

## Indigenous Community Perspectives on Forests and Climate Change: What Is Needed For An Effective Strategy FOR REDD?

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At the outset, I would like to express appreciation and gratitude to the organizers for inviting me to this conference. This opportunity to be discussing Indigenous Peoples (IPs) and Climate Change is very welcome. The IPs are among those who suffer the most from the adverse effects of climate change. They are found in the diverse ecosystems that are vulnerable to climate change, such as forest lands and high altitude terrain. The life and culture of the IPs are closely interrelated with the ecosystems where they abide. It is now widely admitted that the IPs, through their indigenous knowledge, systems and practices (IKSP), acquired through the years, have contributed much to the preservation of the ecosystem.

Time does not permit us to dwell on the IPs and the different ecosystems where they are found worldwide. This presentation, therefore, will focus on a particular group of IPs found in the northern part of the Philippines, the Cordillera region. However, it can be said that the situation of the IPs in this corner of the world would be similar to those of the other IPs all over. You will find a more detailed description of IPs and the ecosystems wherein they live in a book entitled: Guide on Climate Change and Indigenous Peoples, published by Tebtebba Foundation (website: [www.tebtebba.org](http://www.tebtebba.org)).

There are about one hundred ten (110) identified ethnolinguistic groups in the Philippines, twelve of whom are found in the Cordilleras. I belong to one of these groups, the Kankanaeys of Mountain Province. The Cordillera region is considered the watershed cradle of North Luzon, Philippines, feeding several river basins that irrigate the surrounding lowland regions. It is the source of water for five (5) hydro electric power plants with a combined capacity of 945 megawatts supplying the main transmission grid of the country. About ninety-two percent of the population are IPs.

The watershed land cover is distributed as follows:

| Land Cover Type          | Area (ha)           | Percentage     |
|--------------------------|---------------------|----------------|
| Agricultural area        | 143,044.46          | 7.85%          |
| Brushland                | 231,222.66          | 12.69%         |
| Grassland                | 252,115.45          | 13.89%         |
| Pine forest              | 173,955.28          | 9.55%          |
| Residual                 | 406,870.77          | 22.33%         |
| Mossy/Old growth         | 84,971.59           | 4.66%          |
| Built up/Other land uses | 497,975.76          | 27.34%         |
| Waterbodies              | 30,535.61           | 1.68%          |
| <b>TOTAL</b>             | <b>1,821,691.58</b> | <b>100.00%</b> |

(Data: DENR, Phil. Gov't.)

During an interregional summit on water resources held at Baguio City, Philippines on May 20, 2009, attention was called to the deteriorating quality and the diminishing quantity of water coming from the region as a result of forest degradation and denudation. This is attributed to climate change and the demands of a growing population and unsustainable development. Forests lands and mountain slopes are

being converted to agricultural use. Timber poaching and illegal logging are identified as among the culprits.

The summit was convened as a result of a growing awareness of this concern among the local communities and the government, with the objective of coming up with strategies to address the problem. Future meetings have yet to be scheduled for this.

But even before this, there were already government initiatives and interventions that were put in place. Just recently, or on December 26, 2008, the President of the Philippines issued Executive Order No. 774, reorganizing the Task Force on Climate Change. The task force was given an initial funding of two billion pesos (Php 2B), for the delineation of forests lands and for reforestation purposes.

At this point, note should be taken of a piece of revolutionary legislation that has given boost to the struggle of the IPs in the Philippines for self determination. I make mention of Republic Act No. 8371, otherwise known as the Indigenous Peoples' Rights Act (IPRA) of 1997. Prior to this law, the IPs in the Philippines were considered squatters in their own ancestral domains and lands. By virtue of the Regalian Doctrine, a legacy of Spanish colonization of the Philippines, all lands within the territory belong to the State. The Public Land Act governs the modes of acquiring land for individual ownership and requires lands to be classified as alienable and disposable, before they could be the subject of a land grant by the State. The Forestry Code further limits disposable lands to those with a gradient slope of eighteen degrees and below. Unfortunately for majority of the IPs of the country, they are found in forest lands and mountainous terrain. Very little of their lands can qualify for titling under these laws.

A drastic departure from this policy came with the new Philippine Constitution of 1987, wherein the rights of IPs to their ancestral domains and lands was given recognition. Pursuant to this, the Philippine Congress enacted the IPRA. This law protects and promotes the rights of IPs in the country. These are the 1) right to ancestral domains and ancestral lands; 2) right to self governance and empowerment; 3) social justice and human rights; and 4) right to cultural integrity. Cutting across all these is the right to Free Prior and Informed Consent (FPIC). The FPIC is an instrument of self determination for the IPs. Under this process, no program or project can be introduced into an IP territory, unless and until the IP community concerned shall have given their consent. The consent shall be obtained after a series of consultations with the members of the affected community.

