources conflicting with the rights of indigenous peoples (IPs) specifically recognized and protected under the Indigenous Peoples' Rights Act (IPRA).

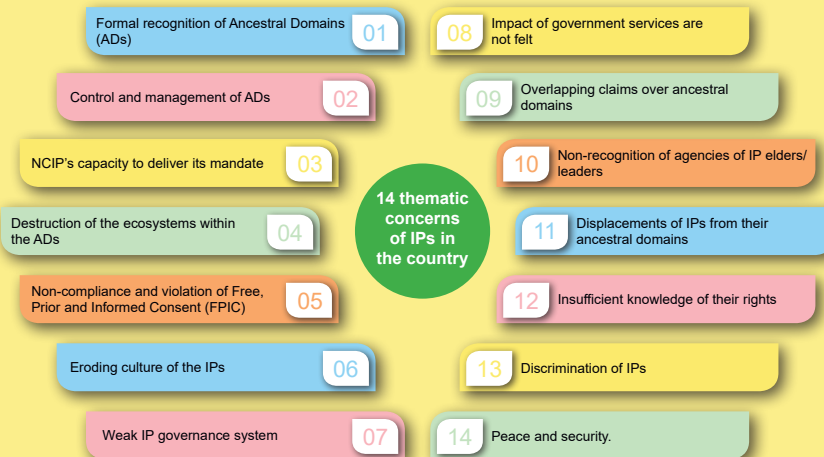
IV. REALITIES ON THE GROUND

The data presented in the succeeding sections are data generated from the following communities where the Indigenous Navigator Initiative (IN) is being implemented:



The data was gathered through the conduct of focused group discussions, key informant interviews, community meetings, and secondary data gathering. Additional input from other indigenous peoples institutions/organizations who attended the Indigenous Peoples VNR Writeshop last June 2019 are also included in this report.

Even with the passage and implementation of the Indigenous Peoples Rights Act (IPRA) indigenous peoples continue to face serious challenges in relation to the respect and recognition of their individual and collective rights. Below are the key thematic concerns of indigenous peoples in the country as identified by the National Commission on Indigenous Peoples (NCIP) which they are also trying to address in their various programs¹:



Indigenous peoples are losing their lands and resources to extractive industries, mono crop plantations, and calamities among others. Urgent action needs to be done to address the issues above including particular concerns of indigenous women and indigenous persons with disabilities to ensure that indigenous peoples will not be left behind in the achievement of the 2030 Sustainable Development Agenda.

A. Worsening Poverty and Food Insecurity Among Indigenous Peoples

Definition of Poverty for Indigenous Peoples

Indigenous peoples define poverty differently from how the government measures poverty rate which is by daily income, or the poverty threshold, to classify those who are poor. The following are some of the responses of indigenous communities on their concept of poverty.

"Poverty does not refer to a status of an individual. In our tribe, one cannot be well-to-do if a neighbor does not have enough. Because of our value of sharing, a community cannot be well-off if one of its constituents does not have enough to live on in dignity. The value of sharing, both in good and bad times, means taking care of the least of your people. Poverty is a shared situation. That way, we are all poor, whether man or women."
— Eruananen ne Menuvu

Other communities also believe that poverty is a family situation and thus cannot be disaggregated into a male or female situation. Interestingly, among the Manobo women in Dinagat, gender discrimination was mentioned as a factor that can bring about an impoverished situation for them which must be understood in the context of their lives in an islet within the Agusan marsh where water can rise anytime during the rainy season and they have to float their houses. They can only plant corn once before the rainy season that they must harvest before the rains come. The other livelihood they have is fishing which is only done by men.

"A house without a smoke coming out of it during cooking time is a house of the poor. We are dependent on our crops and those we get from nature, thus, our ancestral domain is so important as it is the continuum of our lives, and as long as we have lands to till, we will not experience poverty. Some of us have lost our lands due to debts incurred from our shift to a new form of farming, monocrop farming, where we have to buy all the farm inputs, and that puts us into a situation where we are forced to surrender our farms to supplies or to sell them in order to avoid unnecessary debt issues." — Lambangian
In addition, the Lambangian indigenous peoples point out that not eating rice or any kind of food 3 times a day an indication of poverty. Additionally, a person is poor, or impoverished, if one cannot live one's culture.

¹ <http://www.ncip.gov.ph/mvm.php>.

One of the programs of government to alleviate poverty of Filipinos is the Conditional Cash Transfer (CCT) program, popularly known as the 4Ps or Pantawid Pamilyang Pilipino Program that started in 2008. The CCT is still the primary program of President Duterte's administration to address poverty by providing cash grants to the "poorest of the poor". Other several cash transfer programs of the government are provided to poor households mostly identified using the National Household Targeting System for Poverty Reduction (NHTS-PR), or the Listahanan. These include the conditional cash transfer (CCT) or Pantawid Pamilyang Pilipino Program (4Ps). Aside from the 4Ps, there is the Unconditional Cash Transfer (UCT), and the Presidential directive to provide rice subsidy to poor households. There is a special program for IPs under the CCT, the Modified Conditional Cash Transfer for Indigenous Peoples (MCCTIP), that provides indigenous communities in Geographically Isolated and Disadvantaged Areas (GIDAs) equal opportunities to access 4Ps.

The 4Ps, including the MCCTIP, provides two cash grants, namely the health grant (500 pesos equivalent to around \$10 per household per month or PhP 6,000 equivalent to \$115 per household per year) and the education grant (PhP 300 equivalent to around \$6 for every child for a maximum of three children per household for every month for ten months or PhP3,000 equivalent to \$58 a child a year). The subsidy can be accessed through bank or a mobile payment application.

Conditions to access of the grants, and for the grants to continue, include the following: 1) Pregnant women must avail pre- and post-natal care, and be attended during childbirth by a trained professional; 2) Parents or guardians must attend the family development sessions, which include topics on responsible parenting, health, and nutrition; 3) Children aged 0-5 must receive regular preventive health check-ups and vaccines; 4) Children aged 6-14 must receive deworming pills twice a year; and 5) Children-beneficiaries aged 3-18 must enroll in school, and maintain an attendance of at least 85% of class days every month.

In the community consultations in all the Indigenous Navigator (IN) areas, poverty is basically seen in terms of meeting food needs, thus owning, maintaining, controlling, managing and governing the lands and territory in order to ensure food security. Manobo men say that lack of land bring about an impoverished situation. They also cite food shortage and malnutrition as indicators of poverty while the Tagbanua of Palawan mention irregular, under- or unemployment which brings about low monetary income, apart from low levels of education or illiteracy, and problems with health, age and vices. The Teduray, Lambangian, Erumanen, Mandaya and Dumagat, however, disagree that illiteracy or low levels of education are factors of poverty. Together with the Manobo women, they cite laziness as a common indicator of poverty for there is much land that can be cultivated if one has the industry to stretch their muscles.

While some indigenous peoples benefited from the Conditional Cash Transfer program, most of those interviewed during the community consultations and focused group discussions raised the following issues/challenges in relation to this poverty alleviation program of the government:

- The list of beneficiaries are allegedly based on patronage politics, including only those who are supportive of the ruling politicians or party, or a list which they do not understand the criteria for inclusion. For instance, among the Tagbanua in Simpokan as of 2018, 37 out of the 96 households were 4Ps beneficiaries but they do not understand how non-IPs with concrete houses were included when their relatives in remoter areas with houses made of bamboo and cogon were not.
- Indigenous peoples have difficulties in complying with the requirements, especially in their birth certificates since many of

them are not registered in the civil registry due to the distance of the municipal civil registry offices from their communities.

- Many indigenous families are not included as beneficiaries or lose their due to non-compliance to the requirements.
- The cash grant is most often not enough to address poverty, especially among IPs in far-flung areas as they have to hire local transport available in their areas to reach the banks or shops who can disburse the cash through the mobile online payment application. Like in the remote communities of Rizal, Palawan, they would spend PhP1,500 (approximately \$29) for transportation to get a cash grant amounting to PhP1,200 (approximately \$23). In Mansalay in Oriental Mindoro, the Hanunuo Mangyan have to spend about PhP 500 (\$10) for transportation to the nearest bank in the town center. In many cases, they are forced to pawn their ATMs to loan sharks or they would rather not access the subsidy because the expenses for transportation would be more expensive than the amount of the cash grant.
- It was also seen in some communities that the cash grant resulted to many IPs abandoning their farming and other forms of livelihood, and would rather wait for the subsidy from 4Ps.
- In addition, the lack of schools and health centers in far flung communities contribute to the low compliance of indigenous peoples to the conditions of 4Ps for them to be able to avail of the cash benefit as they have to travel/walk a long distance to be able to access the nearest school or health clinic.

These cash grants though are temporary solutions to the impoverishment faced by indigenous peoples as many of them yearn for security of their land tenure and freedom to pursue their traditional livelihood.

B. Persisting Marginalization, Inequality, Discrimination, and Lack of Access to Justice

In the eight communities which applied the Indigenous Navigator community tool, reported human rights violations are usually related to conflicts over land between indigenous peoples (IPs) and non-indigenous peoples, and among indigenous peoples in the same community or from other communities. However, there are also historical events which had not yet been resolved to the present. The situation of unpeace and lack of human security among indigenous peoples has historically been related to conflicts over lands in indigenous territories.

