

Strengthening Access of Indigenous Peoples to Basic Services

Camposano, Danilo Jr. E.; Latido, Rhodenica T.; Pablo, Thresna O.; Padilla, Mike Mohen A.; Pestaño, Leonard Dean O.

- **Around six (6) percent of the world's population comprises indigenous peoples, and about 70 percent reside in Asia and the Pacific.**
- **Nineteen (19) percent of the extremely poor globally are indigenous peoples.**
- **Filipino indigenous peoples constitute 14 percent of the country's poor households profiled in the 2015 Listahanan.**
- **Education and health components constitute the highest contribution to the overall risks and vulnerabilities of poor indigenous**

EXECUTIVE SUMMARY

This paper was developed to provide information on enabling policies and mechanisms for promoting and protecting indigenous peoples' fundamental rights, focusing on their access to basic services and providing policy recommendations to address various gaps and issues. It drew lessons from diverse literature, including the research paper conducted by the Research and Evaluation Division of the Department of Social Welfare and Development's (DSWD) Policy Development and Planning Bureau (PDPB) on DSWD Social Protection Programs: A Focus on Indigenous Peoples.

The country's indigenous people population is estimated to be between 10 to 20 percent of the 109 million total population as of May 1, 2020 (PSA, 2021). They are geographically dispersed in different parts of the country, namely: (1) Igorot – in the northern mountains of Luzon (Cordillera); (2) Lumad – on the southern island of Mindanao; (3) Mangyan – on the island of Mindoro; and (4) small groups in the Visayas island and Luzon, including other groups of hunter-gatherers in transition. In general, the indigenous people have maintained their traditional, pre-culture, social institutions, and livelihood practices and live in geographically isolated areas with limited access to basic social services and few opportunities for mainstream economic activities, education, or political participation (The International Work Group for Indigenous Affairs, 2021). Aside from these, there are also rising accounts of indigenous peoples experiencing discrimination, displacement, and abuse,



which impinge on their basic fundamental rights.

In response to this, the government, over the years, has put forth several mechanisms and guidelines to mitigate these issues so they would not further escalate. After a series of lobbying and institutional evolution, the passage of the Indigenous Peoples Rights Act of 1997 (IPRA) was considered a significant milestone envisioned to alter the long-justified historical injustices inflicted upon indigenous peoples in the Philippines. Its creation was anchored on a need-driven basis, aware of upholding the rights of indigenous people within the framework of national unity and development. Through the law, the National Commission on Indigenous Peoples (NCIP) was established. The NCIP is the primary government agency responsible for policy formulation, implementation, promotion, and protection of indigenous peoples rights, including recognition of ownership and privileges within ancestral domains.

However, despite the promulgation and implementation mechanisms of the IPRA, issues and concerns persist. Implementation issues of the law can be attributed to many reasons, such as the delayed institutional grounding of policy, resource limitations on the part of the NCIP, limited understanding among indigenous peoples, and inefficient process and anthropological documentation in the ancestral domain, among others (Domingo & Manejar, 2020). Thus, the rise of several problems afflicting the indigenous peoples and NCIP is evident even today.

Among these issues and challenges, a significant problem is the limited access of most indigenous peoples to essential services. Furthermore, the absence of official figures and other specific data on indigenous peoples makes the sector prone to inequalities and non-

representation in matters that affect their socioeconomic status and well-being. While the state recognizes its obligations to respond to the needs of its citizens, particularly the vulnerable sectors, gaps in the government's efforts are evident in terms of providing basic services.

The policy analysis puts forward the following policy recommendations for consideration in terms of enhancing the delivery of basic services to the indigenous peoples: (1) maintain the status quo with the existing frameworks and mechanisms in the provision of basic services; (2) establish a resource center in ethnologically-located areas to serve as a one-stop-shop service area for indigenous peoples concerns and establish a free and culture-sensitive registration system; and (3) strengthen the participatory approach in the design and implementation of strategies in accessing basic services. The policy alternatives were assessed using the multi-goal analysis regarding their responsiveness to the identified policy goals. It further recommends passing legislative bills in establishing resource centers for Indigenous Cultural Communities/Indigenous Peoples to enhance the delivery of basic services and institutionalizing a free and culture-sensitive civil registration system for the sector.

INTRODUCTION

The United Nations (UN) 2030 Agenda for Sustainable Development, with its 17 Sustainable Development Goals (SDGs), aims to "leave no one behind." This commitment focuses on eradicating all forms of poverty, ending discrimination and exclusion, and reducing the inequalities and vulnerabilities among marginalized sectors and those on the fringes of society (UN Sustainable Development Group, n.d.). The SDGs specifically mentioned the indigenous

peoples as critical stakeholders both as targets of the SDG implementation and as partners in achieving the goals.

