

INDIGENOUS PEOPLES OF THE PHILIPPINES

2022 COUNTRY REPORT



FOR REFERENCE:

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THE INDIGENOUS PEOPLES RIGHTS AND ADVOCACY CENTER



INSTITUTIONAL PROFILE

The Indigenous Peoples Rights and Advocacy Center, Inc. (IPRA Center), is an indigenous peoples' organization and a research, education, policy advocacy and resource center established to advocate for the rights and interest of indigenous communities.

The Center envisions for indigenous communities with self-sustaining development directions guided by self-determined governance that is conscious of history, heritage, culture, customs, and traditions, while still being cognizant to the changing milieu of modernity.

EXECUTIVE SUMMARY

This country report is prepared by the Indigenous Peoples Rights and Advocacy Center (IPRA Center), a non-stock, non-profit, non-governmental indigenous peoples organization established to advocate for the rights and interests of indigenous cultural communities and indigenous peoples in the Philippines. The report is formulated in consultation and in coordination with hundreds of representatives from IP communities, IP organizations, and traditional indigenous political structures. This report aims to provide a lucid description, critical analyses, and concrete policy and program recommendations to the Philippine government, as well as international development partners, to elevate the plight for the advancement of indigenous peoples rights in the Philippines.





INTRODUCTION

THE INDIGENOUS PEOPLES OF THE PHILIPPINES

Indigenous peoples constitute more than 15 million of the Philippines' total population. These communities have collectively, since time immemorial, stake claim and ownership on over 40% of the country's total land mass, with most of these localities being located in geographically isolated areas. In contrast, while primarily residing in disadvantaged areas, these localities covered under claims of ancestral ownership are teeming with natural resources, from mineral resources, forestlands, to water sources, while serving as the last bastion of environmental and cultural preservation.

IPs on the Philippines are composed of 101 distinct ethnolinguistic groups scattered across the archipelago. These ethnolinguistic groups include the Igorots of the Cordilleras, Bugkalots of the Caraballos, Aytas of the Central Luzon Plains, Dumagats of Sierra Madre and Bicol Peninsula, the Mangyans of Mindoro, Tagbanuas of Palawan, and the Manobo, Higaonon, Mandaya, B'laan, T'boli, and Subanen of Mindanao. These indigenous communities possess independent cultural identities, political structures, and knowledge systems that have been preserved and practiced outside the scope of 400 years of colonial incursions.

The physical and sociocultural isolation experienced by indigenous communities vis-a-vis the majoritarian, Christianised, and colonized population, subjected the indigenous peoples to institutionalized historical injustices that range from ethnic discrimination to the outright denial of their individual and collective rights. From the institutional level, state policies from the time of Spanish and American colonization were based on varying methods of subjugation, integration, and assimilation. These policies that were implemented over indigenous ethnolinguistic groups were eventually continued by the Manila-based successor state after the Philippine Republic acquired full sovereignty in 1946.

Given this position of disadvantage, indigenous communities have historically bore the brunt of institutional and developmental gaps in terms of state-led interventions and access to basic social services, falling as preys and victims to local politicians and businessmen who want to extract the resources found inside ancestral domains, and being under the constant threat of violence and dislocation from paramilitary and terrorist organizations.

POLICY LANDSCAPE

The brevity of the sectoral portfolio of indigenous cultural communities and indigenous peoples (ICCs/IPs) in the Philippines has mandated particular state attention in terms of necessary government policies. Prior to the passage of the Indigenous Peoples Rights Act (IPRA) in 1997, several laws were issued to encompass and capture the plight of IPs in the country. However, these policy issuances were mere attempts to define them and to identify them from the general population. This includes the establishment of the Bureau of Non-Christian Tribes (BNCT) by the American colonial government in 1901, the Commission on National Integration (CNI) in 1957, the Presidential Assistant on National Minorities (PANAMIN) in 1968, Southern Philippines Development Administration (SPDA) in 1975, Office of Muslim Affairs and Cultural Communities (OMACC) in 1984, and the Office of Muslim Affairs (OMA), Office for Northern Cultural Communities (ONCC) and Office for Southern Cultural Communities (OSCC) in 1987. In 1997, the ONCC and OSCC were merged to form the National Commission on Indigenous Peoples (NCIP) as mandated by the signing of IPRA. The aforementioned evolution and development of government agencies mandated to protect the interest of the indigenous peoples exhibit the paradigm shifts in the state's interest and stewardship over indigenous communities and this sector's position in general state affairs.