The situation of the Teduray, Lambangian, Dulangan Manobo and Erumanen ne Menuvu in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) is to be monitored as to the substantive compliance of the BARMM to the respect for the rights of non-Moro indigenous peoples, specifically, the legislation of an enabling law on the Indigenous Peoples Rights Act. The build-up of occupancy of parts of ancestral domains by Moros has been pointed out during consultations with Lambangian, Teduray and Erumanen ne Menuvu communities. There was even an incident sometime in 2014 that some 85 organised Moro families attempted forced occupation of a sitio of Benuan thwarted by vigilant Lambangian leaders and villagers with the local government unit. The Department of Agrarian Reform has issued and still issuing Certificates of Land Ownership Award to Moro and non-IP settlers in ancestral domains in Maguindanao province. This is one of the land issues faced not only by the IPs in Maguindanao but also in Palawan and in the Polilio group of islands. Conflicts in the implementation of environmental and land reform laws with that of the prohibition of tenurial instruments, including forestry tenurial instruments, once there is a CADT application, whether issued or pending.

Among the Tagbanua of barangays Napsan, Bagong Bayan and Simpokan in Puerto Princesa City of Palawan, land conflicts arise between land prospectors in cahoots with enterprising IPs for the illegal occupation of parts of the ancestral domain which is then sold illegally to non-IPs. Their ancestral domain is also part of

the reservation for the Bureau of Corrections part of which is not actually being utilised but the agency does want to release such areas to them.

In all of the Indigenous Navigator areas, indigenous peoples expressed that they continue to face discrimination because of their ethnicity, their traditional attire, and traditional occupation among others. Examples of discrimination experienced by indigenous peoples are as follows:

Their ancestral lands are being taken away because they do not have a legal document to prove their ownership

Products are bought at a very low price because non indigenous peoples say those are just products of indigenous peoples

Many of them are being asked to sit at the back in public transportation because they are Mangyan.

In terms of access to social services, indigenous peoples who cannot fulfil the requirements of the government are not able to benefit from the cash programs of the government

The Peace Process and Indigenous Peoples

Indigenous peoples in conflict areas such as in Upi, Maguindanao and in Mansalay, Oriental Mindoro reported cases of torture, arbitrary arrest, and displacement in their communities caused by the infighting between the military and armed groups. In the last quarter of 2018, an infighting between the military and the New Peoples Army resulted to the evacuation of around 40 Hanunuo Mangyan families. They returned to their homes a week after the incident. Just last month (June 2019), aerial bombings conducted by the Armed Forces of the Philippines was reported in the municipalities of Mansalay and Bulalacao, Oriental Mindoro. The Hanunuo Mangyan living in the upland areas are greatly affected by these infightings as their livelihood is disrupted and their security is threatened.

The peace negotiations between the Government of the Philippines under President Duterte's administration and the National Democratic Front of the Philippines saw promise during the first six months. However, the talks stalled several times in the course of just one year. After two years, President Duterte has unilaterally terminated the peace talks. When the peace negotiations tackling the critical agenda of the Comprehensive Agreement for Socio-

Economic Reforms had been on-going, the counter-insurgency program of the previous President Aquino III administration, Oplan Bayanihan, continued in the President Duterte administration renamed as Oplan Kapayapaan. Despite the ceasefire agreements, operations continued in Lumad communities in Mindanao conducted by state-backed paramilitary forces that are comprised of Lumad community members themselves recruited for the purpose of counter-insurgency and investment protection. The communities of the Lumads, often situated in far-flung areas, are often the site of the counter-insurgency program due to "the sightings of the residents who criticize the AFP for its human rights violations against the Lumads."²

One of the key peace processes in the Lumad community in Mindanao is the ratification of the Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao (OLBARMM) that was ratified at a plebiscite conducted in January-February 2019. The OLBARMM creates the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) from the previous Autonomous Region in Muslim Mindanao (ARMM) with a wider geographic coverage after the transition period of three years, 2019-2022. At

present, ARMM is composed of 5 provinces: Basilan (excluding Isabela City), Lanao del Sur, Maguindanao (excluding Cotabato City), Sulu, and Tawi-Tawi. The future BARMM will be at least one city larger than the ARMM with Cotabato City voting to join. Cotabato City is described as the “crown jewel” and main urban hub of the Bangsamoro region.

There are 63 barangays in North Cotabato with non-Moro IPs that are included in the BARMM. Out of these number, seven barangays (three in Carmen and four in Kabakan) composed of the non-Moro IPs called for their exclusion from BARMM and asked the NCIP to conduct FPIC since part of their CADT is included in the BARMM territory. They were assured by the NCIP Chairperson that she wrote their provincial office, but when they followed it up, they said no letter was given and the FPIC was never processed. For now, the non-Moro IPs will have to wait what will happen within the transition period until the BARMM is created, and continue their vigilance on the implementation of the provisions during the transition period by the Bangsamoro Transition Commission (BTC). As shared by an Erumanen, the BARMM solves the historical injustice among Moros, but it is a threat to a peaceful and inclusive society because it is imposed on the indigenous peoples within the BARMM. The Teduray, Lambangian and Erumanen ne Menuvu are part of the Indigenous Navigator Initiative who have actively engaged in the process of the drafting process of the OLBARM for they believed this will be the start of the resolution of historical injustices they have suffered. However, these peoples tell of continuing unpeace in their territories.

Firis Complex was solely owned and occupied by the non-Moro indigenous peoples (NMIPs) belonging to the Teduray and Lambangian since time immemorial. It was only in 1996 that the Moro Islamic Liberation Front (MILF) arrived and camped in the area without the knowledge of the NMIPs and eventually it declared the area as their satellite camp without the consent of the real owners of the area. In the course of peace negotiations between the government and MILF, the former acknowledged the declared camps without also the consent of the Teduray and Lambangian owners of the area. Now that there's already the peace accord and normalization process is instituted, the rights and plight of NMIPs who are neither combatants and members of the rebel groups will have no assurance. Will there be justice to the Teduray and Lambangian indigenous inhabitants of the area? Where are you inclusive peace in the lives of IPs in the BARMM? Is lasting and inclusive genuine peace still possible in the communities of IPs, given the intensified disturbances? Ignoring the provisions of OLBARM for the NMIPs would mean the continuation of historical injustices committed against them?

- quote from a leader in the Timuay Justice and Governance

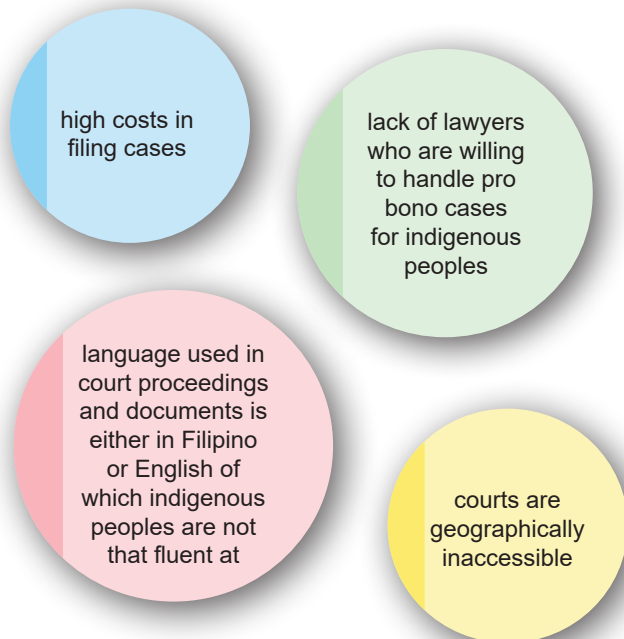
With the passage of the OLBARM, and with the continuing encroachment of former Moro rebels in their ancestral domain, it is their assertion that any development project intended for Camps Omar and Badre/Bader, as stipulated in the Annex of Normalization, be implemented for the Teduray and Lambangian non-Moro indigenous peoples, as the owners of their ancestral domain.



² State of Unchange.

Access to Justice and Traditional Justice Systems of Indigenous Peoples

Access to the formal justice system has been challenging for indigenous peoples due to:



Many indigenous peoples still rely on their traditional justice systems for the resolution of their cases. The justice systems of indigenous peoples though is limited to looking at conflicts/issues within their community and in some instances with other indigenous groups. It does not cover conflicts between indigenous peoples and the private sector and government agencies.

Indigenous Political Structures and Justice Systems

Among the Hanunuo Mangyan in Oriental Mindoro, the role of their Talaghusay (indigenous persons identified to handle conflicts and cases between their fellow Hanunuo Mangyan and other Mangyan indigenous groups) remains very important. The Hanunuo Mangyan still rely on their Talaghusay to provide guidance on marital or family conflicts and land related conflicts between indigenous peoples among others.

KAMAL (Gempa te Kelindaan ne Kamal) – the indigenous political structure (IPS) of the Erumanen ne Menuvu; registered with the NCIP and DILG; strong, functional; solemnizes tribal marriages and responsible for maintaining peace, resolving justice issues and conflicts among the Erumanen in the ancestral domain as it relates to land, resources and the territory; the membership in the KAMAL is by inheritance by female or male; it has codified its customary law; however, the State structure, is the official government even within villages dominated by Erumanen; its leadership has the capacity to engage the government at the local level

Lack of Access to Culturally Appropriate/Sensitive Health Care

Health in indigenous communities is directly related to the treatment indigenous peoples get, both individually and collectively, from both the government and society in general. Indigenous communities participating in the Indigenous Navigator Initiative have limited quality, accessible and appropriate healthcare services. When women go to the health stations or centers, they often experience being served last, receive unfriendly or even discriminatory remarks because of their being indigenous, and because they are often very docile and take time to understand the conversation and instructions, they are shoved aside until they are served last. The indigenous women feel this kind of treatment is discrimination simply because they are indigenous. In 8 communities served by IN, only two have health facilities that can be said to be easily accessible, better-stocked with medicines, and may be visited by a doctor once a year, as they are near the town center and are traversed by well-paved roads compared to Benuan, for instance, where they have to walk, or ride a horse, about 8 kilometers crossing the river twice before they can get to the health center which often does not have the needed medicines. The village is visited once a month by a midwife for immunisation and pre-natal consultations. The difficult in access has caused the death of a birthing mother in May 2014. In Bayabas, the health station seemed like an abandoned warehouse, which is visited by the midwife once a month. Among the Hanunuo Mangyan, the German Doctors Hospital in Mansalay whose doctors conduct some medical mission in the villages, allows them on-site face-to-face with a doctor.