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Indigenous peoples comprise around 476.6 million or 6 percent of the world's population based on global estimates, 70 percent of which reside in Asia and the Pacific regions. They account for a sizable share of the poor, with almost 19 percent considered extremely poor (Organisation internationale du travail, 2019).

In the Philippines, the Republic Act (RA) No. 8371 or the Indigenous Peoples Rights Act of 1997 (IPRA) refers to indigenous peoples/indigenous cultural communities (ICCs) as "a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as an organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions, and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions, and cultures, became historically differentiated from the majority of Filipinos. ICCs/indigenous peoples shall

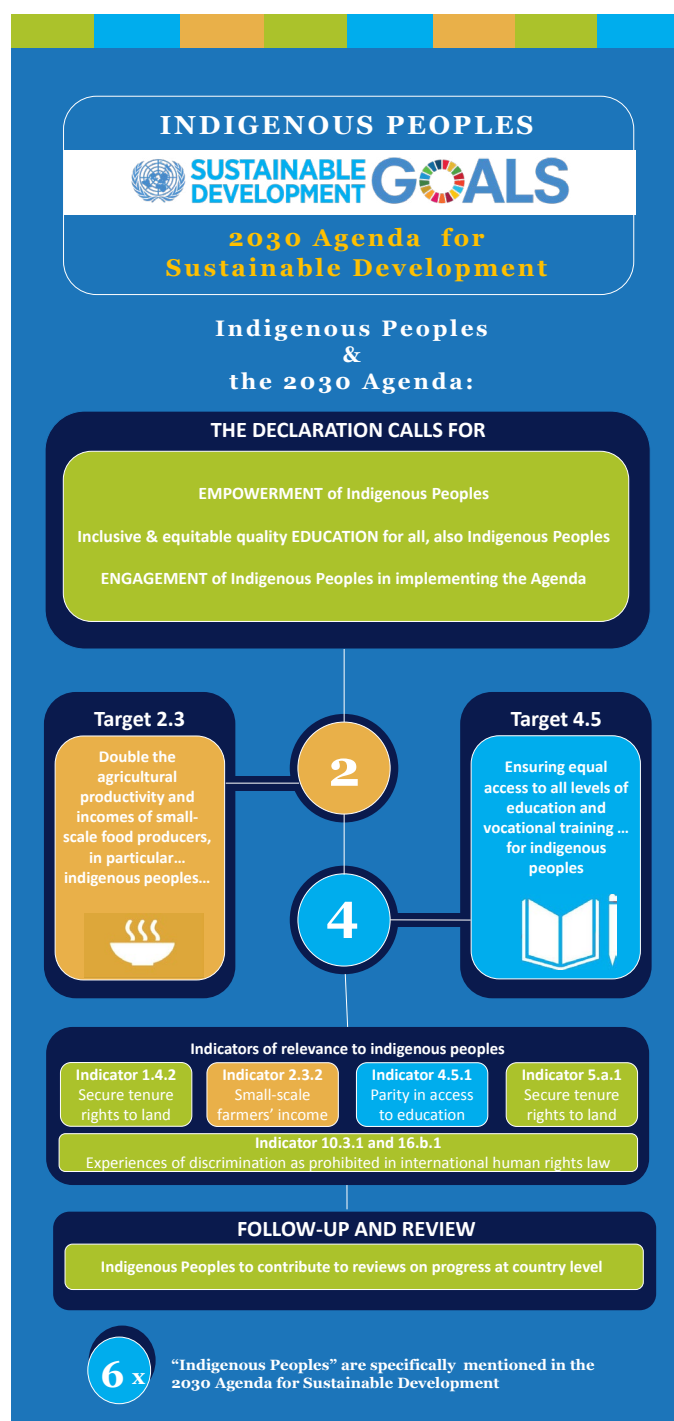


Figure 1. Indigenous Peoples and the 2030 Agenda
Source: UN Department of Economic and Social Affairs

likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural and political institutions, but who may have been

displaced from their traditional domains or who may have resettled outside their ancestral domains". It is estimated that the country's indigenous peoples population is between 10 percent to 20 percent of the 109 million total country population as of May 1, 2020, national census (PSA, 2021). Among the various ethnolinguistic groups in the country, 61 percent of the country's indigenous peoples live in Mindanao, 33 percent can be found in Luzon and about 6 percent in the Visayas group of islands. The Summer Institute of Linguistics has documented 171 distinct languages spoken in the country, most of them by indigenous groups, and 168 are still spoken (ADB, 2002).

