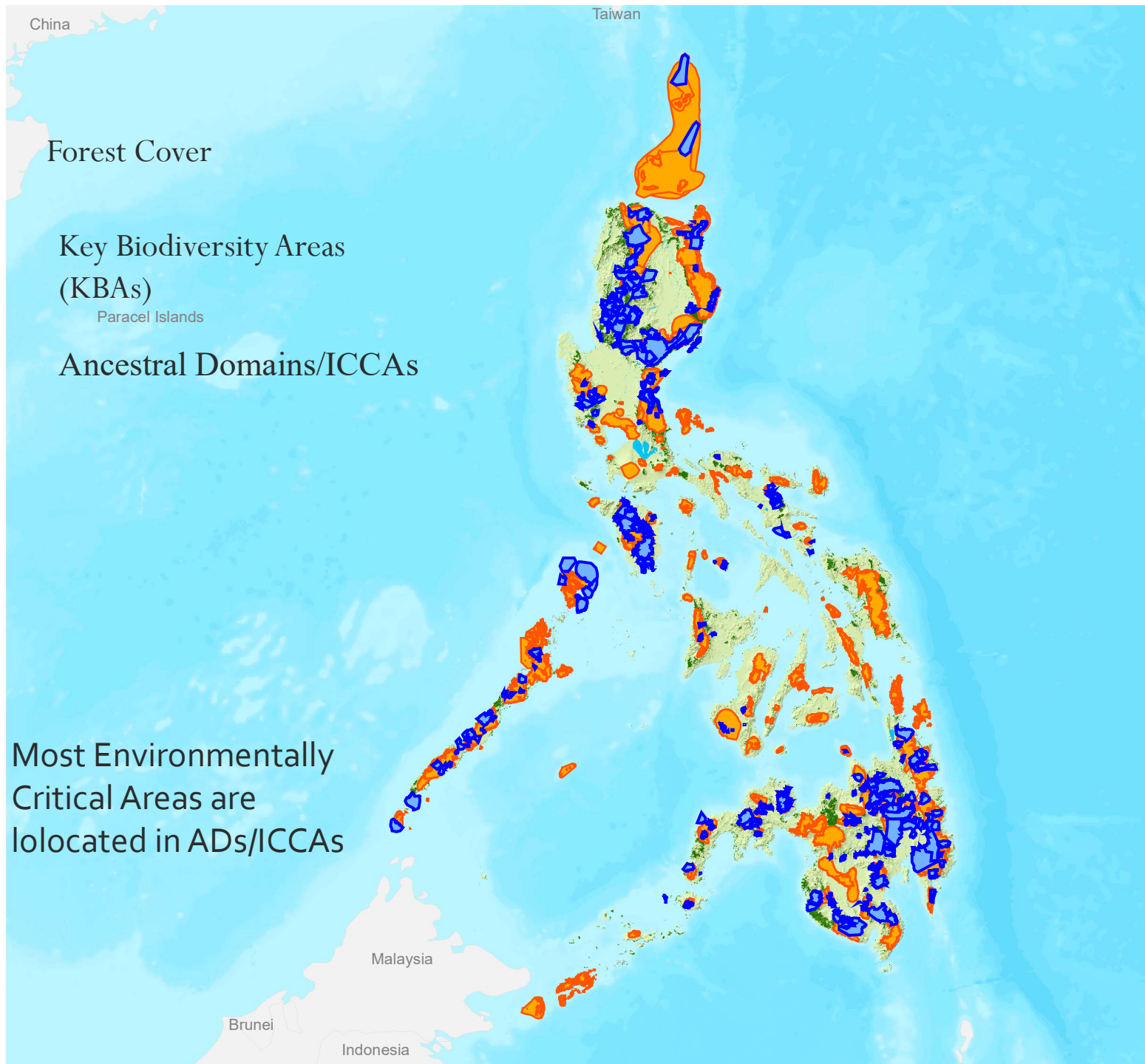




INDIGENOUS COMMUNITY CONSERVATION AREAS