In all areas, the issue of discrimination from some health service providers was raised with some culturally-insensitive treatment they receive, especially for indigenous women. These are some of the difficulties faced by indigenous service-seekers from public health services.

TJG (Timuay Justice and Governance) – the Teduray of Bayabas, Upi, Maguindanao and the Lambangian of Benuan, Kuya, South Upi, Maguindanao, follow the Timuay system of governance, with the Timfada Limud (Congress) as the highest decision-making body; strong and functional with its own set of officers; the customary law has been codified; the traditional leaders are called Baglalan in general; the Baglalan is the village level governance as Fenuwo but it is not the official government; its leadership has the capacity to engage, to some extent, the government at the local level. The members of the Baglalan inherit their positions.

In the Philippines, most of the indigenous peoples are located in GIDAs. The Department of Health define GIDAs as those “communities with marginalized population physically and socio-economically separated from the mainstream society, or those communities that are isolated due to distance, weather conditions and transportation difficulties and with high poverty incidence and the presence of vulnerable sector, communities that are in or recovering from situation of crisis or armed conflict.

Indigenous peoples in the IN areas report the many challenges they face in accessing appropriate health care systems which includes:

Lack of access to and unavailability of basic health services (health workers, medicines and technology, facilities, and location)

Poor and culturally insensitive health leadership and governance among local health leaders

Discrimination against indigenous peoples

Widespread impoverishment and malnutrition in indigenous communities

Non recognition and criminalization of traditional healing practices

No Home Birthing Policy

The government started to implement the “no home birthing policy” in 2011 to address the rising number of maternal deaths while local government units enacted local ordinances penalizing delivery through the assistance of traditional birth attendants. The indigenous peoples, especially the women, in the IN sites are not happy with this policy and ordinances because of the use the services of traditional birth attendants, and the added expense if they deliver in birthing centers in the town center.. As an example, no males are allowed in the room when an IP woman gives birth but in birthing centers or hospitals, there are male nurses. They are accustomed to giving birth at home assisted by traditional birth attendants—‘hilot’ or ‘paltera’, and they can just pay in kind, can be chickens, fruits or vegetables.

They cannot afford to go to the birthing centers and wait for their due date since they need to pay for the place where they will stay while waiting, and nobody will look after their other children. There was one case where the mother-in-law is a traditional birth attendant or ‘hilot’, and her daughter in law gave birth at home. When the husband went to the Local Civil Registrar to register the birth of his child, he was penalized with a fine of Php 5,000 but they were only able to pay Php 3,000. These are added burdens on the IP families. In the case of the Mangyans in Mindoro, they were able to have their traditional birth attendants be accredited by the health center midwives so they are able to give birth at home assisted by their traditional birth attendants.⁷

The community traditional doctors are able to manage minor illnesses. However, they cannot cure some diseases, especially diseases that are brought on by changes in their environment or their circumstance (e.g., evacuation areas, relocation). Among the Mandaya in Calapagan, although health facilities are very accessible, they report that there are illnesses that can only be cured by the balyan (shaman) and each balyan is a specialist in some health problem. Many of the IN communities still rely on traditional and herbal medicine and birthing procedures but those near the health facilities use also the services of government. There is an observed diminishing importance of traditional healing practices due to the reliance on public health services despite its limitations, because of the free medicines which is easy to take compared to the tedious process of using herbals, but more importantly on the dying out of traditional healers and ritualists, the disappearing health resources from the forests, and thus the related indigenous knowledge, skills and practices. However, with the costs and difficulties faced in accessing public and private health services, and the sometimes ineffective western cures, the communities still refer to the balyan, hilot, and other healers some of their ailments. Among the Erumanen where the healing practices are reported to be almost disappearing, the indigenous political structure have made it part of their program to revive indigenous knowledge and practices related to health. The women’s organisation has started the production of coconut oil-based herbal salve, and set up a small healing center in Aroman.

The birth of a child is a joyous occasion and many indigenous communities practice certain rituals for the safe delivery, the life of the mother and child, and to ensure the well-being of the child, like the welcome ceremony for a newborn among the Mandaya.

Almost all indigenous children in IN sites report complete immunisation under the government’s program. Those not reached are in inaccessible areas or whose parents are afraid of the side-effects of immunisation they observe from others, like fever.

In Aroman, tuberculosis is increasing among the older-aged population but this is addressed by the government’s anti-TB program.

⁵ ‘Higala sa Lumad’ Network-RMP-NMR, Inc., “State of Unchange: Lumad Rights a Year into the Duterte Administration.” December 2017, Iligan City, Philippines.

⁶ Ibid.

⁷ Interviews with various participants at the Indigenous Navigator Writeshop. May 17-18, 2019, University Hotel, Diliman, quezon City.

C. Continuing Discrimination on the Legal Recognition of Ancestral Domains of Indigenous Peoples

Ancestral domain titling remains a burdensome process that has not undergone any review to simplify and streamline the procedures. In addition, a new process was put in place in 2012 by the Joint (DAR-DENR-LRA-NCIP) Administrative Order No. 01-12 (JAO 01-12), with the objective to address jurisdictional and operational issues between and among these land titling agencies. This has resulted in undue delay in the issuance and registration of CADTs. Of the 243 CADTs issued by the NCIP to date, less than 50 have been registered with the Land Registration Authority (LRA). The non-registration of CADTs with the LRA resulted to the CADT holders less able to prevent intrusion into their ancestral domains

by migrants and corporations. The NCIP Central Office admits that they will have to extend their deadline from 2020 to 2037 for the completion of the delineation and recognition of all ancestral domains.

One of the findings in the national enquiry conducted by the Commission on Human Rights (CHR) in 2017 was that the JAO 01-12 “constitutes a violation of IP rights to be awarded Certificates of Ancestral Domain Titles (CADTs) that sets the metes and bounds of their domains, and allows them to assert rights within those boundaries against those operating to deny them the priority rights of developing said domains.”³

Status of CADT applications of the Indigenous Navigator areas

Site/Peoples	Status of CADT application/date approved	Year of application to current status	Area (in ha./ population)
Erumanen ne Menuvu/ Carmen, North Cotabato province	En Banc Resolution ⁴ No. 161-2013-AD Series of 2013		13,751.2966/4,131
Lambangian and Teduray/various towns of Maguindanao province	Unified CADT	Applied for CADC to DENR-ARMM 1996 no action; applied for CADT 2005 and en banc resolution issued 2014 January for delineation	201,850/127,000+
Agusanon Manobo/ Bunawan, Agusan del Sur province	R13-BUN0909-136	2009	29,899.7044/8,436
Tagbanua/Puerto Princesa, Palawan province	No formal issuance but a public declaration from the NCIP chair in Aug 2018 that it shall be issued	Applied for CADC before 1997 but not granted so when IPRA was passed, started complying with requirements for CADT 1998-2000 after which they submitted all the requirements	49,385.5/ Includes ancestral waters
Hanunuo Mangyan/ Mansalay, Mindoro Oriental province	Delineated; no action from NCIP; owners claim original areas was is 55,000 ha. but NCIP excluded some areas in the application		32,000+ha/
Pala'wan/Brgys. Panalingaan, Taburi, Latud and portion of Brgys. Canipaan and Culasian, municipality of Jose P. Rizal, Province of Palawan	R04-RIZ-0709- 129/7/24/2009 • First in Palawan to be granted an Original Certificate of Title	2009	69,733.7400/7,561
Pala'wan/Ransang, Candawaga, and Culasian barangays in municipality of Jose P. Rizal, Province of Palawan	Submitted application May 7, 2014		73,000+/1,500+ (2014)
Dumagat/Burdeos, Quezon province	Delineated but no movement in the application; owners original claim was more 55,000 ha. but area approved by NCIP excludes their ancestral waters and some lands		32,000+/-
Mandaya, Calapagan	Delineated; not yet submitted		6,000/

D. Access to Quality Education (Goal 4): Progress and Continuing Gaps

The Department of Education (DepEd) issued Department Order (DO) 62, S. 2011 on Adopting the National Indigenous Peoples (IP) Education Policy Framework subscribing to the rights-based approach which gives primary importance to the principles of participation, inclusion and empowerment. Related thereto are three more department orders covering the IP Education program, namely, 1) DO 52, Series of 2014 on the Guidelines on the Conduct of Activities and Use of Materials Involving Aspects of Indigenous Peoples Culture; 2) DO 32, Series of 2015 on Adopting the IP Education Curriculum Framework; and 3) DO 3, Series of 2017, or the Multiyear Implementing Guidelines on the Allocation and Utilization of the IP Education Program Support Fund on January 18, 2017.

In November 2018, the DepEd and the NCIP have signed a memorandum of understanding (MOU) to strengthen cooperative efforts to ensure quality and accessibility of basic education for IP learners. The MOU will ensure that the special needs, histories, identities, languages, knowledge and other aspects of indigenous peoples' culture are addressed and incorporated in IP education programs. The DepEd acknowledged the need to strengthen its collaboration with the NCIP to provide indigenous cultural communities and IP learners with access to quality basic education that is consistent with their cultural integrity, social justice and human rights. It has committed to participate in convergence efforts with other agencies to boost the impact of its programs for indigenous cultural communities.⁵

³ Commission on Human Rights-Philippines, “2017 National Enquiry on the Human Rights Situation of Indigenous Peoples in the Philippines.” 2018.