Republic Act No. 8371 or IPRA served as a turning point in terms of state policies on ICCs/IPs, being one of the more progressive laws in the world in terms of advancing the rights and interests of indigenous peoples. IPRA provided for mechanisms that would

allow for the recognition and promotion of IP rights, particularly the delineation of ancestral domains, preservation of culture, traditions, and institutions, assurance of human rights and freedoms and non-discrimination, and provision of access to services responding to the needs and desires of these communities. In particular, IPRA highlighted the rights of ICCs/IPs over ancestral domains, self-governance and empowerment, social justice and human rights, and cultural integrity.

IPRA also established the National Commission on Indigenous Peoples as the primary government agency responsible for policy formulation and implementation in relation to the promotion and protection of IP rights and the recognition of ownership and rights within ancestral domains. Some of the salient functions of the Commission include being the primary government agency which ICCs/IPs can seek government assistance from; formulation policies for economic, social and cultural development of ICCs/IPs; issuance of Certificates of Ancestral Domain Title and Certificates of Ancestral Land Titles (CADT/CALT); issuance of certificates in relation to permit and lease grants within ancestral domains upon the approval of ICCs/IPs; and sectoral representation in international conferences and conventions. The spirit and intent of IPRA is *sui generis* in nature, bestowing upon NCIP quasi-legislative and quasi-judicial functions, on top of its role as a part of the executive branch of government.

However, state directions in terms of the operations of the NCIP have also changed through the years, with some even deviating from the intent of IPRA. In particular, supervision over the NCIP has

evolved through time, even if IPRA expressly delegated the Office of the President to exercise administrative supervision over the NCIP. This includes being transferred to the Department of Agrarian Reform (DAR) from 2004-2007, the Department of Environment and Natural Resources (DENR) from 2008-2011, and the Department of Social Welfare and Development (DSWD) from 2018 to present. This exhibits the changing priorities of different administrations in terms of operationalizing the rights and interests of indigenous communities.

As a national policy, the changing requirements of social milieu still provides IPRA plenty of leg room for improvement, modification, and alteration.

The 1987 Philippine Constitution also serves as one of the major frameworks that allowed for the passage of the IPRA. First, Article II, Section 22 mandates State recognition and promotion of the rights of indigenous cultural communities within the framework of national unity and development. It also provides for the protection of the ICC's rights to ensure economic, social, and cultural well-being subject to the provisions of the Constitution and national development policies. Second, Article XII, Section 5 vested Congress with the power to determine the applicability of customary laws in relation to the ownership and extent of ancestral domains. Lastly, Article XIV, Section 17 provides state assurance for the preservation and development of cultures, traditions, and institutions, with these aspects being considered in the formulation of national plans and policies.

However, even with the strong mandate provided by the Philippine Constitution and the IPRA, gaps and challenges on the operationalization of indigenous peoples rights still remain, particularly due to overlapping jurisdictions of national government agencies. This includes laws

and issuances related to natural resources, particularly, pronouncements from the Department of Environment and Natural Resources' Mines and Geosciences Bureau (MGB) and Environmental Management Bureau (EMB); laws related to mineral extraction, particularly Republic Act No. 7076 or the People's Small Scale Mining Program, and Republic Act No. 7942 or the Philippine Mining Act; and laws related to land reclassification and titling, particularly, the Department of Agrarian Reform's issuance of Certificate of Land Ownership Awards (CLOA).

