



# INDIGENOUS COMMUNITY CONSERVATION AREAS

AN OVERVIEW

**Presented by Teddy Brawner Baguilat  
Ifugao, Philippines**

China

Taiwan

Forest Cover

Key Biodiversity Areas  
(KBAs)

Paracel Islands

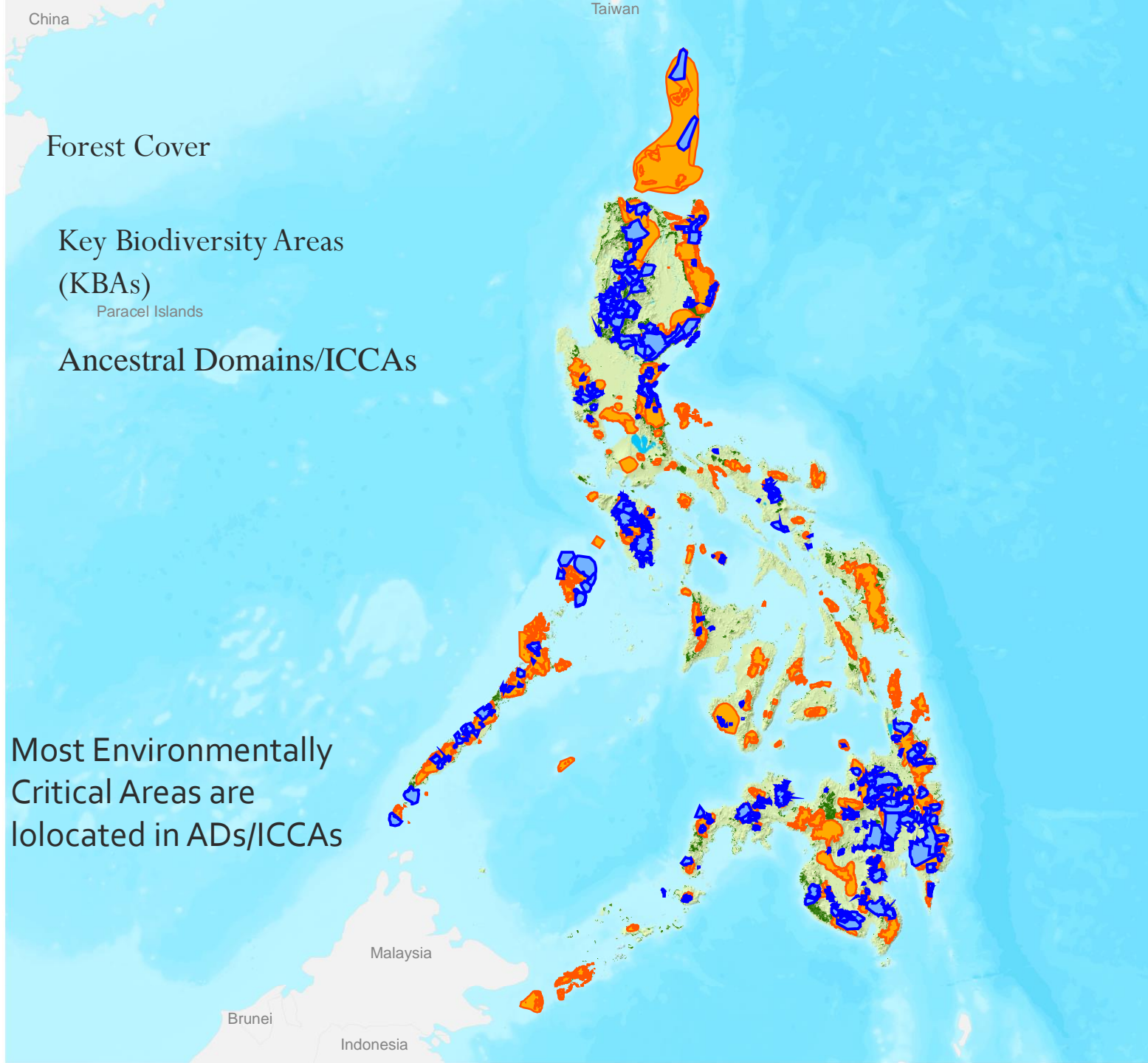
Ancestral Domains/ICCAs

Most Environmentally  
Critical Areas are  
located in ADs/ICCAs

Malaysia

Brunei

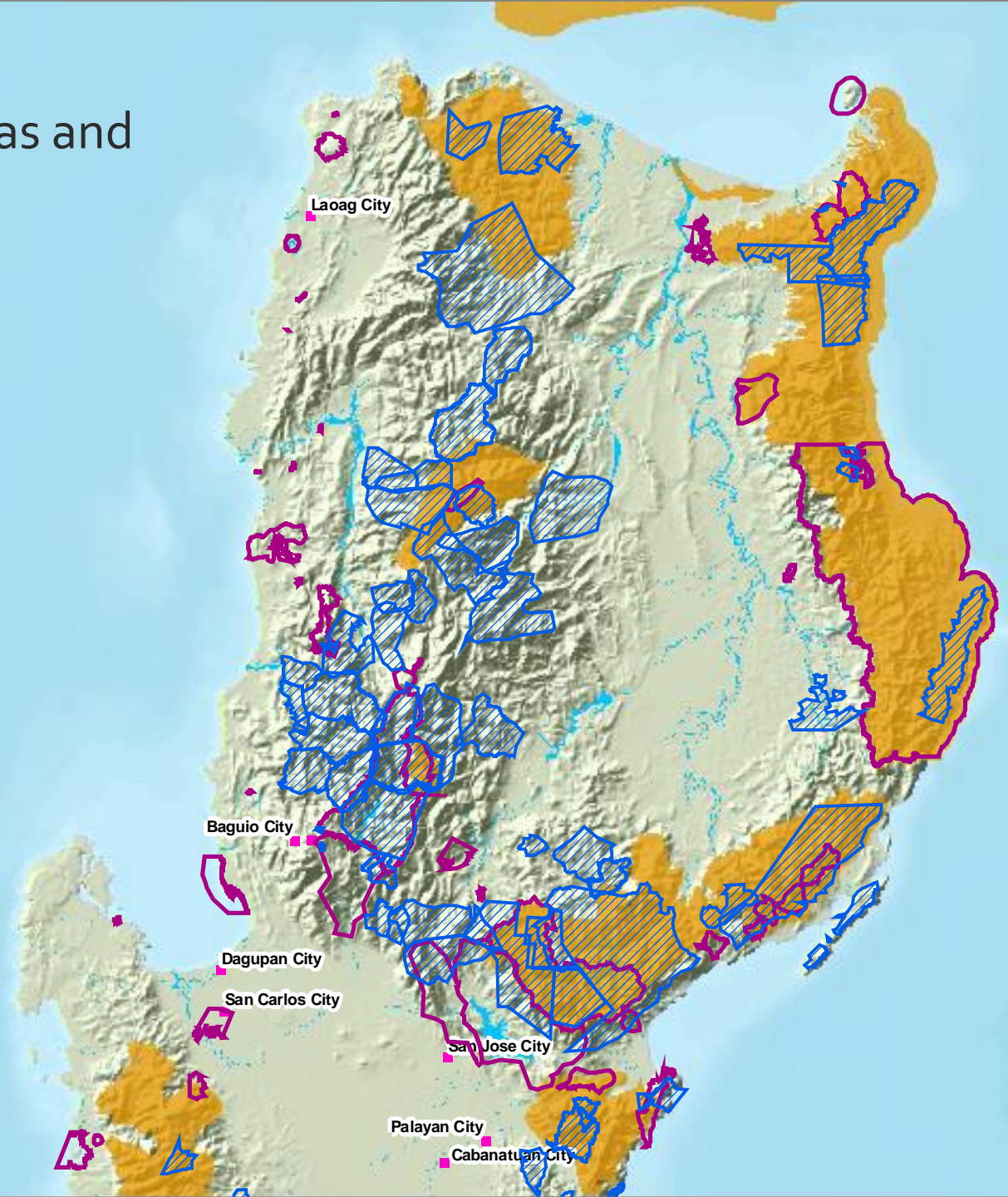
Indonesia



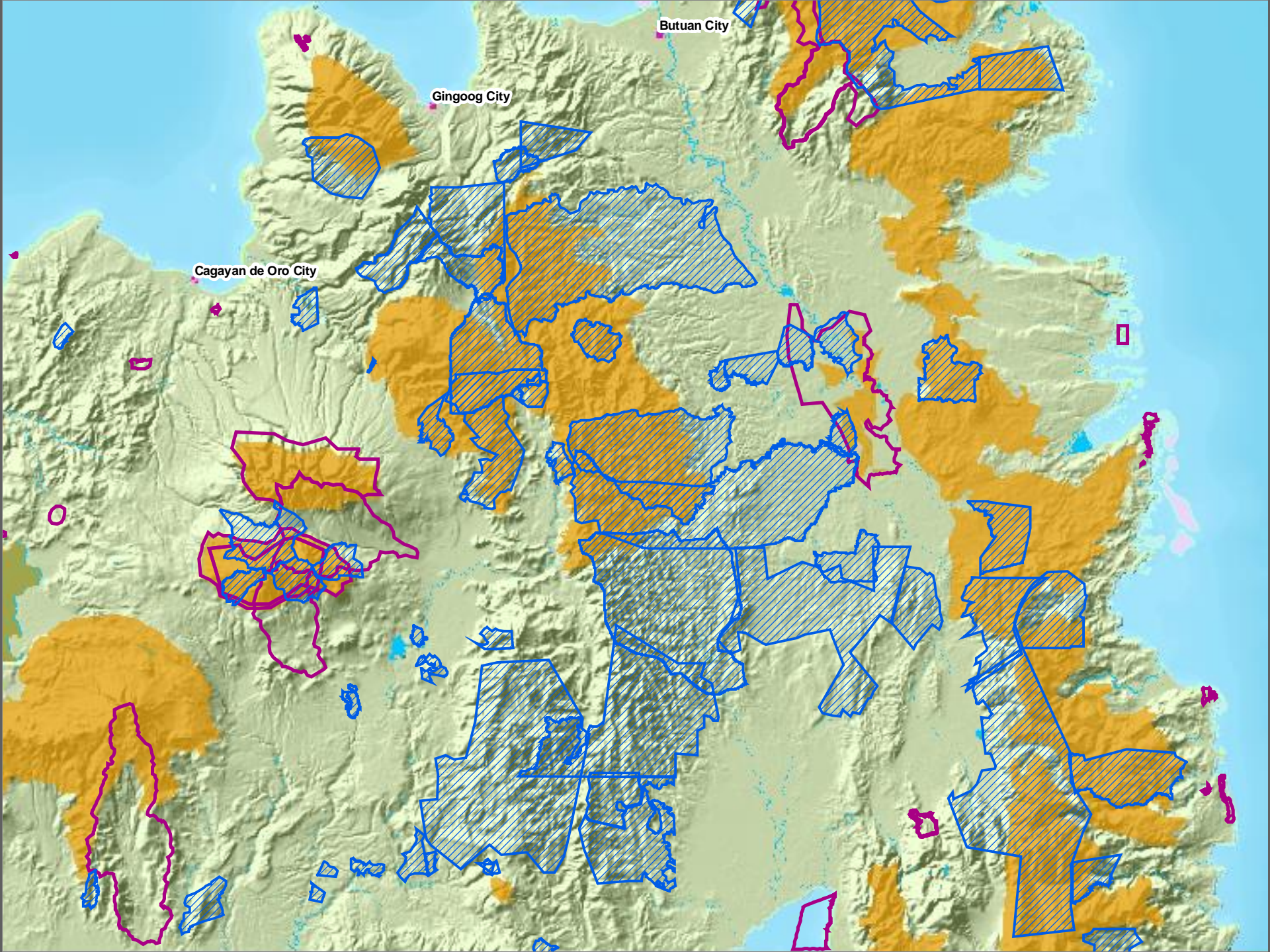


# Key Biodiversity Areas

-Support protected areas and  
ancestral domains







Butuan City

Gingoog City

Cagayan de Oro City

# 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.*

INDIGENOUS PEOPLE RIGHTS ACT OF 1997

[ REPUBLIC ACT No. 8371 ]



# 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

# ICCAs...



...Define the identity, coverage and extents of Indigenous territories

...Provide habitat for nature, host environmentally critical areas and sustain life.

...are the basis of securing income and resources such as energy, food, water, and fodder for millions of people,

...are **“convergence points”** of conservation and livelihood security for many Indigenous Communities in the Philippines.



# 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**

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**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 (17<sup>th</sup> 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

- Indigenous Community Conservation Areas have long existed in the Philippines and predate current initiatives of environmental conservation and protection.
- Ancestral Domain Areas offer the clearest illustration of this form of Self-determination through various forms of Traditionally Governed conservation systems that have proven to be very effective in protecting the environment and ensuring the sustainability of our natural resources for the future generation.

# 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

# RECOMMENDATIONS

- Recognize and learn from the experiences of ICCs on conservation.
- Strengthen, & support ICCs in their “genuine” governance of ICCAs.
  - Allow IPs to have majority representation in the Protected Area Management Board under the E-NIPAS.
  - Accept that IPs can declare their ICCAs separate from the Park coverage
- Harmonize policies to strengthen IP governance in their ICCAs
  - ADSDPP, FLUP & CLUP



# 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