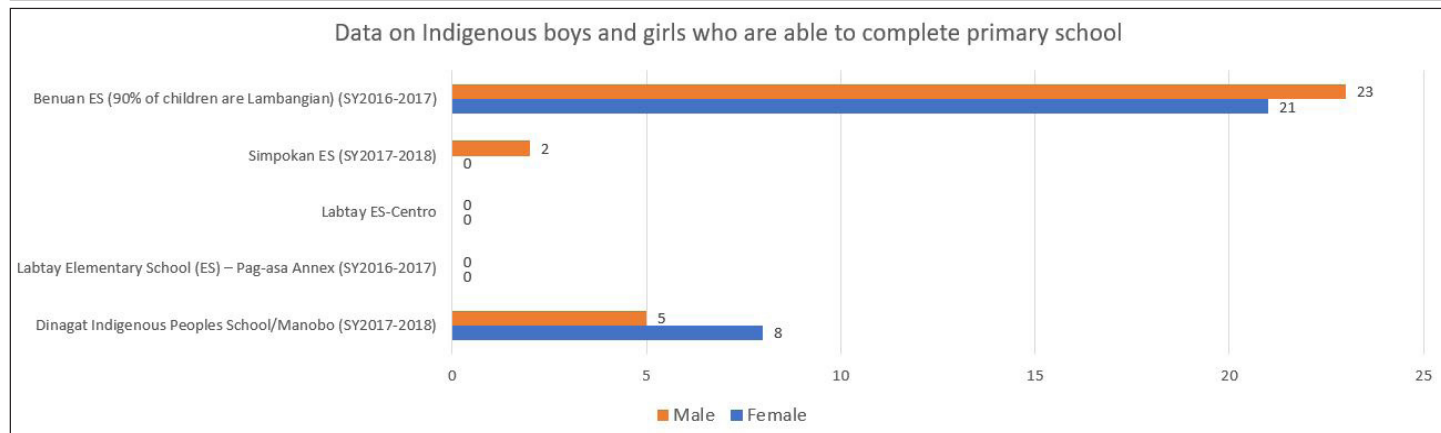
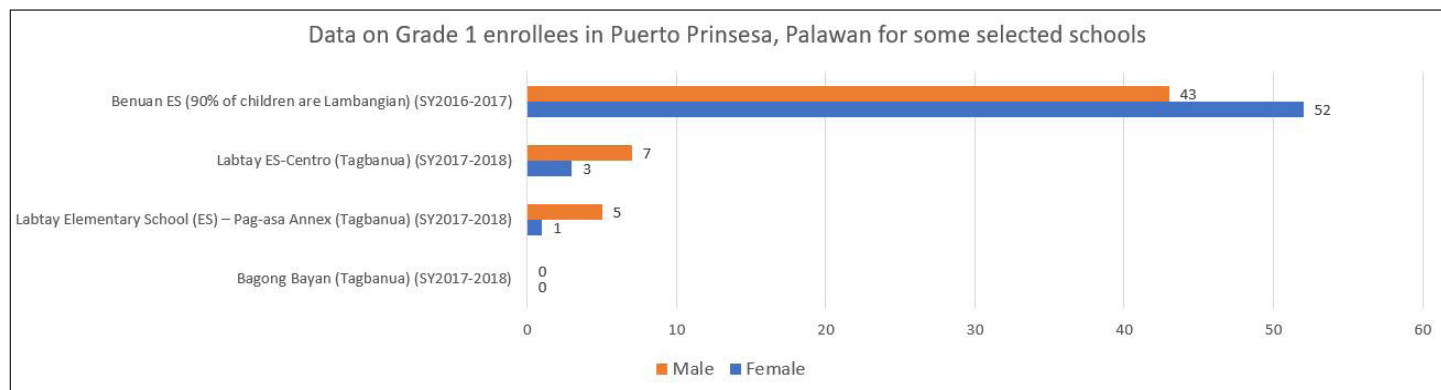
⁴ The issuance of an NCIP resolution en banc confirms the claim of indigenous peoples over their territory.

⁵ Read more at <https://www.philstar.com/other-sections/education-and-home/2018/11/08/1866703/deped-ncip-strengthen-partnership-ip-education#jee4tpF8eJDYxFtV.99>.

Despite these new policies on IP education that is now being implemented, the reality being faced by IPs in schools is that they still face discrimination and bullying from non-IP learners and teachers. In some cases in Palawan and Mindoro, some indigenous youth stop going to school or they refuse to identify themselves as IPs. IP education in some communities in Palawan available in an Assisi Foundation-supported school, while in Mindoro it is mostly done by NGOs like the Mangyan Education Center.

The Kto12 program requires that all children entering formal schooling, i.e., Grade 1, shall have finished pre-school, in this context, kindergarten. Thus all indigenous children entering Grade 1 since school year 2012-2013 have participated in organised learning before they were accepted.

In the IN areas, there is no complete data on this matter because some school heads refused to release school data to the IN data-gatherers.



Aroman: Generally, about 80% of those who enroll in primary school finish Grade 6 and the same with those who proceed to high school

According to the Bunawan 2015 Community Based Monitoring System of the Bunawan municipal government, the following are the results on education for Manobo children in Dinagat:

	Female	Male
Proportion of 6-12 not attending elementary school	9/26 – 46%	9/27 = 33%
Proportion of 13-16 not attending high school	3/9 – 33%	3/14 = 21%

Among the Manobo in where the population is 90% Manobo, enrolment in SY2017-2018, Dinagat and the Tagbanua in Simpokan, enrolment in SY2017-2018, only 3 female students, no male, finished high school at the town center, while in Simpokan where the Tagbanua are a minority, only 7 females finished high school and no males. This is how low survival data is among indigenous children for high school in these areas but may be symptomatic for more indigenous communities in the Philippines, probably except for the Cordillera.

Indigenous peoples enrolled in tertiary education

Aroman (Erumanen ne Menuvu): about 50% of those who go to college are estimated to have completed their courses

Tagbanua in Bagong Bayan: 10 women in college with 2 graduates; Napsan: 6 women who graduated and 1 male

Number of indigenous children and youth read and write in their indigenous language at the end of elementary and secondary:

Site	Elementary (Gr 6)	High school (Gr 12)
Erumanen ne Menuvu	Know only how to read but confused in spelling and pronunciation because the Menuvu language has a different orthography as the English and Tagalog	
Teduray	Can read and write Teduray in the Anglicised script which does not capture the orthography of The Teduray language	
Lambangian	Lambangian is a dialect of Teduray but the latter is the mother tongue in the school so children can read and write in Teduray	
Mandaya	The school children can read and write Mandaya but mixed with Bisaya; high school students have better abilities	
Manobo	Only read Manobo since lengua franca is Bunawanon (a variation of Bisaya)	
Dumagat	Padumaget (Dumagat language) is seldom used by younger ages so they do not read and write in their language but high school students can read and read but mixed with Tagalog	

Indigenous peoples into Alternative Learning System (ALS)

The parallel learning system called Alternative Learning System (ALS) provides a practical option to the existing formal instruction to have access to and complete basic education in a mode that fits their distinct situations and needs which is accessible in town centers near the IN sites. There is no complete data on those who are enrolled in ALS or other vocational programs of the Technical Education and Skills Development Authority, and if there is, it is not disaggregated as to ethnicity.

Although there is ALS, the program is usually found in the town center so some of the potential beneficiaries from the IN sites, or parts of the ancestral domain which are far from the center cannot access this program.

In Aroman, those who finished their senior high school have been endorsed to the ALS coordinator.

In Barangay Bunawan under whose jurisdiction is Dinagat, there is ALS at the district level and as of Nov 2017, there were no ALS enrollees but within the ancestral domain, ASAKK reports that several Manobo children have finished vocational courses through ALS, automotive mechanic mostly; in Dinagat itself, there is one male who finished automotive mechanic and one female who finished sewing, manicure/pedicure

Education in indigenous mother tongue

The mother tongue identified by schools is not necessarily the indigenous language. In all the IN areas, except Bayabas, the mother tongue is not the indigenous language used in the public schools, except in areas where there is an indigenous teacher who speaks the language.

Where the IPEd program is implemented, there are classes where the mother tongue is used. Mother tongue is a subject in primary school and usually the Department of Education conducts a survey to determine the mother tongue to be adopted in the particular school division, and it is not necessarily the indigenous language. One constraint of using the indigenous language as mother tongue is the availability of qualified indigenous teachers who speak the language.