On the bright side, IPRA and the NCIP were successful in advancing the rights of ICCs/IPs in other social dimensions, particularly in the inclusion of ICC/IP rights in the Universal Health Care program (DOH-NCIP-DILG MC No. 1, s. 2013); the adoption of the National Indigenous Peoples Education (IPED) Policy Framework (DepEd DO No. 62, s. 2011 and DepEd DO No. 32, s. 2015); and the institutionalization of the whole-of-nation approach in attaining inclusive and sustainable peace (Executive Order No. 70, s. 2018).

Given these policy instruments, the provisions themselves are not enough to secure and sustain the rights and interests of ICCs/IPs as they are mere pronouncements. Concrete, long-term, and sustainable results can only be manifested through implementation, grounding, and constant review of such policies.



PRESSING ISSUES

Indigenous People in the Philippines confront injustices that have become systemic in nature. Particularly, indigenous communities confront wars in multiple fronts: first, economic, sociopolitical, and cultural disparities have institutionalized and systematized ethnic discrimination perpetrated by majoritarian communities and its social institutions; second in the realm of their ancestral domains, conflicting laws and issuances on tenurial instruments are maximized by groups engaged in land grabbing; third, for resource management, even the requisite for free and prior informed consent (FPIC) as mandated by IPRA stands on shaky ground, with local businessmen collaborating with local government units to protect their interests in the extraction of mineral resources and timberlands at the expense of indigenous communities; another is the prevailing problem of limited basic social services from government agencies due to a variety of

factors, including community isolation, limited government resources; and finally, the presence of armed terrorist organizations such as the New Peoples Army unnecessarily endangering indigenous communities and at the constant threat of fear and violence.

The changing economic, sociopolitical, and environmental landscape further contribute to the brevity and intensity of the burning issues confronted by indigenous communities. This includes the socioeconomic impact of the COVID-19 pandemic and the subsequent imposition of community quarantines, the food security crisis aggravated by the war in Ukraine and the disruption of global logistical channels, the worsening peace and security situation inside ancestral domains, and the climate crisis and the continued quest for sustainable and renewable energy sources which are mostly found inside ancestral domains.



THE COVID PANDEMIC

While the COVID-19 pandemic is considered a global problem, the socioeconomic impact of the disease is much worse on the ground, especially in isolated and disadvantaged communities. As of writing, the disease have claimed the lives of 64,145 people with total cases numbering at 4.01 million patients. Although primarily a health problem, the impact of the COVID-19 pandemic is further aggravated by the mitigation mechanisms implemented by the Philippine government in order to contain the spread of coronavirus in communities. The implementation of community quarantines or lockdowns in order to cordon the spread of the virus have practically grounded the economy and the other aspects of public life to a halt.

Particularly, impact of the pandemic in terms of the socioeconomic dimension is measured through lost productivity in the aggregate economy. During the start of the community quarantine, state figures have recorded a peak of 17.6% unemployment rate in April 2020. In terms of overall economy, it is estimated that 6.7% of the total gross domestic product (GDP) was lost in 2020 due to the pandemic, with the bulk of loss coming from the property, hotel, leisure and tourism, educations, and transportation services.

For indigenous communities, the effect of the COVID-19 pandemic and the subsequent implementation of community quarantines is primarily felt in three aspects.

First, the cessation of value chains affected indigenous livelihood. Although the community quarantines were felt on a lesser extent in indigenous communities, especially inside ancestral domains, the economic shutdown and the cessation of movement have also cutoff these communities' economic activities. In the Cordilleras, a

region traditionally considered as the vegetable basket of Northern Luzon, truckloads of produce were left unsold during the early periods of the community quarantine which have coincided with the summer harvest season. This situation is replicated in the majority of ancestral domains inside the country which have communities that rely on community-level extraction of agricultural, forest, and mineral products.

Second, the health crisis brought by the pandemic exposed the underlying health vulnerabilities of the indigenous peoples sector. With the bulk of IPs living in geographically isolated communities, the ratio for doctors, nurses, and hospital beds to patients in indigenous communities are significantly below the national average. The overstretched capacity of the healthcare workforce due to the pandemic also contributed to the decrease in the implementation of information and education campaigns of the Department of Health and their counterparts in local government units. Particular attention on the aggravated health situation of indigenous communities were observed particularly in maternity and reproductive health programs at the community level.