The indigenous groups in the Philippines are geographically dispersed in different parts of the country, namely: (i) Igorot, collectively known for Cordillera peoples, Tingguian, Isneg, Ibaloi, and Kankaney in Northern Luzon; (ii) Ibanag, Itawes, Yogad and Gaddang in Northeastern Luzon; (iii) Ilongot, Ikalahan, Isinai and Agta in Southern Luzon; (iv) Lumad in southern island of Mindanao; (v) Mangyan in the island of Mindoro; (vi) Agta, Aeta, Kabihug or Tabagnon found in the mountain ranges in Western, Southern, and Eastern Luzon; (vii) Negrito groups and Aeta in the rest of Luzon, including other groups of hunter-gatherers in transition who are primarily dependent of swidden agriculture, hunting and gathering of minor forest products for their livelihood; and (viii) Badjaos and Tingguians, Subanon, and Ivatans who migrated to cities like the National Capital Region as a result of a loss of livelihood, lack of social services or due to tribal conflicts.

In general, indigenous peoples have maintained their traditional, pre-culture, social institutions, and livelihood practices. All had traditional-based cultures and were politically autonomous before Spanish colonization in the 16th century (ADB,

2020). The country's indigenous groups are so diverse as each group has its own distinct economic, political, and social organization and degree of integration with the mainstream society. Along this aspect, the history, current conditions, and level of acculturation of these indigenous societies are important factors to consider in any development project.

International Laws and State Policies on Rights in Accessing Basic Services

The International Labor Organization (ILO) is one of the most active among the UN specialized agencies in promoting indigenous peoples' social and economic rights. Its mandate revolves around developing and establishing international labor standards to improve the living conditions of people around the world. It has taken a leading role in setting comprehensive international standards for the rights of indigenous peoples by adopting instruments such as the Indigenous and Tribal Peoples Convention in 1989 (No. 169). The ILO Convention No.169, along with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) adopted by the UN General Assembly in 2007, are two of the cornerstones of the international framework on the rights of indigenous peoples. These are instruments aimed at ensuring that indigenous peoples in every state enjoy fundamental human rights, exercise control over their development, and participate fully in the nation-building in which they live by their ethnocentric identity. Moreover, the indigenous peoples sector has been identified as one of the sectors considered as stakeholder relative to the UN 2030 Agenda for Sustainable Development. The 2030 Agenda for Sustainable Development was created to end poverty and other deprivations, improve health and education, reduce inequality, and enable economic

development growth without neglecting the environment and responding to climate change.

At the national level, the Philippine Constitution recognizes and promotes the rights of ICCs/indigenous peoples within the framework of national unity and development. One significant landmark achievement is the ratification of RA No. 8371, otherwise known as the Indigenous Peoples Rights Act of 1997 or IPRA. Before it became a law, there were already decrees issued for the welfare of the indigenous peoples, but most of them focused only on the ancestral domains and land. Realizing the need for a more comprehensive law that would not only guarantee the rights of the indigenous peoples to their ancestral land but would also protect them and their communities against social injustice and human rights violations, more and more actions were undertaken to holistically respond to the needs of indigenous peoples and their communities, including the right to empowerment and protection of their cultural integrity (Damaso et al., 2008). The promulgation of the IPRA made the Philippines one of the earliest countries to have a national policy that recognizes and promotes the rights of the indigenous peoples. The law also paid particular attention to indigenous women's rights and unique needs, the elderly, youth, children, and differently-abled persons. The IPRA also established the National Commission on Indigenous Peoples (NCIP), the primary government agency responsible for policy formulation, implementation, promotion, and protection of indigenous peoples' rights, including recognizing ownership and privileges within ancestral domains.

The RA No. 10606, or the National Health Insurance Act of 2013, emphasizes mandatory health care and insurance coverage of the marginalized by prioritizing health care needs of the

underprivileged, including free health care services to indigents. The Department of Health (DOH) Administrative Order No. 2010-0036 series of 2010 provides for an overall goal that the implementation of the Universal Health Care shall be directed towards ensuring the achievement of the health systems goals of better health outcomes, sustained health financing and responsive health system by ensuring that disadvantaged groups, including the indigenous peoples, have equitable access to affordable health care. DOH Administrative Order No. 2004-185 entitled, "Establishing the Geographically Isolated and Disadvantaged Areas in Support to Local Health Systems Development," was issued to address inequity and improve availability as well as access to health resources/services in the hinterlands or far-flung areas by population/communities that are marginalized, physically and socio-economically separated from the mainstream health service delivery systems. The Joint Memorandum among the DOH, NCIP and the Department of the Interior and Local Government (DILG) No. 2013-01 or the Guidelines on the Delivery of Basic Health Services for ICCs/indigenous peoples is a tripartite issuance that aims to set the guidelines that will address access, utilization, coverage, and equity issues in the provision of basic health care services to achieve better health outcomes for ICCs/indigenous peoples.