Site	Mother tongue (public schools)	IPEd
Aroman (Erumen ne Menuvu)	Tagalog	Yes but incorporated with Muslim studies; one school in a nearby barangay in the ancestral domain uses Erumanen because the village is predominantly Erumanen and there is an Erumanen teacher
Bayabas (Teduray)	Teduray	Yes,
Benuan (Lambangian)	Teduray	No but planned
Calapagan (Mandaya)	Bisaya	No
Dinagat (Manobo)	Manobo (no public school)	Yes; Dinagat Indigenous People School uses Manobo language and content in its curriculum but compliant with DepEd
Puerto Princesa (Tagbanua)	Tagalog	No
Mansalay (Hanunuo Mangyan)	Tagalog	No; but the Mangyan Education Center run by a religious organisation uses Mangyan language, the tribal attire and script
Carlagan (Padumaget)	Tagalog	No

Accessibility of primary school facilities

accessibility of primary school facilities	distance from community	mode and cost of transportation	approximate travel time from community	remarks; other information
immediately accessible (within short walking distance; all children have unrestricted access to school facilities)	ES of Benuan, Aroman, Napsan, Simpokan, Bagong Bayan, Calapagan, Dinagat, Carlagan, some in sitios of Mansalay	Walking less than 10 minutes	Up to 10 minutes	Other sitios may be farther away
accessible (within reasonable walking distance and/or affordable transport is provided; with limited efforts, all children can access school facilities)	Some sitios of Aroman, Benuan, Bayabas, Puerto Princesa, Dinagat, Carlagan, Mansalay	Up to 20 minutes walking	Walking, single motor, boat	
moderately inaccessible (walking distance and/or costs of transport constitute a challenge; distance to school facilities limit the school attendance of some children)	Some sitios of Aroman, Benuan Bayabas, Puerto Princesa, Dinagat Mansalay	Up to an hour or more walking	Walking, single motor, boat	

accessibility of primary school facilities	distance from community	mode and cost of transportation	approximate travel time from community	remarks; other information
Moderately inaccessible (walking distance and/or costs of transport constitute a severe challenge; distance to schools facilities limit the school attendance of most children)				<p>There are villages within the ancestral domains that were not the IN sites but which were shared which would be characterised by these. High schools are also outside of the IN sites which makes them moderately to highly inaccessible</p> <p>Benuan – the high schools are located some 1 hour hike away crossing the Benuan river twice, thus children do not attend classes when the river rises.</p> <p>In Bayabas, the high school is located an hour walk through muddy/dusty roads unless they take a motorbike ride which is expensive, or to board in nearby houses, which is also expensive.</p> <p>In Dinagat, children have to take a boat which is expensive so if there is no money for the boat ride, children will not attend school.</p> <p>All these difficulties have been identified by the villagers as main reasons for dropping out of high school.</p>
highly inaccessible (distance exceeds the child's walking distance and no affordable transport is provided)				

Elementary schools are generally accessible for most primary school children except in some remoter villages which are within the service area of the school. In the IN areas, the site of the community consultations were near the public elementary schools so they were more or less the reference points.

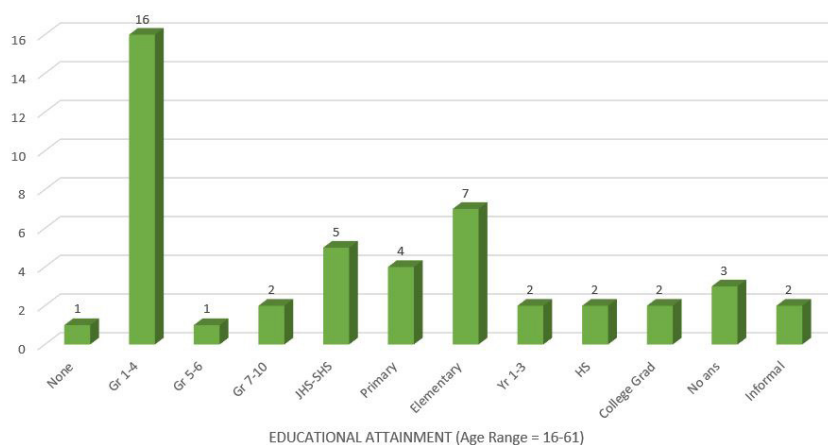
School facilities (only for elementary schools within the IN site, otherwise stated)

	Aroman	Bayabas	Benuan	Calapagan	Dinagat	Puerto Princesa	Mansalay	Carlagan
Electricity	Yes	No	No	Yes	No	Yes	Yes Only 3 ES	No
internet for pedagogical purposes (internet used in teaching situations)	No	No	No	Yes for HS	No	Yes	No	No
computers for pedagogical purposes	Yes	Yes	Yes; solar panels installed 2019	Yes for HS	No	Yes	Yes	No
adapted infrastructure and materials for students with disabilities	No	No	No	No	No	Yes, in Napsan HS	No	No
separate basic sanitation facilities for boys and girls (separate toilets for boys and girls)	Yes	Yes	Limited	Elem: 1 toilet/ classrm; HS: Yes	No	Yes	Yes	Yes
basic hand washing facilities (clean water for washing hands)	Yes	Yes	Yes but no water	Yes, no soap	No	Yes	No	Yes
basic drinking water (clean and safe drinking water)	Yes	Yes	No	No	No	Yes	No	No
open playground	Yes	Yes	Yes	Yes	Yes, along river	Yes	Yes	Yes
covered courts	No	No	No	No	No	Yes	No	No

In the IN sites, 50% do not have electricity where the schools are located, this means the main villages themselves. In Benuan, the local government installed solar panels in 2019 for the use of the faculty room where the desktops are installed for the use of the teachers. Most households in this area use solar-powered flashlights but those who have more resources have solar panels which provide them more bulbs in their homes. For big events, they rent a generator. Water is a problem in most areas which is generally the situation in the community. In Bayabas, during the inception meeting in November 2017, their domestic water system, with a common fetching point was newly installed with the help of an NGO in the central village. In most cases, the children themselves will have to bring their own water if their houses are far. Thus, in Benuan, even if there was a hand-washing facility, there was no water supply. There is a domestic water system being installed bit-by-bit by the villagers with the school being a target for the installation of piped-in water.

Dropout

There is no cohort survival data to show the proportion of those who enrol in Grade 1 and finish Gr 6, as well as those who enrol in Gr 7 and finish Gr 12. However, the presence of many out-of school youth in the communities is telling of the situation of indigenous children. In one of the community seminars held among the Lambangian in May 2018 in Benuan whose 46 participants are also attended the community consultation and FGDs, the results are as follows



Note the low educational attainment with 17 (37%) with education attainment up to Gr. 4 only. There is no indication if the elementary means Grade 6 graduate.

Status by age, sex, education, civil status				
Age	Freq	Sex	Educ	Civil Status
16	3	F	JH	Single
17	2	F	G3, SH	S
18	2	F	G7, G9	S
19	1	F	SH	S
21	1	M	Elem	Married
22	1	M	Elem	S
23	1	M	G3	S
24	2	M,F	G1, G2	M
25	1	M	HS	S
26	2	F,M	Elem, G4	M
30	1	M	elem	M
31	1	M	college grad	M
32	1	F	primary	M
33	2	M,F	X,G4	M
34	1	F	1	M
35	1	M	HS	M

In this group, except for 1 male, those below 24 were still single. But it should be pointed out that those who are married, married at an early age. Also, a number of teenage girls who are married and pregnant did not attend the seminar.

REASONS for DROPPING OUT (Benuan)

- ✗ distance of the school from the community (G7 and up)
- ✗ the rivers that have to be crossed every time there is big rain and flooding (G7 and up)
- ✗ limited financial support and food supply
- ✗ weak interest and guidance of parents to send their children to school, and weak motivation of children to finish their schooling

Apart from that mentioned by the Lambangian on reasons for children to drop out, especially in high school, the other sites mentioned the following:

- ✗ Aroman: primary cause is distance (this refers to the outlying villages of Aroman and other parts of the ancestral domain)
- ✗ Peer group influence
- ✗ Limited resources (finances, food)
- ✗ Health/parent/family issues
- ✗ No interest
- ✗ Bullying

X = did not go to school G = Grade

JH – junior high (G11), SH = senior high (G12), CS = civil status

The elementary education attainment is not clear if they finished Grade 6 or not. High school refers to the previous 4-year secondary education curriculum, but it is also not clear if those who indicated such finished up to the final year.

It should be noted that the DepEd has an anti-discrimination policy to wit: "Implement stronger airmative action to eradicate all forms of discrimination against IPs in the entire Philippine educational system." This policy statement communicates DepEd's recognition that acts of discrimination against the cultures and identities of indigenous peoples have indeed happened and continue to happen within the Department, and that these contribute to the discriminatory view against indigenous peoples in the wider society. These discrimination experiences constitute one of the main reasons why indigenous children do not to finish schooling. DepEd is equally conscious of its responsibility to change this perspective and mindset within the institution, and to advocate for the recognition of cultural rights in general and indigenous peoples' rights in particular to other other duty-bearers. These are the reasons for the inclusion of this particular policy statement in DO62.⁶

INITIATIVES FOR ADVANCING INDIGENOUS PEOPLES' EDUCATION

Pamulaan Center for Indigenous Peoples Education

in Davao City, an educational institution within the University of Southeastern Philippines, is dedicated to the indigenous peoples in the Philippines. It was set up by the Assisi Development Foundation with support from different private partners and government agencies like the Department of Education and the NCIP, and is the first of its kind in the country. Its main thrust is to create a culturally appropriate and relevant pathways of training and formation for the indigenous children, youth, community leaders, and development workers. The Center hopes to produce graduates equipped with knowledge and abilities to initiate collaborative actions towards the sustainable development of IP communities.⁷



The SILDAP Southeastern Mindanao (SILDAP-SEM)

established 11 elementary schools and community learning centers in far-flung areas of Nabunturan in Compostela Valley, Kapalong in Davao del Norte and other areas not easily reached by government. These learning centers have served about 2,000 indigenous learners coming from the Dibabawun, Mangguangan, Mansaka, Mandaya and Ata-Manobo indigenous peoples in southern Mindanao. The SILDAP schools have been accredited by the DepEd as part of the implementors of the IP Education program, and served as one of the service providers for the Basic Education Assistance to Mindanao (BEAM) program of the Australian Agency for International Development (AusAID). They have also shared with the DepEd and other educators their knowledge and experiences in developing their instructional materials for IP Education, their advocacy on the significance of IPed as an appropriate system of teaching and strengthening knowledge of indigenous learners, and upholding and strengthening indigenous knowledge systems and practices (IKSP) by teaching indigenous languages, songs, dances and folklores. The establishment of these schools has resulted to a decrease in early teenage marriages, decrease in the youth moving out of the community to the city, and most of the graduates of the schools are now teachers or community leaders in their own communities.⁸



⁶ <https://www.hurights.or.jp/archives/asia-pacific/section1/9%20Indigenous%20Peoples%E2%80%99%20Rights%20in%20Education.pdf>, p. 154

⁷ "About Pamulaan." Accessed from <http://pamulaan.org/about#.XQ2hIC-B3GI>, 2 June 2019.