Lastly, it was observed that there is still a low vaccination rate for indigenous communities. According to figures from the Department of Health, only 1.2 million indigenous peoples were vaccinated against COVID-19. This is primarily due to two reasons: first, is that the bulk of the indigenous peoples are residing in remote areas that have little to no opportunity of availing of the government's vaccination program unless they travel to urban centers; second, is that some indigenous cultures and belief systems are in conflict with the vaccination program – such is the case observed in the Ayta communities in Quezon and the Mangyans in Mindoro.

FOOD INSECURITY

The vast tracks of land owned and claimed by indigenous peoples and indigenous cultural communities contain huge potentials that may be tapped for food production aimed at achieving domestic food security. However, reality dictates that food security is still a distant aspiration for the Filipino nation.

Domestic food security, which is already a pressing issue even before the pandemic, was further worsened by the cessation and disruptions of local supply chains due to the imposition of community quarantines. On top of this already precarious situation, the inability of the global logistical networks to keep up with the influx of demand as economies open up, and the aggravation of the conflict between Ukraine and Russia, have driven the cost of global logistics, particularly the price of gasoline and diesel. These issues aggravated the food security issues in import-dependent countries and have even led some countries to enact protectionist policies to protect domestic supplies.

In local markets, aside from the hemorrhaging price of petroleum products, runaway inflation and the devalued currency have driven the price of basic commodities upwards. These factors contribute to an already weakened economy that is still being ravaged by the after effects of the pandemic, and have put poorer households on a much precarious situation.

Since indigenous communities are traditionally agricultural in nature, their role in the discourse of food security is undeniable. However, for the past several decades, weak state investments in agricultural production has not maximized the potential contribution of ancestral domains to domestic food production.



Although providing a significant portion for domestic demand, traditional food baskets, such as the corridors in the Cordilleras and the plains in Mindanao, are left at the mercy of middlemen who maximize price fluctuations to their advantage, leaving farming communities unable to sustain their own production. Furthermore, this issue have instigated a steady labor force migration in indigenous communities, with most of their youth migrating to urban centers to search for better opportunities for social mobility through education and employment in other economic sectors.

On the other hand, lack of state interest in tackling food security through domestic production has allowed the flourishing of importation to cater the domestic demand. Cheaper food from abroad, such as galunggong, tomatoes, onions, cabbages, and even rice, have dominated local markets and have made local production unable to compete with its prices. The viability of our local markets for the influx of cheaper alternatives from China has also caught the eye of smugglers which have further aggravated the already unstable local food production industry.

SECURITY THREAT



The enactment of Executive Order No. 70 and the establishment of the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC) in 2018 provided a unified framework for a concerted effort of multiple stakeholders, including collaborations between national government agencies and local government units, basic sectors of society, and even the private sector, to solve the root cause of communist armed conflict. EO70 is a recognition that the struggle against communist insurgency could not be won without addressing local poverty and other sectoral issues through the resolution of governance gaps.

Given that most of the armed component of the communist terrorist groups are located inside ancestral domains, special attention was provided by the NTF-ELCAC on indigenous peoples. This was supported by civil society organizations that are engaged in legitimate advocacy and organizing work inside IP communities. The advocates themselves exposed the mechanisms utilized by the Communist Party of the