Section 19 of RA No. 7610, otherwise known as the "Special Protection of Children Against Abuse, Exploitation, and Discrimination Act," states that the delivery of basic social services in health and nutrition to children of ICCs shall be given priority by all government agencies concerned, wherein hospitals and other health institution shall ensure that they are accorded equal attention and the provision of health and nutrition service, indigenous

health practices shall be respected and recognized as well.

The National Indigenous Peoples Education Policy Framework guarantees universal and equitable access of all indigenous peoples to quality and relevant basic education services towards functional literacy for all. It also provides adequate and culturally appropriate learning resources and environment to indigenous peoples' learners. The framework subscribes to the rights-based approach, which gives primary importance to the principles of participation, inclusion, and empowerment consistent towards the achievement of the country's education for all without prejudice to their right to establish and control their educational systems and institutions by providing education in their language, in a manner appropriate to their cultural methods of teaching and learning.

The Indigenous Peoples Participation Framework (IPPF) of the Department of Social Welfare and Development (DSWD) through Memorandum Circular No. 01 series of 2009 envisions endorsing social interventions to improve indigenous peoples' access to social services. The DSWD is mandated by law to implement comprehensive social welfare programs, social protection, and promote the rights and welfare of vulnerable and disadvantaged sectors of society. It developed the framework which serves as a declaration of policies and services for indigenous peoples. As part of the social welfare and development reform, the IPPF was initially developed to implement the World Bank-assisted Social Welfare and Development Reform Project (SWDRP) and was also intended to be used in the development of future projects of the agency. The SWDRP intended to advance the social protection reform agenda of the government by strengthening the effectiveness of the agency's social

protection strategy through the following: (1) efficiently implementing the Conditional Cash Transfer program (Pantawid Pamilyang Pilipino Program); and (2) expanding/establishing an efficient and functional National Household Targeting System for Poverty Reduction (NHTS-PR) or commonly known as Listahanan of social protection programs in selected areas.

To strengthen the effective implementation of the IPPF, the DSWD developed the "Guidelines in Conducting the Social Preparation Phase for the Implementation of the Conditional Cash Transfer for Indigenous Peoples in Geographically Isolated and Disadvantaged Areas (GIDA)" through Memorandum Circular No. 06 series of 2014. The adoption of IPPF within the context of the Pantawid Pamilya Pilipino Program (4Ps) intended to review and implement reform on program policies that would work in favor of the indigenous peoples in general. In fulfillment to integrate meaningful participation of indigenous peoples in the program, Memorandum Circular No. 19 series of 2014 was issued with the general objective to assist the indigenous peoples to have full and sustainable access to the government's social protection services, particularly the 4Ps through the Modified Conditional Cash Transfer for indigenous peoples in GIDA.

Consistent with the government's continuous effort to contribute to the goal of achieving just and lasting peace in communities in isolated, hard-to-reach, conflict-affected, and vulnerable areas, and as part of the Philippine Development Plan (PDP) CY 2017-2022, the DSWD has issued an enhanced guideline on the implementation of its flagship Community-Driven Development (CDD) program, the Kapit-bisig Laban sa Kahirapan-Comprehensive and Integrated Delivery of Social Services-Payapa at Masaganang

Pamayanan (KALAHYAN-CIDSS-PAMANA) Indigenous Peoples – Community Driven Development (IP-CDD) Program through Memorandum Circular No. 34 series of 2020. This program also supports the Agenda No. 5 of the Six-Point Peace and Development Agenda of the government, which focuses on implementing peace-promoting and catch-up socio-economic development interventions in conflict-affected areas.

The Department of Environment and Natural Resources (DENR)-NCIP Joint Administrative Order No. 2008-01 entitled, "Guidelines and Procedures for the Recognition, Documentation, Registration, and Confirmation of all Sustainable Traditional and Indigenous Forest Resources Management Systems and Practices of Indigenous Peoples in Ancestral Domain/Land" was created in recognition of indigenous peoples' valuable contribution in the conservation, management, development of the country's environment and natural resources for the welfare of the present and future Filipino generations. The DENR launched a three-year project to strengthen the capacity to manage the conservation of areas with indigenous peoples by designating them as protected areas.

The Philippines' Commission on Human Rights advocates for measures and implementation strategies to achieve the ends of the UNDRIP. It engages with international human rights mechanisms, particularly in submitting the National Human Rights Institutions reports on the status of compliance of the State with human rights treaties and treaty body recommendations, the Universal Periodic Review, and the Special Procedures, as well as direct participation and oral intervention in dialogues with the treaty body committees and at the UN Permanent Forum on Indigenous Issues.

