

PHILIPPINES

The official results of the 2010 Philippine national census were released in 2012, putting the country's official population at 92.34 million. The census included an ethnicity variable for the first time but no official figure for the indigenous peoples has yet come out. The country's indigenous population thus continues to be estimated at between 10% and 20%. The indigenous groups in the northern mountains of Luzon (Cordillera) are collectively known as *Igorot* while the groups on the southern island of Mindanao are collectively called *Lumad*. There are smaller groups collectively known as *Mangyan* in the central islands as well as even smaller, more scattered, groups in the central islands and Luzon. There are no marked differences in physical appearance between indigenous peoples and non-indigenous peoples in the country except for small bands of dark-skinned peoples collectively known as the Negrito population. However, what distinguishes indigenous peoples in the Philippines from other segments of the population is that they have retained much of their traditional, pre-colonial culture, social institutions and livelihood practices.

Indigenous peoples in the Philippines generally live in geographically isolated areas with a lack of access to basic social services and few opportunities for mainstream economic activities or political participation. They are the people with the least education and the least meaningful political representation. In contrast, commercially valuable natural resources such as minerals, forests and rivers can mainly be found in their areas, making them continuously vulnerable to development aggression.

Republic Act 8371, known as the Indigenous Peoples' Rights Act (IPRA), was promulgated in 1997. The law has been lauded for its support for respect for indigenous peoples' cultural integrity, right to their lands and right to self-directed development of these lands. More substantial implementation of the law is still being sought, however, apart from there being fundamental criticism of the law itself. The Philippines voted in favor of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) but the government has not yet ratified ILO Convention 169.¹



The 2013 Indigenous Peoples' Agenda

In the Philippines, the International Day of the World's Indigenous Peoples 2013 was commemorated with the adoption of an updated Indigenous Peoples' Agenda during a national forum of 80 indigenous peoples from all over the coun-

try.² The participants felt that the issues raised in the 2010 Indigenous Peoples' Agenda had not been adequately addressed by the government. Five themes were identified for the updated agenda: 1. Indigenous peoples' lands, territories, resources and development aggression; 2. Human rights, militarization and peace, 3. The National Commission on Indigenous Peoples (NCIP); 4. Free Prior and Informed Consent (FPIC) and conflicting laws; 5. Social services, post-2015 sustainable development goals, climate change adaptation and disaster preparedness and response measures.³

The forum expressed full support for the Alta Outcome Document agreed upon by indigenous representatives from all over the world at the June Alta Conference, in preparation for the World Conference on Indigenous Peoples (WCIP) in 2014.⁴ The forum was organized by a broad group of indigenous peoples' federations and coalitions in the Philippines: the Cordillera Peoples' Alliance (CPA), Kalipunan ng mga Katutubong Mamamayan ng Pilipinas (KAMP), Koalisyon ng mga Katutubong Samahan ng Pilipinas (KASAPI), the Philippine Task Force on Indigenous Peoples' Rights (TFIP), the Philippine UNDRIP Network, and Tebtebba.

Land and resources

There were a few more Certificates of Ancestral Domain Titles (CADTs) awarded in 2013 (7) than in the previous year (2), making a total of 165 CADTs issued in the country so far. The National Commission on Indigenous Peoples (NCIP)⁵ attributed the very slow progress in 2012 to a streamlining of its internal review and approval procedures and, with these improvements, more were thus processed in 2013. Overall though, for indigenous peoples' groups that remain firm in their desire to acquire a CADT (as mandated by the IPRA) in recognition of their ancestral domain, the procedure is still very slow and dozens of applications remain at a standstill. Tenurial security for indigenous peoples through the processing of CADTs and Ancestral Domain Sustainable Development and Protection Plans (ADSDPPs) remains a priority for the NCIP.