⁸ Baltazar-Ortiz, Angelina, "Ang Karanasan ng SILDAP-SEM sa pagsasalin ng katutubong kaalaman." Ulat ng Ikatlong Pambansang Komerensya Kaugnay sa Katutubong Kaalaman, Tebteba Foundation, Baguio City, 2018.

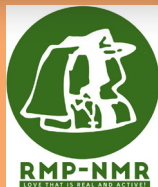
MISFI Another

pioneer in providing education to Lumad children is the Mindanao Interfaith Services Foundation, Inc. (MISFI), which started holding literacy and numeracy classes for the Lumad in 1984. In 2007, with assistance from the European Union, MISFI built 20 community schools to provide alternative formal schooling for Indigenous children; today MISFI operates nine secondary schools and 22 primary schools for the Lumad in partnership with PASAKA, a Southern Mindanao-based Lumad organization.



RMP-NMR The Rural

Missionaries of the Philippines-Northern Mindanao Region (RMP-NMR), a regional chapter of the faith-based organization RMP, has been involved in land rights advocacy since 1969. In 2010, RMP-NMR started its Literacy and Numeracy Program (LitNum) upon the request of several Higaonon and Manobo Lumad communities in the region, and by 2014 it was operating schools in 17 Indigenous communities serving over 500 Indigenous children.⁹



CLANS The Center for Lumad Advocacy and Services (CLANS) started out as a non-government organization that partnered with the B'laan people in implementing a sustainable agriculture program for residents of Malapatan town, Sarangani in 2007. CLANS staff learned through their immersion in the community that the B'laans of the village did not know how to read or write. Community leaders then asked assistance from CLANS staff in providing education to the B'laan children, and by early 2008, CLANS was already training two community educators to teach literacy and numeracy to the Lumad. In cooperation with the Kahugpungan sa mga Lumad sa Halayong- Habagatang Mindanao (KALUHHAMIN), a Lumad organization that helps in identifying communities that need schools and other services, CLANS now operates over 50 schools in far south of Mindanao.

ALCADEV The Alternative Learning Center for Agricultural Development (ALCADEV) was founded by Lumad organizations Kahugpungan sa mga Lumad sa Surigao del Sur (KALUNASS) and the Malahutayong Pakigbisog Alang sa Sumusunod (MAPASU) in 2004. Alcadev set up an alternative learning system to provide secondary education to Indigenous youth in the hinterlands of the Caraga region in northeast Mindanao. Alcadev provided "education relevant to their (Lumad's) needs" and taught the children to use the education they received to help their tribes and communities. Since its founding, Alcadev's students have achieved almost 100% passing rate for government equivalency exams that would pave the way for them to attend college.



The learning centers discussed above, except for Pamulaan, which are mostly located in remote communities, have been accused of supporting armed groups or being left-oriented, and have been attacked by state and state-backed forces. In the first year of President Duterte's administration, the Save Our Schools Network documented 68 cases of attacks of 89 Lumad schools affecting 2,500 Lumad children.

E. Continuing Call for Equality and Empowerment for Indigenous Women

Indigenous women in the Indigenous Navigator sites had been active both as trainees and as providers of data and information. Of the 91 trainees from 9 indigenous peoples covering 10 sites, 52% (47 participants) were females and 48% (44 participants) males. Women focus group discussions were organised in Aroman, Benuan, Bayabas and Polilio. The Calapagan community consultation was actually a meeting of the women's organisation which had a few males who identified themselves as members of the women's organisation which acts as the people's organisation in the community and which counts several males as members. The questions asked of the women were their experiences of discrimination and the cultural practices they want changed.

In Aroman, the issue of early marriage of girls as young as Grade 6 or 14 years old was raised as a concern. Parents feel helpless because they have done away with the culture of child engagement but girls nowadays are more sexually active and thus, have unwanted early pregnancies. When addressed to the indigenous political structure on what measures had been taken to address this, it reported that it discusses and raises awareness during

meetings/assemblies on the impacts of this on the couple and their children.

The issue of duway/duwoy (the taking of a 2nd wife or more wives) was also raised which the women want to be completely stopped because although it is uncommon nowadays, there is still the threat of its malpractice just to have men taken 2nd wives. As explained by the chiefs, the concept here is, it is a marriage of the 1st wife with the other wives. The same was raised by the Teduray, Lambangian and Hanunuo Mangyan women who also want this practice to be completely stopped because they say the family is ripped apart and children suffer most, and it is painful to them. "It exacerbates our difficult lives," according to the Mangyan women. With women now preferring monogamy, the tension is still there on this issue and the concern of women is the capacity of the husbands to give equal dignified treatment and provision to all wives and children, apart from the emotional costs.

One issue raised among the Teduray and the Lambangian women is the bride price, which euphemistically is called 'dori' or malunsod among the Lambangian. Their custom requires the groom to pay

⁹ 'Higala sa Lumad' Network, Rural Missionaries of the Philippines (RMP-NMR) and 'Healing the Hurt' project, "State of Unchange." 2018.

and amount called “dori” to the bride’s family. The woman wanted the dori lowered for which one of the chiefs countered that the money is not for any purpose but to have the couple have a start-up fund. However, it was pointed out that in practice, that is not so as the money goes to the relatives of the groom. According to the women, it should be a token because putting a high bride price gives the impression that women is being sold, and it is one of the reasons that husbands hurt their wives or, do not help in the household and other chores.

Certain cultural practices that violate international human rights standards have also been abandoned like child engagement and rape to force the marriage of a couple due to what the communities say as the influence of “civilization” and the law. Among the Lambangian women, they want the practice of malunsod where a young man will force to bring home a young woman to marry her which is a form of kidnapping with rape. Although this is rare nowadays, the women want this to completely stop because they are forced marriage to somebody they did not freely choose.

The open discussion of these issues were indications of the growing awareness of women about gender discrimination and their rights.

Domestic violence has been reported in some sites and these are usually mediated by the elders or the indigenous political institution. There was the case of physical violence on a wife by the husband and the case was referred to the tribal leader who warned the husband of jailing if repeated, which fortunately worked. In Bayabas, some women shared having experienced some domestic violence from their drunk husbands. Most often, the bone of contention is gambling by the men in lotteries. They estimate that about 20% of the women with partners in their community experience this kind of violence, including verbal violence, and women questioned for attending community meetings. A Dumagat shared how her husband abandoned her and their children, withholding their corps of banana and coconut from family leaving her with nothing to feed the children.

An issue raised is the occurrence of new diseases for women, like breast cancer, ovarian cyst, urinary tract infection. It should be noted that these IN sites have shifted in most instances, to cash crop production with the use chemical inputs like fertilizers and pesticides.

Although all constituents of the political units where IN was applied have the possibility of being elected and to vote, the participation of indigenous women in the mainstream politics reflects their traditionally marginalised role. So few indigenous women are in politics.

LOCATION	# OF MEN	# OF WOMEN
Aroman barangay	1 barangay legislators	1 youth leader – chair of youth council
Dinagat sitio	1 sitio leader	
Napsan, Bagong Bayan, and Simpokan barangays in Puerto Princesa City	4 barangay legislators	
Benuan barangay	0	0
Mansalay municipality	7 barangay legislators	1 youth legislator
Carlagan		1 barangay legislator

In terms of decision making, there are small changes in some communities. Like the Mangyans in Mindoro, indigenous women are now in leadership positions in the indigenous political structure (IPS) in their community, there are six women in Manual who are sitio leaders.

Discrimination against indigenous women and girls for being indigenous is widely reported in all the IN sites although the Erumenen ne Menuvu women of Aroman, the Teduray and the Mandaya women of Calapagan report they seldom experience this kind of treatment now. They claim that the improved treatment they get from the public in general and service providers are due to: increased awareness of the public/non-indigenous population of the indigenous peoples and their rights, increased knowledge of indigenous peoples of their rights, the integration of indigenous peoples in mainstream society, and the increased education attainment and pride of indigenous peoples of their indigeneity, and assertions of indigenous peoples, including confronting teachers who tolerate discrimination within the school. However, Teduray women, Lambangian, Manobo, Mangyan, Dumagat, Tagbanua and Palaw’an women and girls report persistent discriminatory treatment and bullying in health and educational facilities, and even in public spaces like markets and public utility vehicles. Indigenous women experience discrimination in health facilities more than men because of their gendered role of child care where they are more often the ones bringing their children and themselves to the health facilities.

A Teduray woman who sells her extra vegetables at the market, shares that non-IPs degrade her produce as of lower quality just to devalue her goods and buy them at a cheap price. This is the same story of Mangyan women who are forced to sell their farm products at lower prices just because they cannot go home without disposing them and buying some of their home needs. One Teduray youth said her experience in being bullied in school forced her to stop schooling. Among girls, their physical appearance often is the butt of painful comments, like “ugly face”. Since they also cannot speak Tagalog well, they avoid participating in gatherings and activities for fear of being bullied for their manner of speaking.