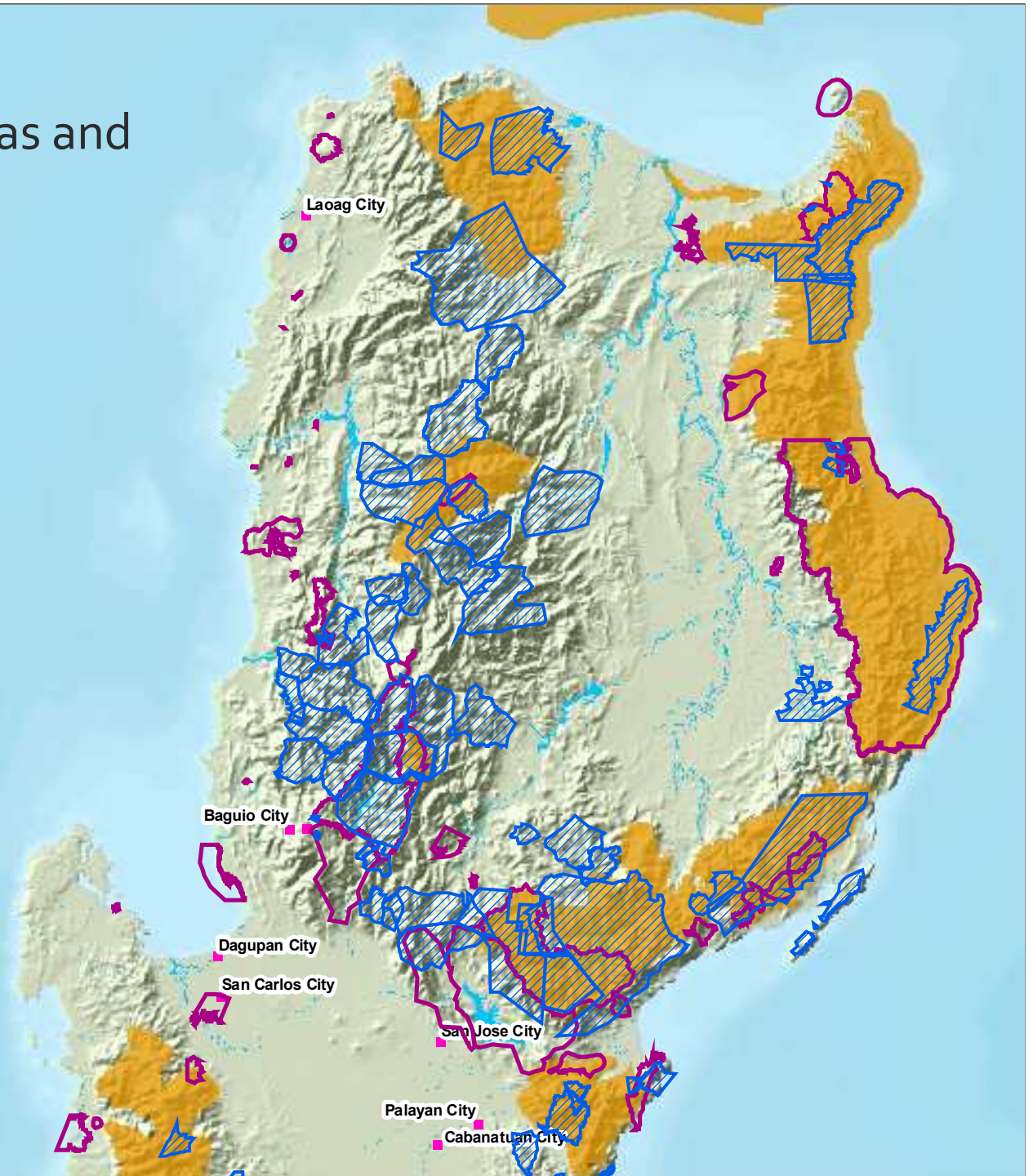
AN OVERVIEW

