Indigenous rights and resource management in Philippine protected areas

By Padmapani Perez and Tessa Minter

A primary aim of the Indigenous Peoples’ Rights Act is to grant indigenous peoples the right to control over their territories or ancestral domains. Previous laws claimed the majority of indigenous territories as state land. The National Integrated Protected Areas System, for example, recognizes indigenous peoples’ prior occupation only insofar as their resource extraction remains traditional, in illegal or illegitimate subsistence levels. Another aim of the Indigenous Peoples’ Rights Act is to ensure ancestral domains’ sustainable management, setting the condition that indigenous peoples develop their ancestral domains in an environmentally sound way.

Mount Pulag, the highest peak of the Cordillera Mountain Range, and the Northern Sierra Madre Mountain Range are renowned biodiversity hotspots on the island of Luzon. Both were declared protected areas. Mount Pulag National Park (515,500 hectares) was established in 1987 and covers pine, lower montane and mossy forest. Its foothills are occupied by Ifalok, Kalanganoy and Kankanaey indigenous groups. The Northern Sierra Madre Natural Park (560,000 hectares) was established in 1997 and includes Luzon’s last undisturbed lowland dipterocarp rainforest, mangroves and beach forest. The park is inhabited by one indigenous group, the Agta, and various immigrant groups. The water-sheds of both protected areas are vital to local agricultural activities and human settlements within the parks.

Philippine protected areas are managed through Protected Area Management Boards, in which the Department of Environment and Natural Resources, local communities and other stakeholders to the parks’ resources are represented. The management boards are responsible for protecting the areas’ forest and aquatic resources and meet regularly to decide on park management issues.

Mount Pulag National Park

The Ifalok, Kalanganoy, and Kankanaey members of the Mount Pulag management board proclaim theirs is the most active in the Philippines. They say it is because the indigenous peoples of the Cordilleras, know how to work with the government. Government and politics in the Cordilleras is dominated by a class of educated and influential indigenous elite. While not necessarily materially wealthy, they have access to powerful networks in politics and business. However, that is not necessarily the most active Protected Area Management Board does not mean it is the most effective. Thus far it has been unsuccessful in preventing the continuing clearing of forested areas for commercial vegetable farming, and the opening of farm-to-market roads within the park.

The awarding of ancestral domain titles poses a further challenge to protected area management. The ongoing implementation of the Indigenous Peoples’ Rights Act presents the opportunity to put control of Mount Pulag back in the hands of those who claim it as ancestral domain. It is increasingly difficult to determine which claimants – from different municipalities and ethnolinguistic groups, mainly Ifalok and Kalanganoy – truly have a right to Mount Pulag. Claims are couched in terms of burial places, water sources, old swidden patches, pastoral lands, locations of ancestral homes, existence of legends attached to particular places and so on.

Native peoples’ movements

The Philippines is hailed in Southeast Asia for being at the forefront of recognizing the rights of the country’s estimated ten to twelve million indigenous people. This is embodied in the Indigenous Peoples’ Rights Act of 1997, currently being implemented by the National Commission on Indigenous Peoples. Under the Act, indigenous groups in the Cordilleras and Northern Sierra Madre mountain ranges have the opportunity to gain control over how resources will be managed by claiming rights to ancestral domains, even inside protected areas.

Knowledge and politics in the Cordilleras

it is not surprising that elders claim the same paths and areas in boundary negotiations. Quite possibly their ancestors used the same areas for similar purposes. Furthermore, the delineation of ancestral domains will entail having a title, implying the right to decide how resources will be used and how the domain will be developed. The people of Kayahan want to raise their standard of living; their natural resources are the most immediate means available.

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The political elite of Kayahan has led the fight of the ancestral domain title, so much so that the Department of Environment and Natural Resources and Fear of Richard, if the title is issued, the park will be dissolved and the leaders of the ancestral domain will take over. It is not clear how they will manage natural resources, especially as future leaders see the existence of the park as an affront to their prior occupation of Mt. Pulag.

Northern Sierra Madre Natural Park

The Agta are hunter-gatherers who traditionally obtained most of their rice, corn and other basic necessities by trading forest products with farmers. Since the 1960s, however, the non-Agta population in what is now the Northern Sierra Madre Natural Park increased rapidly, to almost five times the Agta population. The immigrants came as

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Another concern is the minimal role the Agta play in the park’s management board. For logistical and communicative reasons, of the twelve appointed Agta board representatives, only one regularly attends meetings. The same applies to the Agta’s role in the application process for recognition of their domain rights. From the start, non-Agta advocates have been pushing for the granting of Agta domain titles rather than to the Agta themselves. This has several adverse consequences. First, very few – and exclusively male – Agta are aware of the benefit an ancestral domain title could bring. Moreover, few Agta understand the application procedure for such titles. The whole instrument is conducive to abuse: in many Agta claims processed so far, names of non-existent individuals or members of the immigrant population appeared in the list of claimants.

Parallels

The awarding of ancestral domain titles within protected areas is problematic, especially where identified ancestral domains overlap with parks’ strictly protected zones, from which extraction is prohibited under all circumstances. It has been suggested that the ancestral domain Sustainable Development and Protection Plan will harmonize the objectives of national parks and ancestral domain titles. Under the Indigenous Peoples’ Rights Act, the formulation of such a plan is a requirement in applications for ancestral domain titles. The claimants themselves should draw up the plan, with officers of the National Commission on Indigenous Peoples facilitating as facilitators. The plan should include sections on indigenous