Many indigenous peoples are therefore continuing to seek other forms of tenurial security for their ancestral domain, either as an alternative or complementary to the CADT. The momentum for recognition of Indigenous Community Conserved Areas (ICCAs) continued in 2013 after the previous year's Manila Declaration (see *The Indigenous World 2013*). This consensus document empha-

sizes the indigenous peoples' rights to land and resources and to a strengthening of traditional institutions, and it outlines standards for indigenous peoples' communities, NGOs and government regarding ICCAs. In February, the Philippine ICCA Consortium was established with a mandate to implement the Manila Declaration; a few months later, its Steering Committee met for the first time. Given the diversity of indigenous groups in the country, evenness of representation is a challenge but ICCA consortium members remain united by a firm desire for recognition and protection of the ICCAs in their respective areas.

Basic social services

Health

After almost two years of working on formulating this policy, the "Guidelines on the Delivery of Basic Health Services for Indigenous Cultural Communities/Indigenous Peoples" (Joint Memorandum Circular No. 2013-01) was finally signed in mid-2013 by the main government agencies involved – the NCIP, the Department of Health (DOH) and the Department of the Interior and Local Governments (DILG). This aims to ensure that basic health services are extended to indigenous peoples in even the most remote areas in a culturally appropriate manner. Throughout the year, a series of consultations were held with various government agencies that may be involved in the Joint Memorandum Circular's implementation, as part of the process of strategic planning for its implementation.⁶

Social protection and indigenous peoples

The Conditional Cash Transfer (CCT) program of the Philippine government is called the Pantawid Pamilya Program (meaning program to help families cope during bad times). It is a human investment program that provides cash grants to poor households with children 0-14 years old or pregnant women. As of December, Pantawid had reached out to 367,356 indigenous peoples' households, which was around 2.5% of the projected indigenous population according to the Department of Social Welfare and Development (DSWD).⁷ The DSWD intends to take more care in relation to such issues as beneficiaries falsely claiming to be indigenous, the lack of information about this program among indigenous peoples, and the high cost of transport for those living in more remote areas to be

able to avail themselves of the cash. The DSWD had vowed to deliberately target vulnerable groups, which includes indigenous peoples, and was supposed to prioritise them in the first cycles of the program.

Typhoon Haiyan

On 8 November, the most powerful typhoon in recorded history struck the central part of the Philippines. The areas that suffered devastating damage on a large scale were not indigenous peoples' areas, and much needed humanitarian aid and recovery assistance has been generated for them. However, it is estimated that more than 11,000 indigenous families have also been greatly affected, especially in the central islands. Unfortunately, there is a very real danger that, given their small numbers in low-density and isolated areas, indigenous peoples will not be given as much attention or adequate assistance to rebuild their destroyed houses, livelihoods and access to services. In some places, the response was slow simply because local government had little information about the far-flung villages of indigenous peoples.⁸

Representation

The official census results

Typhoon Haiyan illustrated how little official information there is at the national and local government level on the Philippines' indigenous peoples. Several government agencies have cited the lack of accurate data regarding the location and number of indigenous peoples in specific areas as one reason for their inability to extend their services to them. The inclusion of the ethnicity variable in the 2010 national census had produced high hopes that an accurate and total count of their population would finally be generated. When the official census results were released in 2012, disappointingly, they did not include such a count. The NCIP, which previewed the data from the ethnicity variable, stated that it was not comfortable with the results because the numbers came out much lower than expected, at a little over 8 million, or only around 9% of the total Philippine population. The NCIP cited weaknesses in the approach to enumeration, such as an inability or refusal to go to the more far-flung areas and a culturally inappropriate way of asking the questions. For instance, an NCIP official shared the

fact that the enumerator who went to her household did not even ask about ethnicity.⁹

Mindanao peace process

After the signing of the Framework Agreement of the Bangsamoro (FAB)¹⁰ between the Moro Islamic Liberation Front (MILF) and the Philippine government in 2012 (see *The Indigenous World 2013*), the preparation of the Comprehensive Agreement was slated for last year, with its signing in 2014. For this purpose, a 15-member Transition Commission was created, with indigenous peoples represented by a Teduray woman, Froilyn Mendoza. Her inclusion has been cited as one manifestation of innovation in the peace process.