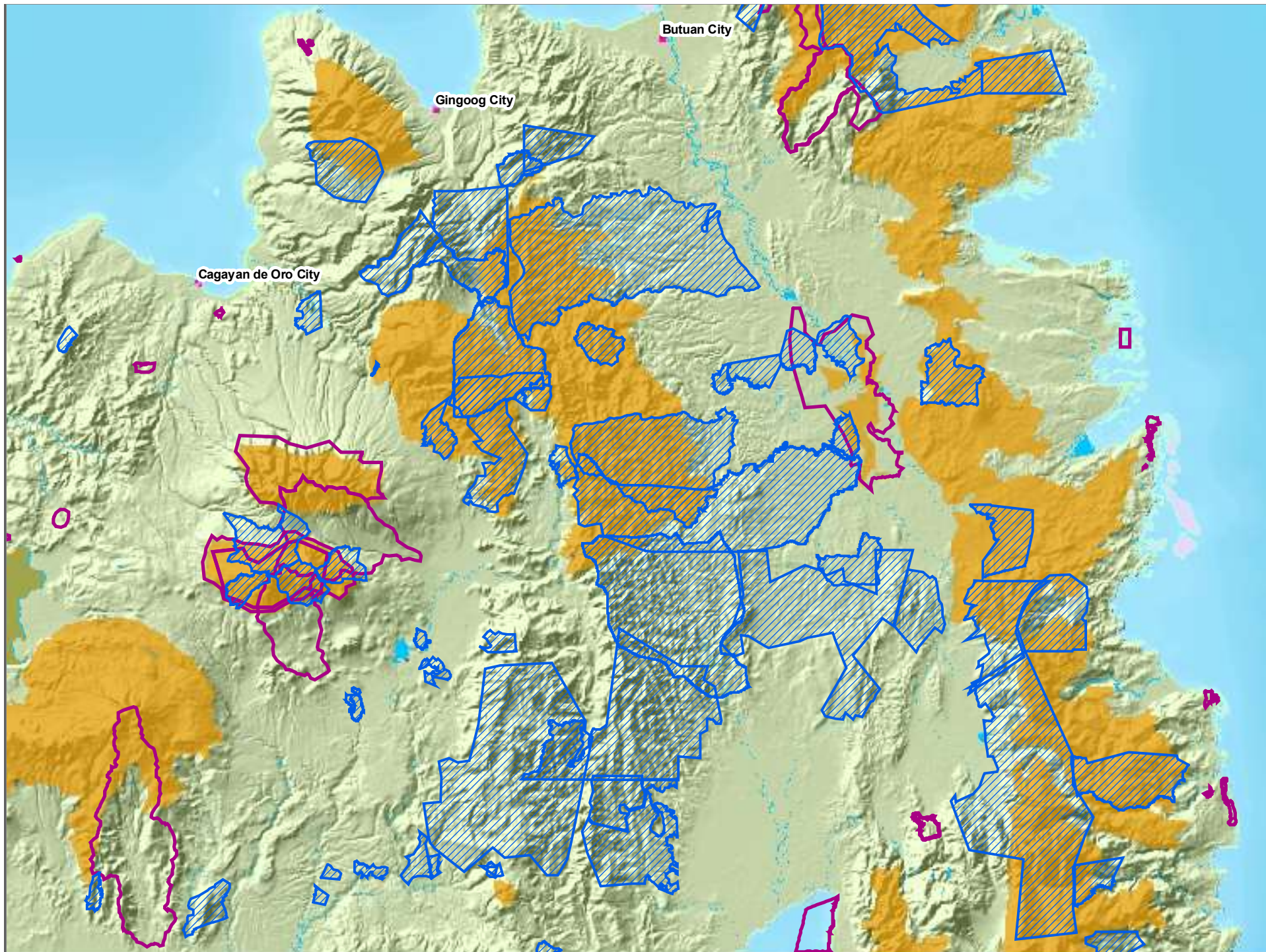
Presented by Teddy Brawner Baguilat
Ifugao, Philippines