It is also the IPRA that created the National Commission on Indigenous Peoples (NCIP), the office where I work, mandated to implement the provisions of the law.

Underlying the right to ancestral domains and ancestral lands is the concept of "native title". This is defined in the law as "pre-conquest rights to lands and domains which, as far back as memory reaches, have been held under a claim of private ownership by the ICCs/IPs, have never been public lands and are thus indisputably presumed to have been held that way since before the Spanish Conquest." Formal recognition of this native title is through the issuance of a Certificate of Ancestral Domain Title (CADT) or Certificate of Ancestral Land Title (CALT), as the case may be. This is one of the functions of my office, the National Commission on Indigenous Peoples.

This has a great implication relative to forest preservation and management. Before this, the IPs were apathetic to government programs on forest concerns. Informed that the lands they have inherited from their forebears are not theirs, they abandoned their traditional systems of forest management. In this regard, the NCIP and the Department of Environment and Natural Resources have signed on July 8, 2008 a Joint Administrative Order No. 1, series of 2008, prescribing the guidelines and procedures for the recognition of the sustainable traditional and indigenous forest systems and practices of the IPs in their ancestral domains or lands. Considering the diversity in the IKSPs of the IPs in the country, the rules and regulations implementing these guidelines are being formulated in consultation with the IPs in their respective regions. This recognition would be an incentive. They would now take initiatives to protect their property and would be more cooperative with government programs.

To cite an instance: the IPs of the municipality of Bakun in the province of Benguet were the first to be awarded their CADT. They embarked on a project for the identification and delineation of communal watershed areas, which were surveyed and declared off limits for individual utilization. They persuaded their local legislative unit to pass an ordinance declaring these areas as such communal watershed, and excluding them from tax declarations or individual land acquisition. We hope to replicate this in other areas. In another municipality of Tadian, Mountain Province, the local community petitioned the government for the cancellation of Torrens titles issued over an area which they claimed as the traditional source of their water.

In an effort to minimize timber poaching and illegal logging, the government launched the “Bantay Gubat” (forest guard) project. This involves the hiring of members of the local communities to act as forest guards. To date, there are about 11,000 forest guards engaged in the Cordillera region. But how effective and sustainable this project is remains to be seen.

On the downside, the right of ownership may embolden ancestral land owners to convert forest lands for agricultural or other uses. An antidote to this would be to offer the IPs alternative livelihood to allow them to survive, while encouraging them to continue maintaining and preserving their forests and ecosystems.

The summit on water resources, mentioned above, came up with the following proposals, among others:

1. More intensified reforestation, with the propagation of indigenous plant species;
2. Putting in place a mechanism for Payment of Environmental Services (PES), Payment for Environmental Damages or Polluter's fee;
3. Packaging and Fund Sourcing for a comprehensive Watershed and Water Resources Management Program;
4. Provide alternative livelihood to forest occupants; and,
5. Promote IEC and advocacy on watershed and water resources management.

This is where the REDD mechanism could come in. As proposed by TEBTEBBA, there is need to conduct an information, education communication (IEC) program to enlighten the IPs on climate change and on REDD.

TEBTEBBA further requests that in the planning, designing and implementation of REDD the IPs be made active participants. And in the spirit of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), the FPIC process should be seriously considered and strictly followed in the implementation of REDD in IP territories.

Involving IPs in the planning and implementation of REDD and other mechanisms would make these programs more socially acceptable to them. Like all other peoples, most IPs are wary of, and would oppose, programs or projects that are imposed on them without their knowledge and consent. History has shown this in the Cordilleras. Unacceptable developmental projects that were introduced into or planned for the region fueled the insurgency that marked the seventy's. The lingering effects of this can still be felt today.

One other concern that needs to be addressed is the matter of compensation. Under Philippine law, for instance, a percentage of the taxes paid by companies operating hydro electric plants are given to host communities. Host communities refer to the site where the plant is located. However, the upland communities where the forests are and are the sources of water are not included in the definition of host community. There is a move to have the definition of host community expanded to include the uplands, so that they could also share in the benefits accruing from the maintenance and preservation of the forests.

It is believed that the upland communities can be appreciative and cooperative with REDD, and other mitigation and adaptation programs/projects if they enjoy benefits that come to them. The poverty incidence in the upland provinces is high compared to the other regions. Sustainable development and the provision of alternative livelihood would ensure that the IPs in the upland areas would continue maintaining and preserving their forests, as they have done in the past.

It must be borne in mind that the IPs have contributed little to climate change, but, to repeat, they are the most adversely affected. Their agricultural life cycles have been disrupted. Farmers in the Cordilleras have been disoriented because of the disappearance of some migratory birds, from whom the upland farmers get a cue as to the onset or end of an agricultural season. This is due to the degradation of the ecosystems that play host to these migratory birds.

It is hoped that this conference can find a way to integrate the IPs and their IKSPs in the battle against climate change.

Thank you and good day.