The FAB mentions or alludes to indigenous peoples in three places in the Agreement: that they are free to choose a Bangsamoro identity; that their customary laws will be considered in the Bangsamoro's justice system; and that everyone in the Bangsamoro territory has the right to equal opportunities regardless of ethnicity. The decades-long conflict has predominantly been seen as being between Christians and Muslims, and indigenous peoples whose traditional areas are within the Bangsamoro territory have felt that their voices and rights were not being given consideration. During the preparation of the Agreement's annex on wealth sharing, Mendoza viewed with apprehension the fact that indigenous peoples and their close link to the environment was not mentioned at all. She felt that this appeared to be related to a lack of recognition of indigenous peoples' ancestral domains and their inherent rights therein.¹¹

Elections

Elections for local officials were held in May. This included voting for party lists or political parties intended to give vulnerable or marginalised groups the opportunity to be represented in Congress. There were seven qualified indigenous peoples' party lists of the 111 that participated. Only one of the party lists, ANAC-IP (Ang National Coalition of Indigenous Peoples Action Na!-Indigenous Peoples) managed to get enough votes for a seat. The party nominees were all from the Cordillera. Katribu, another indigenous peoples' party list, cited incidents that

would have had the effect of disenfranchising the voters in indigenous peoples' areas, among them "painfully slow" counting, a breakdown in the automated voting machines, and even a declaration of the failure of the elections. Katribu ranked 59th in terms of number of votes garnered; there are 58 seats in Congress for party lists.¹²

Government and indigenous peoples

The UN Special Rapporteur on the rights of indigenous peoples, James Anaya, produced a report dated 13 July 2013 on the Philippine situation. In his concluding remarks, he notes that the government lacks an overarching indigenous peoples' plan, that there is little integration between agencies, and little participation of indigenous peoples in government programs. He thus recommends formulating an updated agenda, considering a bill to create a department for indigenous peoples, and linking all government programs with a focus on indigenous peoples.

The year saw the constitution of the sixth Commission en Banc of the NCIP, which has seven members (commissioners' terms are for two years). Of the seven members of the fifth commission, six were retained and the new commissioner was designated as the new NCIP Chair. For the first time, there are more female than male commissioners. A new Executive Director was also appointed and, toward the year end, the NCIP initiated mechanisms for ensuring more efficient coordination between the NCIP and projects involving indigenous peoples implemented by NGOs as well as other government agencies. The reviews of these actions are mixed but such initiatives have been appreciated.¹³

Pending bills in Congress

At the year end, Teodoro Baguilat Jr., a member of the House of Representatives who is himself indigenous, initiated a consultation with indigenous peoples' representatives on five bills that would involve or affect indigenous peoples and which he intended to file or support in Congress.¹⁴ Happily, these proposed bills are in line with various calls made in the Philippine Indigenous Peoples' Agenda.

- National Land-Use Act – harmonization of the several, often conflicting, laws on land ownership and usage, including those of ancestral domains;
- Philippine Mineral Resources Act – consideration of mining within the context of protecting indigenous peoples' environment, culture and wealth sharing within their ancestral domains;
- Indigenous Peoples' Education Systems Act – institutionalization of learning systems appropriate to indigenous peoples' cultures;
- Indigenous Community Conserved Areas Act – recognition and protection of areas sacred to indigenous peoples within their ancestral domains;
- Anti-Discrimination Act – inclusion of recognition of discrimination based on one's ethnicity.