Key Biodiversity Areas

-Support protected areas and
ancestral domains





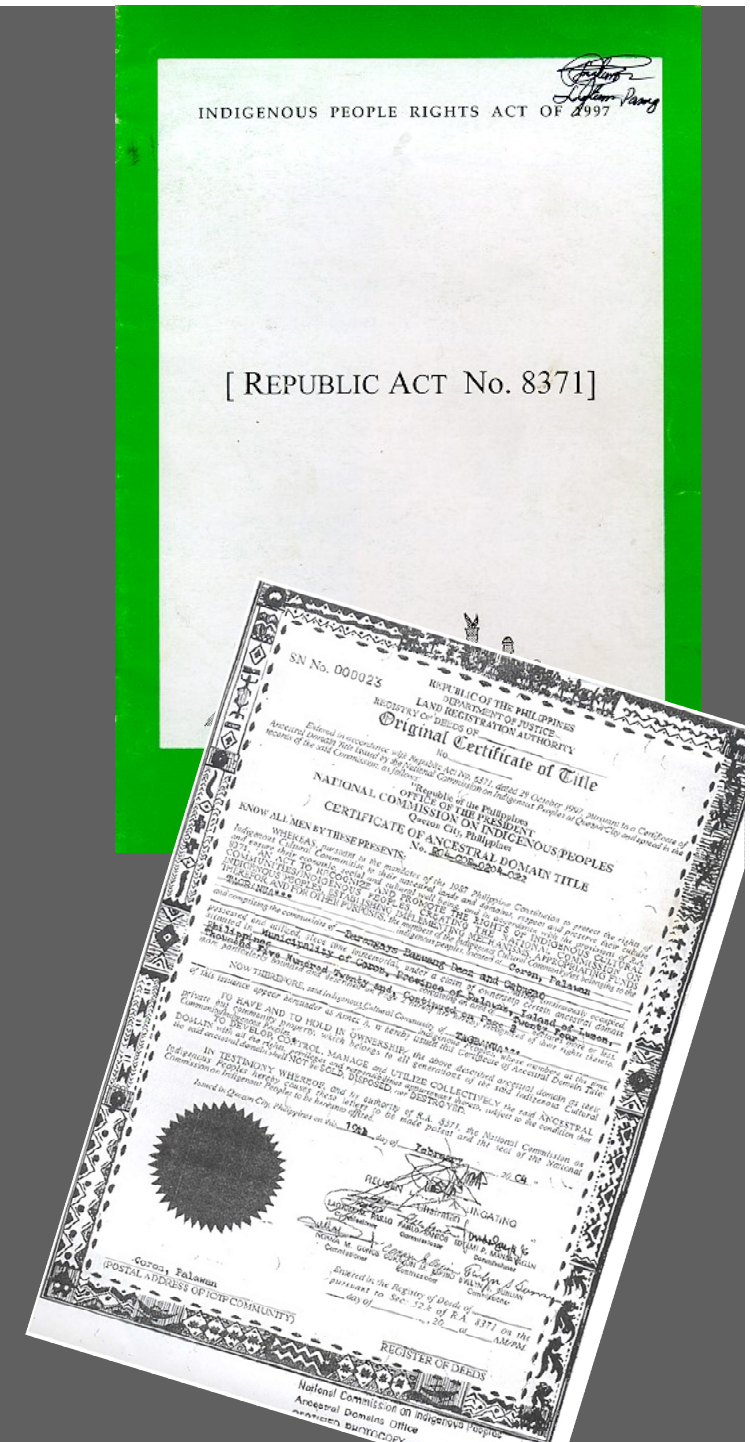
INDIGENOUS PEOPLES' RIGHTS IN THE 1987 PHILIPPINE CONSTITUTION

- ❑ Art. 2, Sec. 22 - The State recognizes and promotes the rights of indigenous cultural communities within the framework of national unity and development.
- ❑ Art. 12, 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.

The Congress may provide for the applicability of customary laws governing property rights or relations in determining the ownership and extent of ancestral domain.

Chapter 3 Sec. 7, b., Rights to
ADs. (IPRA) states that IPs
have the right to manage and
conserve natural resources
within the territories and
uphold the responsibilities for
future generations

*The ICCs/IPs shall prepare their own
ancestral domain sustainable
development and protection plan
(ADSDPP) in accordance with their
customary practices, laws and
traditions.*



REPUBLIC ACT NO. 11038 OF 2018 OR *E-NIPAS EXPANDED NATIONAL INTEGRATED PROTECTED AREAS ACT*

- ❑ Creates 94 more National Parks in addition to the 13 legislated Protected Areas covering 3 million hectares
- ❑ Sec. 13 recognizes, respects territories and areas occupied and conserved for and by IPs/ICCs
- ❑ Sec. 18 amended to allow the duly recognized practices of IPs/ICCs for subsistence purposes in protected areas
- ❑ Sec. 7 amended to establish a management plan for the PA that is harmonized with the Ancestral Domain Sustainable Development and Protection Plan (ADSDPP), the Comprehensive Land Use Plans and other plans

WHY INSTITUTIONALIZE ICCAS?