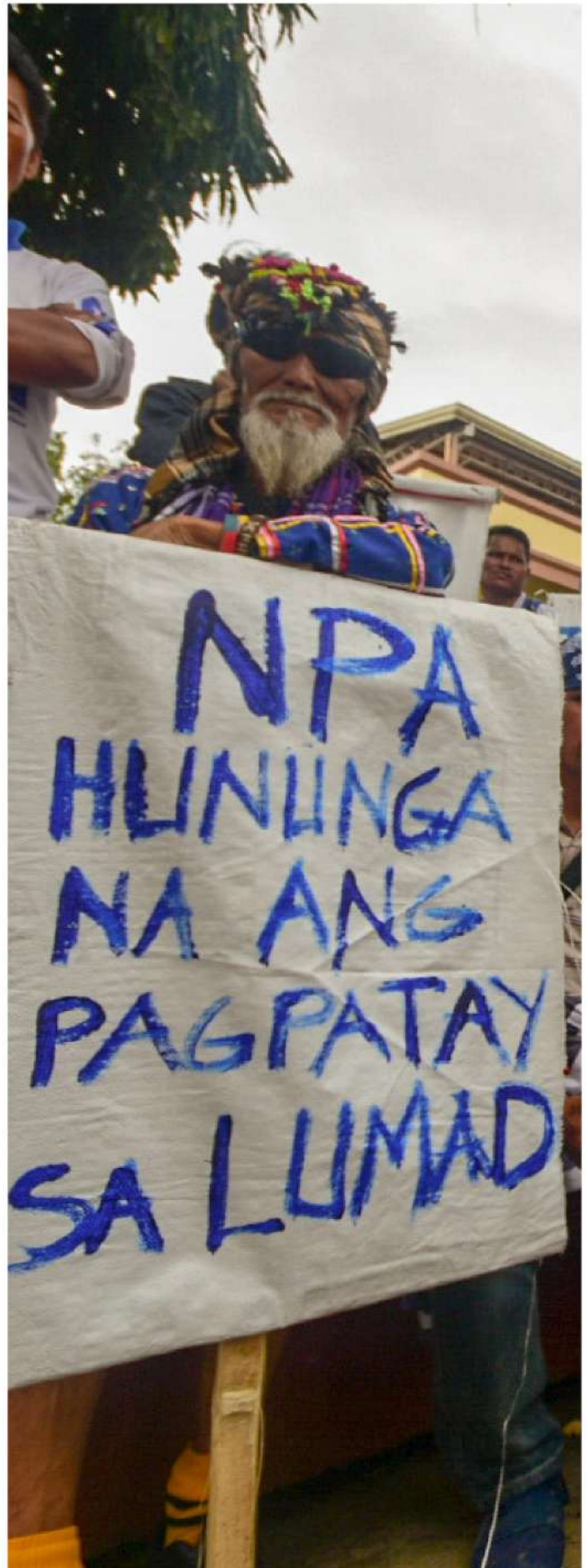
Philippines - New Peoples Army - National Democratic Front (CPP-NPA-NDF) and how they manipulate indigenous communities to become unwilling puppets in the activities that they wage against the Philippine government.

For their armed component, massive recruitment have been done by the CPP-NPA-NDF in indigenous communities, transforming ancestral domains and lands into revolutionary highways where they can fortify their camps outside of the reach of the state elements. Traditional political structures were subverted with organs of political powers that could be controlled by the CPP. Recruitment in indigenous youth are also maximized through constant agitation and propaganda activities in the community level. According to the Mindanao Indigenous Peoples Youth Organization (MIPYO), more than 60% of the NPA combatants in Mindanao are recruited from youth and children coming from indigenous communities. Furthermore, reports from MIPYO state that some IP children who are unable to join as fulltime

combatants are recruited to serve as support systems for NPA operations, such as being utilized as couriers, messengers, and intelligence network inside barangays.

Furthermore, revelations from former members of the CPP show the intricate network of underground, aboveground, and even international channels employed by the CPP-NPA-NDF in order to dominate the narrative of indigenous peoples rights. Testimonies from Datu Jomorito Goaynon, member of the Higaonon tribe and a former member of the CPP and a former nominee of their Katribu Partylist, revealed that 80% of the funding intended for indigenous communities and sourced from international development partners are funnelled to the coffers of the NPA to support their operations. This scheme is perpetuated by an intricate system of CPP-operated nongovernmental organizations who have camouflaged themselves as community partners.