STATEMENT OF THE PROBLEM

The IPRA law enshrined the rights of indigenous peoples to special measures for the immediate, effective, and continuous improvement of their economic and social conditions, especially along accessing basic services. But there are pervasive gaps and issues that remain in the implementation.

Indigenous peoples still have inadequate access to educational and health services due to distance and logistical concerns.

Indigenous peoples communities are difficult to reach. There are insufficient health services in the form of lack of medical facilities, limited medicines and/or medical practitioners in indigenous cultural communities (Domingo & Majenar, 2020). Even if health facilities are present, almost 40 percent of poor pregnant indigenous peoples are not receiving services from a health center, reflecting that there is low health seeking behavior among pregnant indigenous peoples, especially in rural areas. There is also a need to ensure that health services for pregnant indigenous peoples and more broadly ICCs are sensitive to their beliefs and culture (DSWD, 2021).

For education, there is a lack of free and public education in indigenous cultural communities.

Lumad communities are educated in *bakwit* schools or through alternative learning systems (ALS), a parallel learning system in the Philippines that provides opportunities for out-of-school youth and adult learners to develop basic and functional literacy skills, and to access equivalent pathways to complete basic education (Domingo & Majenar, 2020). In general, educational attainment of poor indigenous peoples remains low. In a study conducted by the DSWD (2021) more than 53 percent aged 18 and above were only elementary graduates, meanwhile 15 percent have no

grade completed. For poor indigenous peoples who are household heads, 60.4 percent have completed elementary education, while 17.7 percent have no grade completed. The proportion of poor indigenous peoples' household heads who finished high school is at 19.5 percent, well below the national average of 27.1 percent of junior high school graduates aged 25 and over (Philippine Statistics Authority, 2021). There is a need to educate, hire and train indigenous peoples who will eventually serve and be deployed as teachers in their respective communities.

Inaccess to health and education services are exacerbated by the lack of personnel at the regional levels of the NCIP, especially on the grounds, to monitor basic services received by indigenous peoples.

Poor water, sanitation, and hygiene (WASH) conditions exist among indigenous cultural communities.

Almost half of rural poor indigenous households use water from spring, river, stream and wells as sources of drinking water. Only 52.5 percent of poor indigenous households have access to either water sealed or closed pit toilet facilities, while 20.8 percent of poor indigenous peoples households did not have access to any type of toilet facilities (DSWD, 2021).

Another gap that hinders the access of indigenous peoples to basic services is the lack of official and indigenous people-specific data. Demographic data on indigenous peoples are only estimates. There are a few databases solely for indigenous peoples in the country and only in the recent census was ethnicity indicators included. This represents a significant challenge in determining the extent of provision of social protection programs in terms of the population and subsequently, in improving

programs and policies concerning them.

Lastly, the low representation in local governance serves as a barrier in the political inclusion of indigenous peoples which indirectly hampers their access to basic services.

The percentage of provinces, cities, and municipalities of Indigenous Peoples Mandatory Representation (IPMR) at the local level was recorded at a meager seven (7) percent in 2015. Expanding IPMR would represent a significant and urgent expansion of indigenous peoples' civic participation and will advance their legislative agenda. Further, strengthening indigenous peoples' representation in local government units (LGUs) under existing guidelines indirectly advances their main goal to gain equal access to government services. IPMRs also offer a channel for national agencies like the DSWD and the DOH to reach rural communities with their projects and programming (Open Government Partnership, n.d.). It remains vital that implementation of the IPRA be improved or legislative measures that will complement or strengthen the current policies will be advocated.

STAKEHOLDER ANALYSIS

The classical approach to understanding stakeholders, particularly from a communications standpoint, lies in a framework that enables users to map and manage institutional relationships (present and potential) and communications with groups whose policies and actions affect and are affected by the authority. Table 1 shows how the Power-Interest-Matrix tool or framework was utilized to assess the level of power or authority of the stakeholders in influencing the outcome of the policy, as well as the level of interest or urgency each stakeholder has in ensuring that the communication objectives are met (Paul, 2019) while Figure 2 presents the power structure among the stakeholders.

Table 1. Power-Interest-Matrix of the Identified Stakeholders

Level of Power Influence of stakeholder	High	Keep Satisfied	Manage Closely
		<ul style="list-style-type: none"> Congresspersons Other NGAs LGUs 	<ul style="list-style-type: none"> Sub-committee on Social Protection
	Low	<ul style="list-style-type: none"> Private corporations 	<ul style="list-style-type: none"> IP sector NCIP CSOs (IPs) International Development Organizations/Partners
		Monitor	Keep Informed
		Low	High
		Level of Interest / Support Impact to stakeholder	

A. Congresspersons, Other NGAs and LGUs - High power, probably low interest

Congresspersons, other NGAs, and LGUs have high power in terms of the passage and strengthened implementation of laws and regulations concerning indigenous peoples' land ownership, mendicancy, sanitation, access to documents and attendant benefits.