- ❑ Existing laws (in the Philippines) that support ICCAs (e.g. Indigenous Peoples Rights Act or IPRA; National Integrated Protected Areas Systems or NIPAS Act) are not enough to promote or protect ICCAs.
- ❑ A law specifically for ICCAs would provide the necessary government mandate, especially the annual budget and people needed to manage the ICCAs.

▪



HOUSE BILL 115: INDIGENOUS COMMUNITIES CONSERVED AREAS ACT of 2016

Authored by:

Hon. Teddy Brawner Baguilat, Lone District of Ifugao

**AN ACT PROTECTING AND STRENGTHENING
THE INDIGENOUS COMMUNITY CONSERVED
AREAS, RECOGNIZING THEIR CONTRIBUTION
TO BIODIVERSITY CONSERVATION,
ESTABLISHING FOR THE PURPOSE THE
NATIONAL ICCA REGISTRY, APPROPRIATING
FUNDS THEREFOR AND FOR OTHER PURPOSES**

ICCAS IN IFUGAO

- Muyong simply means forest or woodlot
- Area: could range from small (0.25 ha) to few hectares, owned and managed by family or clan
- In the landscape, they usually are adjacent and above parcels of rice terraces (*payo*), swidden farm (*uma*) or settlements





The Muyong of the Ifugao

Tayan Areas in Mt. Province





Awuyuk

- The sacred lakes of the tagbanwa in Coron Island.

ICCA COVERAGE...

- ICCAs in the Philippines include sacred sites and natural features, indigenous territories, cultural landscapes and seascapes. They are found in both terrestrial and marine ecosystems in the country.
- The ICCA sites also represent different biogeographic regions. They can be found from the mountain ridges to the coral reefs. They provide habitats to a high diversity of flora and fauna.

ICCA COVERAGE...

- Based on the IUCN definition of ICCAs, at the very least, there could be as many ICCAs as there are indigenous cultural communities in the Philippines.
- There could even be more because ICCAs are not limited and exclusive to areas conserved by indigenous peoples but include other areas conserved by other local communities

HOUSE BILL 115: INDIGENOUS COMMUNITIES CONSERVED AREAS ACT (17th Congress)

MAJOR PROVISIONS

- ❑ Section 2: State duty to protect key biodiversity areas
- ❑ Section 3: Recognizing ICCAs and rights of ICCs/IPs to their ancestral domains
- ❑ Section 6: *Protection/Privileges of ICCAs*. Shall be closed to mining and other destructive forms of natural resource utilization
- ❑ Section 10 & 12: *National ICCA Registry*. shall contain records of all pertinent information voluntarily submitted by the concerned ICC/IP regarding their respective ICCAs; included and duly reflected in the Comprehensive Land Use Plan (CLUP) of local governments
- ❑ Section 13: *Inclusion in the Protected Area Management System* – If ICCAs overlap with Protected Areas, ICCAs shall be included in the management systems of protected areas and KBAs.

CHALLENGES & LESSONS

- ❑ Consensus building especially regarding its prohibitive provisions such as mineral exploration and other extractive activities
- ❑ Bills requiring budget appropriation usually pass thorough scrutiny on where to get the fund
- ❑ Institutionalization is a long process (time)
- ❑ Active participation by Indigenous Peoples
- ❑ Importance of Coalition-building with other advocates, including those in government bureaucracy

THANK YOU! HAGGIYO!



Sources:

Philippine Association for Intercultural Development (PAFID)

ICCA Consortium

Foundation for International Law and Development

CEESP

Kail Zingapan

Grazia Borrini-Feyerabend, PhD.

Ashish Kothari

HB 115, Rep. Teddy Baguilat, House of Representatives