

Lessons Learned and Policy Dimensions of COSERAM

COSERAM Learning Day
13-14 August 2013

Learning Focus

- Support for ADSDPP Piloting in cooperation with NCIP
- Support for Delineation and Recognition of Ancestral Domains in cooperation with NCIP and PGAS
- Support for other relevant activities

Reality Check

- Rich but degraded natural resources under continuing stress
- Socially and ethnically diverse population
- Significant presence of indigenous communities and ancestral domains in areas critical to regional economic growth, people's livelihoods, biodiversity and ecological balance
- History of conflict and violence with prevailing trauma and persistence of conflict
- Fragmented land use planning
- Constraints in ADSDPP and CADT Delineation and Recognition processes

ADSDPP Experience

Lessons Learned in ADSDPP (1)

- Ability of IP communities to enrich the statement of policy and objectives of IPRA according to their own contexts and internal realities;
- Ability to strengthen ownership of the ADSDPP through self-organization and pursuit of activities according to agreed steps and procedures;
- Ability to examine technical, political and social processes in planning and how to deal with external actors; and,
- Openness to broaden the framework and references for planning, including interaction with local governments and national government agencies involved in CLUP and FLUP.

Lessons Learned in ADSDPP (2)

- Link of ADSDPP to land tenure security (CADT delineation and recognition)
- Need to address inter-group conflicts over internal boundaries within a CADT
- Critical role of IP governance in ADSDPP formulation and implementation

Recommended Enhancements to the ADSDPP Guidelines

- Broaden the considerations and references
- Interface with other planning frameworks and guidelines (CLUP and FLUP)
- Enhance planning approaches and methods
- Reframe the nature and purpose of the ADSDPP guidelines
- Flexibility in planning steps and procedures
- Elaboration of key concepts and terms

Experience in CADT Delineation and Recognition Processes

Compelling challenges

- The urgency of arresting rapid degradation of natural resources, especially conservation of forest and biodiversity resources;
- The prevalence of conflicts owing to demographic pressure on finite resources, unsettled boundaries, overlapping land tenure instruments;
- Confluence and perceivably un-coordinated mandates and actions of various national government agencies and local government units; and,
- Pressure on ancestral domains and IP communities coming from the vested interests of private investors, illicit economic actors and migrant settlers; not to mention the conflict-ridden influence of insurgents and other armed groups.

Constraints

- A history of violence, blood debts and trauma that have caused rupture of communications and transformed inter-group relationships from good to bad.
- The distance between traditional allocation of land based on customary law and the actual occupation and dispersion of clans and families owing to changes in power relations, sporadic displacement due to the insurgency, private external investments (legal and illegal) and inter-marriages;
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- Validation of legitimacy of IP leaders – those in the current master list of the NCIP, those in the municipal and barangay tribal councils and IPOs and those who are claiming recognition from various NCIP offices, including some leaders who prop up their claim by lobbying directly with NCIP Commissioners and national politicians;
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- The disappearance and/or distortion of traditional boundaries due to loss of physical markers or changes in the physical environment; and,
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- Owing to the oral tradition of IP communities, the variances in narratives and references between elders and young leaders.

Lessons Learned

- Function of external intervention in times of escalation (e.g. OPAPP and CHR intervention in 2009 in Esperanza)
- Facilitating restoration of ruptured communications towards non-violent resolution of boundary conflicts (and options for cooperative problem solving or mediated negotiations)
- Storytelling and documentation of narratives from elders and young leaders
- Community-led participatory mapping with joint involvement of conflict parties and interfacing community maps with official maps

Recommended enhancements to the CADT delineation and recognition guidelines

- Procedures (validation of IP political structure, adoption of community mapping, adoption of narratives as proofs)
- Clarification and elaboration of concepts and principles (native title, accuracy of survey data, proofs, objectives of the delineation, reference to customary law and IP representation of the CADT)

Conclusion

- Tremendous opportunities and possibilities for developing conflict and culture sensitive governance and sustainable management of resources.
- Need to reach out to or be concerned with IP communities that may have been excluded from ADSDPP and CADT delineation and recognition processes.
- Support from other national agencies
- Strengthening links of ADSDPP with CADT delineation and recognition
- Pursuing interfacing and inter-phasing of ADSDPP with CLUP and FLUP

Thank You!