B. Sub-Committee on Social Protection - High power, high interest

The high power of National Economic Development and Authority - Social Development Committee Sub-Committee on Social Protection comes from its function of Social Protection plan development and operationalization.

C. Private Corporations - Low power, low interest

The partnerships with private firms are

associated with the proposals and needs of the indigenous peoples communities. There are links between education, health, means of subsistence, and peace and security. The importance of these relationships to the ability of NCIP to fulfill its mission is emphasized by the fact that the organization has a limited budget and would therefore rely heavily on partnerships to continue providing services to indigenous peoples.

D. Indigenous Peoples sector, NCIP, CSOs, International Development Organizations/Partners - Low power, high interest

Since the ICCs/indigenous peoples are the beneficiaries of the recommended policies, they are expected to have the highest interest in improving their access to basic services and to meet development needs. Same is true with the NCIP. As the primary government agency responsible for formulating and implementing policies, plans, and programs for indigenous peoples, the NCIP is expected to

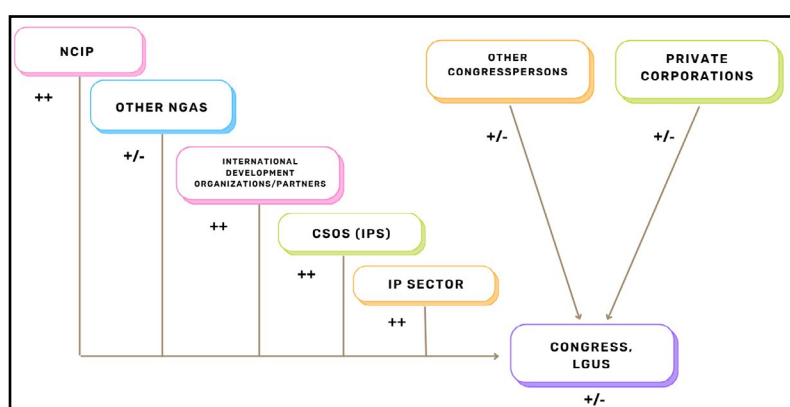


Figure 2.
Hypothetical
Power Structure
of the Identified
Stakeholders

continuously promote indigenous peoples' inclusion. The partnerships of NCIP with CSOs and International Development Organizations/Partners are viewed as a major factor in the ability of NCIP to fulfill its mission, given that the organization has a limited budget and would therefore rely heavily on partnerships to continue providing services to indigenous peoples. For NCIP to reach out to ICCs, all existing agency relationships must be properly coordinated and employ a whole-of-government approach.

NCIP is responsible for developing and coordinating program implementation guidelines. There are also local resolutions at the LGU level to support the implementation of the program. Nonetheless, the local autonomy of LGUs allows them to make independent administrative decisions regarding ICC/indigenous peoples' policies. In reality, some congresspersons may oppose such policies too. When reviewing and drafting policies, consultations with indigenous peoples are also conducted, with leaders of communities typically representing them. As required, policy modifications are made to address ICC/indigenous peoples concerns. Policy issuances, not only by NCIP but also by all other agencies and organizations, demonstrate NCIP's status as the primary government agency for indigenous peoples issues by establishing their roles as pertinent to their mandate. Policies prevent conflicts between stakeholders' mandates and differences in service delivery interpretation.

In addition, the NCIP has several partnerships with various government agencies, non-government organizations, CSOs, and other private institutions, some of which are aligned with the proposals and needs of the communities and others with the agency's or organization's priorities. The State, above all, must ensure that ICCs/ indigenous peoples are

represented in policymaking bodies and other local legislative councils.

ANALYSIS METHODOLOGY

Multi-goal analysis is the appropriate solution method when three or more goals are relevant (Weimer & Vining, 2017). It is also applicable when one of two goals cannot be quantified. The core of multi-goal analysis is a systematic comparison of alternative policies in terms of their respective goals. In assessing the alternatives, the policy analysts defined each policy goal with respect to the responsiveness in addressing the policy issues. To support the arguments, the policy analysts conducted reviews of related literature and correlated the findings and assumptions to the policy goals.

Table 2 depicts the goals/alternatives matrix for strengthening access of indigenous peoples to basic services. In accordance with Table 2, the problem-analysis-determined goals are equity, effectiveness, efficiency, and community/cultural acceptability.

Effectiveness is defined as the alternative's ability to provide better access for indigenous peoples to basic services. Equity is described as the ability to reach more number of indigenous peoples that will have access to the services. Efficiency in welfare, as in the context of this paper, is defined as the potential of the policy in maximizing government resources while providing access to the target sector. Acceptability of the alternative was also included as a policy goal as indigenous peoples have long practiced their own way of life and this must always be considered as a basic right.