The CPP-NPA-NDF present a constant threat to the indigenous way of life. From 2018-2022 alone, it is on record that 200+ indigenous leaders have already been killed by the NPA – with the number staggering to more than 2,000 if we include the lives of indigenous leaders that they have claimed in their 50 years of existence. This number is further complemented by the atrocities they have committed to support their operations, including the indigenous youth and children radicalized through their so-called Lumad schools, the communities that they have heartlessly razed to the ground, and the billions of pesos that they have extorted through their NGO syndicate and their community taxation system. Although their legal fronts and operators in the media and in Congress claim to advocate the rights and interests of indigenous communities, what happens on the ground is contrary to the advocacies that they claim to serve and protect.



CLIMATE CRISIS

The role of indigenous peoples in climate change adaptation is rarely considered in public discourses. This is contrary to the fact that IPs are among the first to face the direct consequences of climate change, particularly, because of their symbiotic relationship with the environment and natural resources. Climate change continues to aggravate the difficulties already faced by indigenous communities.

As traditional stewards of nature, indigenous communities have patterned their ways of life with the context and requirements of the environment that surround them. In front of the climate crisis and the natural disasters that worsens year in and year out, IPs are left with little to no safeguards and interventions to protect themselves from the dire consequences of the climate crisis. In Rizal province, diarrhea outbreaks in Dumagat communities followed the damages already dealt by super typhoon Karding just earlier this year – with the lack of local health facilities aggravating the situation. Furthermore, changes in the expected rainfall and the

strength and volume of typhoons have disrupted planting and harvesting cycles in traditionally agricultural indigenous communities. Denuded forests from decades of timbering from logging concessionaires have made flash floods and landslides a common occurrence in the mountain regions. On the other hand, fluctuations in temperature and the presence of localized droughts have dried up river basins and water sheds and affected the livelihood of farming communities, with their yield already dwindling because of the lack of mechanisms and implements to adapt to changes in local climates.

And while being endangered with the threat of climate change, indigenous communities contribute the least in terms of damages dealt to the environment. In fact, indigenous peoples are vital to the many ecosystems that permeate their ancestral domains, with their indigenous practices serving at the forefront of environmental rehabilitation and preservation efforts even without interventions and coercions from external stakeholders.



WAYS AHEAD

The new administration presents a fresh start for the country after two years of being locked up because of the COVID-19 pandemic. With the pressing necessity to restart the economy and regain market confidence after the COVID-19 pandemic – and the added challenges brought by the need to curb runaway inflation and make the economy resilient from changes in international political economy – the indigenous peoples and their ancestral domains possess a great potential to contribute to the Philippines' rehabilitation process.

The array of resources found in the ancestral domains will surely catch the eye of the new administration's economic managers. From the vast arable lands and water sources necessary for food production, natural resources that can be tapped for mineral extraction to support industrialization requirements, possible contribution to the tourism industry, as well as vast potentials for harnessing alternative and renewable energy sources, improving the Philippine economy to surpass the pre-pandemic promises and estimates requires the ancestral domains to open up their lands and engage in more partnerships with both public and private stakeholders in development processes.

With the presence of this economic requirement, it is a necessity for indigenous communities to safeguard their provision of consent and use this as an opportunity to negotiate for fairer share with economic partners that is aimed in effecting inclusive, equitable, and sustainable development for their communities. Furthermore, the

safeguards provided by law to guarantee the rights and interests of these communities vis-a-vis their cooperation with development stakeholders must be strengthened, with state-operated mechanisms for convergences being reinforced and capacitated to adapt to the influx of opportunities.

On the other hand, the role of civil society organizations in the indigenous peoples rights discussions should be reviewed – especially after the expositions done by former CPP members that reveal the duplicitous natures of some nongovernmental organizations. While it is a necessity to reinforce the role of civil society in the advancement of indigenous peoples rights, advocates must always act in good faith while genuinely holding the interest of indigenous communities at the center of each discussion. The role of indigenous peoples organizations as advocates of their collective sectoral interest must also be highlighted, since the IPs themselves are more knowledgeable of their needs and must be allowed to articulate their own voices of approval and/or dissent.

The role of the indigenous communities in the nation-building process remains as one of the aspirations of IPRA that is yet to be fulfilled. Confronted with the challenges of the prevailing social condition, the spirit of the indigenous Filipino will definitely not waiver in the process, and shall emerge victorious.





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