The same experience of bullying in school for being indigenous is experienced by the Manobo school children of Dinagat at their schools outside of their sitio where they are mixed with children of migrants. Of the Manobo residents of Dinagat, they encounter discrimination 2 to 3 times during school days, meet-ups or encounters with non-IPs due to their being Lumad, gender, age, where they come from, their appearance, and education/non-education.

In Calapagan, they estimate that approximately 5% of women and girls felt discriminated against or harassed within the last 12 months on the basis of their indigenous identify and gender, while 2% of the men and boys experienced discrimination based on their ethnicity and/or education. Although low, the percentage of females experiencing discrimination or harassment due to their being indigenous women and girls compared to males shows that gender is still a significant factor in the treatment of society against Mandaya females.

The following are the forms of discrimination that indigenous women and girls experience, but also their male tribesmates: derogatory comments (smelly, ugly, monkey without a tail, too many children those indigenous peoples); accused as thieves; laughed at for their conservative way of dressing in school, and for failure to read prescriptions and instructions given by health professionals, and for the food they eat (especially among children); treated/ presumed to be ignorant, lacks knowledge, skills, or attitude for work; stereotyped as shoeless, curly-haired, dark-skinned, smelly, ignorant, etc.; they are treated last in health facilities because they are deemed smelly; their language is laughed at. In school, schoolmates tell their classmates not to go near Tagbanua kids because they are dirty, no capacity to have nice clothes because they actually do not have shoes, and because they eat cassava.

There are children who experience their packed food being thrown away by their classmates.

Among the Tagbanua, a job applicant will be asked what language they speak, and then answered 'Tagbanua', they are not hired because employers think they do not have the capacity to work. The same is reported by Teduray youth who seek work in town centers.

This experiences of discrimination simply indicates the State must do more to combat discrimination of any kind against indigenous peoples, women and children.

The lack of accessible adequate health facilities is deeply felt by women that although there may be two barangay health workers in Bayabas, for instance, there are no medicines, and just like in Benuan, the midwife only visits once a month, the same in the remoter villages of Aroman.

The no home-birthing policy of the local government is impacting tremendously on indigenous women and communities because many of them are used to using the services of traditional birth attendants. The discrimination they experience in health facilities, the shaming they receive which ingrains in them the idea they are a lesser human being, makes them afraid/ashamed to go to birthing facilities. They are not comfortable lining up to get the service, facing unfamiliar faces and the cold, impersonal structure of a clinic or hospital, they are not used to the language used and way to behave, they have to pay all costs, the distance from home, and

worse, sometimes the personnel are insensitive. Thus, despite the threat from governments, birthing indigenous women still stay close to home and use the traditional birthing services.

The Lambangian women find it helpful to tend to their sulagad (traditional food production system that combines agroforestry, animal husbandry, and horticulture) as both source of food for the family but also they can sell their extra produce. They find it difficult to seek for other sources of livelihood because it adds to their housework and child care.

The IN sites are communities where patriarchy is still alive, however, their traditional leaders can be men and women among the Teduray, Lambangian, and Erumanen ne Menuvu. Among the Erumanen, it is a woman is the Supreme Court who makes the final decisions when it comes to conflicts among the people. Among the Teduray, Lambangian, Tagbanua and Palaw'an, the gendered role of women is a homemaker, child rearer but still has to engage in subsistence food production. Whether they are confined to stereotyped gender roles, indigenous women are one with their men in valuing their ancestral territories and lands. Because of their role of ensuring that there is something to cook, they are involved in their communities struggles to defend, protect and nurture their territories. In all the community consultations conducted in 10 sites, the number of women did not go down 30% and went as high as 84% when the peoples' organisation was the women's organisation. Thus, discussion on all matters were actively contributed to by the women.

F. Energy Projects Adversely Impacting Indigenous Peoples

There are nine operating mega dams located in IP territories in the country to date, eight in Luzon and one in Mindanao. In addition, there are five mega dams within the ancestral domain of IPs in different stages of implementation at present. Instead of looking into clean energy sources for electricity, the administration of President Duterte is continuing hydroelectric dam and energy projects in other ancestral territories: the Pulangi V (fifth dam in Pulangui River) Hydropower in Manobo ancestral domain in Bukidnon and North Cotabato; Balog-balog dam in the Ayta lands in Tarlac, Ilaguen Dam in Isabela affecting the Dumagats, Diduyon Dam, Jalaur Multi Purpose Project and Pan-ay River Basin Integrated Development Project in the Tumandok lands in Iloilo and Capiz; Alimit Hydro Complex of the SN Abotiz in Ifugao; Chico River Irrigation Project in Kalinga; Dupinga dam in Nueva Ecija; Sumag River Diversion Tunnel in Quezon, and the Violago Olympia Power Dam in Rizal. These dams are to displace more than 100,000 indigenous peoples from at least 106 villages. In addition to these dams, geothermal energy projects are proposed in Kalinga province by Chevron, an American company, with a local partner, the Aragon Power and Energy; the PRM Magma in the provinces of Benguet, Mountain Province and Ifugao; and the Aboitiz Power Corporation in Pampanga, Zambales and in South Cotabato.

Among President Duterte's controversial infrastructure projects are the return of two Marcos-era mega-dam projects that threaten to destroy indigenous peoples' ancestral lands along two major rivers systems and watersheds in Luzon: the Chico River pump irrigation project in the provinces of Kalinga and Cagayan, and the New Centennial River Dam project or Kaliwa dam in Rizal and Quezon.

In the recent event of Metro Manila's sudden water shortage in May 2019, President Duterte's government presented to the people a timely if convenient solution: the New Centennial River-Kaliwa Dam project. The dam is located in the ancestral territories of the Dumagats in Quezon Province and will affect some areas of Rizal province in the same ancestral domain of the Dumagats. It



is expected to supply Metro Manila an additional 600 million liters of water per day (MLD). The dam has been on the drawing board for decades.¹⁰

The loan for the Kaliwa Dam was secured on November 2018 when Chinese leader Xi Jinping and Philippines President Rodrigo Duterte signed a loan deal to provide financing for the project, with China's state-run Exim Bank financing 85 percent of the \$232.5 million bill. But like many Chinese-backed projects around the world, the Kaliwa Dam agreement calls for the Philippines to repay the loan at higher-than-usual interest rates. Should the country default on its loan, it would have to transfer sovereign assets to China, echoing the fate of Ecuador and Sri Lanka, both of which used crucial resources and infrastructure as collateral.

The Dumagat indigenous people has lived in the Sierra Madre mountains traversing the provinces of Quezon and Rizal for centuries. Their homes are located at the foot of the mountains and along the river banks. Now, they fear construction of the China-backed New Centennial Water Source–Kaliwa Dam Project will threaten their way

of life and perhaps even flood them out of existence.

Another controversial project of President Duterte's administration is the Chico River Pump Irrigation project which would divert water for the province of Kalinga to its northern neighbor, the province of Cagayan. Like the Kaliwa project, it is also backed by a Chinese loan agreement which has not been made public, and the affected indigenous peoples say they have not given their FPIC. The loan contract with China was signed in April 2018. The lopsided Chico contract amounts to PhP 3.69 billion or USD 62 million, involves the payment of millions of exorbitant fees, surrender of sovereign rights, and the supremacy of China laws over the agreed territories. *On May 3, less than two weeks after Cordillera Day, the Philippines' NCIP formally called for the Chico River project to be suspended, saying in a letter that although the free and prior informed consent of all affected communities had not been obtained, "earthmoving and construction are already taking place within the domain." Days later, government administrators agreed to temporarily suspend the project pending approval from adjacent Indigenous communities.*

G. Economic Growth Targets (Goal 8): Undermining Indigenous Peoples' Traditional Occupations

May 25, 1993 by the Palawan Council for Sustainable Development (PCSD) under the Office of the President. The indigenous groups affected by this law would like to see their role as traditional forest custodians which their ancestors had practiced for centuries and were now passed on to them. However, this law had introduced complicated and expensive bureaucratic procedures for obtaining licenses to harvest and sell NTFPs. As a result, influential businessmen tend to get such licenses, in turn, this has led to the exploitation of indigenous gatherers by middlemen who have the licenses. A non-government organization, the Coalition against land grabbing (CALG) has been assisting the Batak communities to process their own non timber forest products permits for gathering almaciga resin.¹¹

Rizal town in Palawan island is host to the project of LionHeart GPPAC Farms Corporation, originally LionHeart Agrotech and Green Power Palawan Agriculture Corporation (GPPAC) Farms Corp., called "Massive Plantation of Coconut and other Agricultural Crops" targeting 10,000 hectares of land. In 2016, they began clearing parcels of land within the ancestral domain of the Pala'wan in three sitios of barangay Ransang in Rizal municipality without the free and prior informed consent (FPIC) of the ancestral domain owners. The affected communities, through their organisation Saptan Adat It KaguranguranTagna It Pala'wan (SAKTIP), together with support groups, undertook a campaign to stop the destruction of their ancestral domain through community organizing, petitions writing, collection of evidences and documentation. Finally on January 10, 2017, the NCIP opined that "the MOA previously entered between the two companies and the local communities was based on an improper application of FPIC guidelines"¹² thus, it was suspending their Certificate of Precondition (CP).