POLICY ALTERNATIVES

Addressing the varied gaps in the

socio-economic development of ICCs/indigenous peoples requires a multidisciplinary approach. There is no all-encompassing model that will fully address the varied gaps and issues concerning the plight of indigenous peoples to access basic services; however, some policy alternatives are presented for consideration. These policy alternatives aim to enable mechanisms and structures that will further enhance the provision of services.

It is essential to note that the status quo is identified as the first policy alternative to minimize recommending a "best alternative" that is actually inferior to the current policy. In addition, qualitative terms such as "high," "medium," and "low" were used to describe the predicted policy alternative effects and valuation. A rating of 1 or low means the least likely to achieve the goal while a rating of 3 or high means it is the most plausible to achieve the policy goal.

Table 2 : Grid Analysis of Policy Alternatives

Criteria	Definition	Alternative 1: Maintain existing strategies in the provision of basic services	Alternative 2: Establishment of IP Resource Center and Culture-Sensitive Database and Systems Registry	Alternative 3: Strengthening the participatory approach in the design and implementation of strategies in accessing basic services
Effectiveness	Ability to address the gaps in the access to basic services	1-Low	3-High	2-Medium
Equity	Ability to reach greater number of indigenous peoples	2-Medium	3-High	2-Medium
Efficiency	Potential to maximize government resources in providing access	1-Low	2-Medium	2-Medium
Community/Cultural acceptability	Acceptability to the indigenous peoples	1-Medium	3-High	3-High

1=Low; 2=Medium/Moderate; 3=Best/High

Alternative 1: Maintain the existing strategies in the provision of basic services.

Under this option, **the existing frameworks and plans for indigenous peoples' development continue to be implemented.** Principal to this is the implementation of Section 25 of the IPRA Law, which states that "the ICCs/IPs have the right to special measures for the immediate, effective, and continuing improvement of their economic and social conditions, including in the areas of employment, vocational training and

retraining, housing, sanitation, health and social security...the state shall guarantee the right of ICCs/IPs to government's basic services which shall include, but not limited to, water and electrical facilities, education, health and infrastructure." The NCIP continues to implement and monitor the various strategies to achieve the full implementation of this particular provision.

Health. The DOH-NCIP-DILG Joint Memorandum Circular 2013-01 or the "Guidelines on the Delivery of Basic Health Services for Indigenous Cultural Communities/Indigenous Peoples"

specifies ways to address access, utilization, coverage, and equity issues in the provision of health services ushered the development of the Indigenous Peoples Strategic Plan for Health 2018-2022. The Universal Health Care Act of 2019 also stipulates that all Filipinos are automatically included in the National Health Insurance and are entitled to receiving improved health service delivery, local health system, health regulation, and health governance and accountability, ensuring health systems for the vulnerable and at-risk sectors like the indigenous peoples. However, the Philippine Health Insurance Corporation 2021 report showed that only 89 percent of the population are registered as members and dependents. Of these, 24 percent are indirect contributors categorized as indigents based on the Listahanan database (Philippine Health Insurance Corporation, n.d.). Further, the Human Resources for Health Program of the DOH will need to be strengthened to achieve its deployment targets for physicians, nurses, and midwives to priority areas in the 4th to 5th class municipalities and those with GIDA barangays where most of the indigenous peoples reside.

Education. The DepEd's Department Order No. 62, s. 2011 or the "Adoption of the National Indigenous Peoples Education Policy Framework" serves as a critical enabling framework toward an integrated education system concerning indigenous peoples' cultural teaching and learning methods. The program has served over 2.529 million indigenous peoples learners since its institutionalization in 2011. According to the DepEd, some continuing initiatives under the framework are contextualization of lesson plans, use of the local language for teaching, having elders as teachers and mentors, using the ancestral domain as the classroom, establishing IPEd Senior High School, hiring more teachers who know the

knowledge and the culture, and delivering more facilities (Department of Education, 2021). The NCIP also implements its Educational Assistance Program and Support and Advocacy Program, while the Technical Education and Skills Development Authority (TESDA), through its Department Circular No. 9, s. 2018, implements a Special Skills Training Program for indigenous peoples and rebel returnees.