The coming year

Working for the passage of these bills, participating in the World Conference on Indigenous Peoples, observing how far the NCIP can go in its improvement and strengthening, emphasizing a greater voice in local government and development projects as a whole, monitoring how the Indigenous Peoples' Agenda is being pursued – these are all challenges facing indigenous peoples over the coming year. ○

Notes and references

- 1 Data in this section are taken from: <http://www.census.gov.ph>, accessed 22 April 2013; and Sabino Padilla, Jr., 2000, *Katutubong Mamamayan*. Manila/Copenhagen: International Work Group for Indigenous Affairs (IWGIA). The 2013 population of the Philippines was projected to be 97.7 million in 2013, according to the government's Commission on Population (see <http://www.philstar.com/headlines/2013/01/03/892745/phl-population-expected-hit-97.7-million-year>).
- 2 "National Forum on Indigenous Peoples and the World Conference on Indigenous Peoples (WCIP 2014)", Quezon City, 7-8 August 2013.
- 3 The Indigenous Peoples' Agenda 2013 can be downloaded from: <http://www.tebtebba.org/index.php/content/270-philippine-indigenous-peoples-agenda>.
- 4 Information about the World Conference on Indigenous Peoples and the Alta Outcome Document can be found at: <http://wcip2014.org/resources>
- 5 The National Commission on Indigenous Peoples (NCIP) is a government agency established in accordance with the Indigenous Peoples' Rights Act (IPRA) of 1997. It is the primary government agency in charge of implementing the IPRA, i.e. formulating and implementing policies, plans and programs for the recognition, promotion and protection of the rights and well-being of indigenous

- peoples. Information on the CADT is taken from the NCIP report “Masterlist of issued CADTs as of December 31, 2013”.
- 6 Bureau of Local Health Development, DOH, “Highlights of the Joint Memorandum Circular [No. 2013-01] on IP Basic Health Service Delivery”, presented at the “National Indigenous Peoples Executive Dialogue”, Quezon City, 10 December 2013.
 - 7 DSWD, “The pantawid pamilya program at a glance”, presented at the “National Indigenous Peoples Executive Dialogue” meeting.
 - 8 See Asian Indigenous Peoples’ Pact (AIPP), “Appeal for support for the indigenous peoples affected by Typhoon Yolanda (Haiyan) in the Philippines” 13 November 2013 (<http://www.aippnet.org/index.php/urgent-appeals/1378-appeal-for-support-for-the-indigenous-peoples-affected-by-typhoon-yolanda-haiyan-in-the-philippines>); and Judy Pasimio with Daryl Leyesa, “Typhoon Yolanda response by Bulig Kababayan-an, Antique province, 18-19 December 2013”. 27 December 2013.
 - 9 As shared by Zanaida Bridiga Pawid, then NCIP Chair during the Foundation of the Philippine Environment’s National-Regional Advisory Committees–Partners Meeting, Quezon City, 20-22 May 2013.
 - 10 Bangsamoro, in the context of the FAB, refers to a proposed autonomous political entity.
 - 11 See Mendoza https://www.facebook.com/permalink.php?id=181675918556499&story_fbid=559761847414569, 18 July 2013; Santos M. Unsad, “ARMM Indigenous peoples’ participation in peace processes”, presented at the “National Indigenous Peoples Executive Dialogue”, Quezon City, 10 December 2013; and Kristian Herbolzheimer, <http://www.c-r.org/comment/peace-times-war#sthash.GcACjYD9.dpuf>, January 2014.
 - 12 See <http://katribu.org/content/katribu-and-partylist-law-lesson-electoral-struggle>; <http://www.rappler.com/nation/politics/elections-2013/28437-party-list-group-best-represents-you>; <http://www.anac-ip.org/official.php>
 - 13 The NCIP held a series of consultation meetings in November-December with other government agencies and NGOs which have IP programs and projects.
 - 14 “National Indigenous Peoples’ Legislative Dialogue”, Quezon City, 9 December 2013.

Maria Teresa Guia Padilla and Portia B. Villarante are members of *Anthropology Watch*, a non-governmental organization (NGO) composed of anthropologists and other social scientists working with and for indigenous peoples in the Philippines. It engages in assistance for land titling, culturally appropriate community development planning, capacity building and advocacy on indigenous peoples’ issues.