The two companies filed a motion of reconsideration as of June 1 2017, requesting NCIP to lift the order of suspension and allow LionHeart and GPPAC to resolve the issue by paying the required bond to be decided by the affected tribes, pursuant to section 23 of the [2012 FPIC guidelines](#). The NCIP Region IV Office, through [CEB Resolution no. 07-124.2018](#), Series of 2018, confirms that both



companies should, indeed, pay the bond as required by the law. But this, by itself, will not allow them to resume their operations. It also requests both companies to submit the Environmental and Socio-Cultural Impact Statement, a comprehensive work, and to strictly comply with all procedures related to section 19-23 of the 2012FPIC guidelines.

Until now, the companies have not complied with the NCIP requirements, but instead, are continuing their operations with impunity. Since the issuance of the suspension order, SAKTIP leaders had been talked to stop their peoples' opposition, been warned to stop their vocal opposition to the continuing operations of the plantation or else they will be silenced. On Feb. 19, 2019, some SAKTIP officers and members went to investigate a reported fencing of part of their ancestral domain. They found out the area to have been freshly enclosed with barbed wire so they dismantled a part of the fence and brought the materials to the barangay hall for safekeeping and for the owner to be identified. They informed the officer of the day to go inspect the area because there were fresh logs that were seen in the area. The officer did not go. Later that week, they were called by the Barangay Officer-in-Charge to inform them that a certain Ceferino Pancho has filed a complaint against

¹⁰ Punongbayan, JC, "(ANALYSIS) Kaliwa Dam: Is China's involvement cause for concern?." Rappler, March 27, 2019. Read more: <https://www.rappler.com/thought-leaders/226285-analysis-is-china-involvement-kaliwa-dam-project-cause-concern> . Accessed 15 June 2019.

¹¹ Coalition Against Land Grabbing (CALG) , "SECURE: A Programme for Indigenous Land Rights Defenders," downloaded from <https://www.coalitionagainstlandgrabbing.org/projects-and-sites-of-struggle> , 3 June 2019.

¹² <https://www.coalitionagainstlandgrabbing.org/news-and-events>. Accessed 09 July 2019.

them for the destruction of his fence. The case is still being heard at the barangay level. In the latest incident on June 4, 2019, while they were having a community meeting at the barangay covered gym in Ransang to work out details on how to bring their issues to higher authorities, somebody was taking a video of their activity and when confronted, the man just quickly left the place. In the evening of the same day, the house of the barangay chair, a staunch supporter of SAKTIP, was stoned. They learned the following day that a kill order was allegedly been issued against them. As to who issued the order, they can only surmise.

What the SAKTIP wants is the proper process of seeking their FPIC. They report that the companies had promised the community

livelihood projects, scholarship programs, health and medical assistance, infrastructure, jobs, among other inducements, which up to now are unfulfilled. What they see are trees from their forests being felled, a road going to the forest but not to the communities. Among the onerous provisions of the MOAs signed by residents is the payment of 3,500 pesos (69,11 USD) a month per hectare for renting their lands. When it started, local labourers were reportedly paid P250 per day but when this reported to the labor department, it went up to the present rate of P320. Several Pala'wan rue the day they allowed themselves to be sweet-talked by LionHeart GPPAC. The community is divided but worse, the defenders are at risk.

H. Climate Change and Climate Solutions with Adverse Impacts on Indigenous Peoples (Goal 13)

Instead of introducing inclusive and sustainable industries, the Philippine government has introduced large scale and unsustainable industries in areas covered by the ancestral domains of indigenous peoples. One of these projects is the National Greening Program (NGP) of the DENR. With the target of 7.1 million hectares, increased from its old target of 1.5 million hectares, the expanded NGP already covers 1.2 million hectares in indigenous peoples' territories. NGP is supposed to aim for reforestation and food security, however, the President Aquino-era program is still framed on the privatization of forests for the massive export of timber and non-timber forest products such as coffee, cacao, rubber, bamboo, rattan, and fruits. It has become a means of opening up our remaining frontiers to the entry of private interests. Local governments, national line agencies and other entities that serve as middle-men contractors are also reportedly still using the NGP as a milking cow for corruption. The NGP is causing conflicts in indigenous communities, economic displacement and massive conversion of ancestral territories into timber and non-timber commercial plantations. The administration of President Duterte and corporations such as big mines continued to use the NGP as 'deodorizer' for destructive projects and deceptive false solutions to environmental and climate problems.



In addition to the NGP, at least 130,000 hectares of ancestral lands are occupied and controlled by giant local and foreign corporations for different kinds of monocrop plantations. Plantations for banana, pineapple, oil palm, bioethanol, coffee and other agribusiness crops have encroached ancestral territories and/or have displaced or adversely affected indigenous communities especially in Mindanao. These plantations worsen the loss of livelihood, hunger, and human rights violations already suffered by the IP.

I. Participation of Indigenous Peoples in the Development Process (Local, Municipal, Provincial, National Levels)

The engagement of IPs in the SDGs should not be limited as mere stakeholders or vulnerable groups but more so as rights holders. This assertion by IPs as rights holders should also be seen, not only at the international arena, but in development processes at the national and local levels. The venue where IPs can participate in development planning at the local levels is through the formulation of their Ancestral Domain Sustainable Development and Protection Plan (ADSDPP), a development plan required by the IPRA. However, the IPRA does not provide for the implementation of the ADSDPP so one way that they can implement it is to incorporate this in their barangay, municipal or provincial development plans through their local councils which is not an easy process based on their experiences. For one, not all IP groups with approved CADTS have their ADSDPPs since there are also no funds provided for in the IPRA for the formulation of ADSDPPs.



As of June 2015, only 59 out of the 182 CADTs have formulated their ADSDPP.

Since no funds have been provided by the IPRA for the formulation of the ADSDPP, some IP communities were assisted by various private and public agencies, the NCIP and local government units. It is noted, however, that some ADSDPPs were formulated through the help of mining companies and electric companies (such as the National Power Corporation and the Apex Mining Corporation). At present, none of the ADSDPPs formulated have been incorporated into the Barangay (village) development plans, resulting in conflicts in development priorities between the local government unit and the indigenous peoples' communities, and in non-implementation of ADSDPPs because of lack of resources from the government.¹³

¹³ Tebtebba, "Situation of Indigenous Peoples in the Philippines, Submission to the 59th Session of the Committee on Economic, Social and Cultural Rights (CESCR), 26 September 2016," Baguio City, Philippines.

This still holds true until now. Some of the IP groups with CADTs are comfortable with their ADSDPPs and claim ownership of the plans contained therein, especially those assisted by NGOs. However, when it comes to the formulation of local development plans, majority of the IP groups were not consulted in order that they can integrate their ADSDPPs with the Barangay, Municipal or Provincial development plans, or when consulted through their Indigenous Peoples Mandatory Representatives (IPMR), their suggested plans are outvoted by the majority members of the council since the IPMR is just one councilor within the barangay, municipal or provincial councils. As narrated by a Tagbanua chieftain in Puerto Prinsesa in Palawan, planning by local councils are usually done through “cut-and-paste” method where a template is used from previous plans and updated to contain new plans and projects. Their ADSDPP has been presented to the local government and to government agencies to get their commitment in implementing the plans. Despite getting their signed commitments, the plans have not been implemented by the IP organizations but by the LGUs and government agencies. The LGUs tell them that since the fund is from the government, they will be the ones to implement,

some even say outright that they do not trust the IP organization to implement the projects.

In the case of the Manobos in the municipality of Bunawan in Agusan del Sur, their IP organization, the Panaghiusa Alang sa Kaugalingan ug Kalingkawasan, Inc. (PASAKK), is accredited by the municipal LGU and sits as member in the School Board in the municipality of Bunawan. For six years now, they have established two elementary schools accredited by the Department of Education in the municipalities of Bunawan and Loreto. The school in Bunawan is being supported by the LGU through the School Board while the school in Loreto is still undergoing a process of approval for LGU support. The organization, as member of the School Board in Bunawan, can access the Special Education Fund (SEF) for the school's operations. They receive about P100,000 pesos (1,923 USD) from the SEF for the needs of their students and their teachers are paid by the LGU. Both schools offer Kindergarten to Grade 6 under the multigrade system. The Bunawan school has 81 students this school year where 98% are IPs, and has four teachers who are all IPs.

V. RECOMMENDATIONS

As the Philippines moves forward in the implementation of the 2030 Sustainable Agenda and the Philippine Development, we call on the government of the Philippines to ensure the implementation of the following recommendations to ensure that indigenous peoples are part of the development and are not left behind:

1. Ensure the proper implementation of the Indigenous Peoples Rights Act (IPRA) and repeal/ amend laws and policies in conflict with the provisions of the IPRA;
2. Data Disaggregation for indigenous peoples must be institutionalized in all government census activities;
3. The processing of CADTs must be simplified, and the self-declaration of IPs must be recognized as their formal ownership of their ancestral domains;
4. A mechanism should be established to integrate and support the Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) in the government development plans;
5. On the National Commission on Indigenous Peoples (NCIP): Revamp/Reform and hold the NCIP staff accountable for their acts of omission and commission;
6. Ensure that the Free Prior and Informed Consent (FPIC) of indigenous peoples be acquired prior to the implementation of any activities, projects, or policies impacting indigenous peoples. Violations to the FPIC must be looked into and those responsible should be held accountable;
7. The government must ensure full implementation of the indigenous peoples mandatory representation in the local government units (LGUs) where they reside, particularly when it comes to the formulation of development and land use plans, and allow IP communities to formulate their own development plans;
8. Ensure the genuine, full and effective participation of non-Moro indigenous peoples in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) and implement the process of Free, Prior, and Informed Consent (FPIC) with the Eruanan ne Menuvu in North Cotabato being annexed in the BARMM; and
9. Respect and support self-determined development of indigenous peoples

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