Safe Water and Sanitation. The updated PDP 2017-2020 targeted that the proportion of total households with access to safe water supply will be 95.87 percent by the end of the plan, while access to improved sanitation was targeted to increase in proportion by 95.95 percent. The Build Build Build Program of the government, implementation, and expansion of basic social infrastructures to the GIDA and last-mile communities as well as the Philippine Water Supply and Sanitation Master Plan ensured the achievement of SDG goals by 2030. However, based on the 2020 report by the World Health Organization (WHO) and Unicef Joint Monitoring Programme for Water Supply, Sanitation and Hygiene (JMP), only 47.46 percent of the country's population has access to safely managed drinking water while 60.64 percent have access to safely managed sanitation (WHO and UNICEF, 2021). In the 2015 Listahanan, about 52.5 percent of poor indigenous peoples households have access to either water sealed or closed pit toilet facilities, 19.2 percent use open pit toilet facilities while 20.8 percent of poor indigenous peoples households did not have access to any type of toilet facilities.

While this alternative generally provides access to basic services to indigenous peoples, challenges and issues will likely remain as evidenced by the continuing disparity in the socioeconomic status of indigenous peoples. **This option is not**

the most effective and equitable as services will likely remain to be limited or unavailable.

Access is presently concentrated to those that are in easily accessible areas like cities or town centers. Those located in GIDAs, and last-mile areas continue to have limited access to services. Also, while the Listahanan has made remarkable progress in counting the poor indigenous peoples' households, a comprehensive social registry especially targeting vulnerable groups would contribute further to poverty reduction. This option has the acceptability in terms of efficiency as government resources are used albeit not maximized in terms of ensuring rights of indigenous peoples in accessing basic services. This option is somewhat acceptable; however, several studies show that some of the strategies remain unsuitable or inappropriate to the culture or practices of indigenous peoples, hence, hinders the achievement of the goals or outcomes.

Alternative 2: Establishment of Indigenous Peoples Resource Center and Culture-Sensitive Civil Registration System.

Under this alternative, **two enabling mechanisms will be established: (1) Indigenous Peoples Resource Center, and (2) Free and Culture-Sensitive Civil Registration System for Indigenous Peoples.**

- Indigenous Peoples Resource Center

The Indigenous Peoples Resource Center will be established in ethnologically placed locations to serve as an access center to enhance delivery of basic and provide technical and legal services to the ICCs and indigenous peoples. It will operate on three major service areas - (1) Statistical Service Area; (2) Human Development Index Service Area, and (3) Domains Management Service Area.

The Statistical Service Area shall focus on the documentation and recognition of ICCs/indigenous peoples, Indigenous Knowledge Systems and Practices, political structures and laws through census, baseline reports and libraries. The Human Development Index Service Area will address problems of ICCs/indigenous peoples and provide basic and necessary services through link-up with concerned government agencies and offices. The Domains Management Service Area will focus on the promotion of participatory programs, projects, and activities for ICCs/indigenous peoples to effectively deliver their responsibility of maintaining the protection of ecological areas and implementation of Ancestral Domain Sustainable Development and Protection Plans and other existing programs.

- Free and Culture-Sensitive Civil Registration System for Indigenous Peoples

A free and culture-sensitive civil registration system that is responsive to customs and traditions of ICCs/indigenous peoples should be put in place to collect, update, and create a database of the sector. Because of the non-registration of their civil status, members of the ICCs/indigenous peoples are often neglected in the delivery of basic social services from the government. Moreover, birth registration is not generally known among the indigenous peoples and underprivileged families, and they only come to understand or realize the implications of non-registration when they experience problems in transactions requiring proof of name, age, and nationality. Without a legal birth record, an individual does not officially exist and thereby lacks legal access to the privileges and protection of the State. Consideration of indigenous peoples culture, beliefs, customs, and traditions in the registration system is a fundamental determinant

to identify the outlook of indigenous people. Indigenous peoples should be exempted from payment of all fees at the Local Registry Office and the Philippine Statistics Authority (PSA) for certain processes or documents for registration.

These recommendations were proposed through various legislations in the 18th Congress of the Philippines (Annex 4 and 5).

This option figured as the most effective, equitable and acceptable in addressing the gaps in access. While it is only moderately efficient in terms of maximizing government resources since this option will involve additional budgetary requirements, in particular to the NCIP and PSA, during its early implementation, the results in the long run will be both beneficial to the government and the ICCs/IPs.

Establishment of the Indigenous Peoples Resource Center and institutionalizing of culture-sensitive civil registry would result in services being made available to strategic ethnological locations, thereby, time and costs spent by indigenous peoples going into the city or town as well as turn-around time of addressing their basic or urgent needs will be reduced. A free and culture-sensitive registration system will address one of the major hindering factors in accessing basic services, which is the lack or absence of recorded indigenous peoples and indigenous peoples-specific information. Being registered means being legally recognized by the law and accorded all rights and privileges.

Alternative 3: Strengthening the participatory approach in the design and implementation of strategies in accessing basic services.

Under this policy alternative, **the implementation of the Indigenous**

Peoples Mandatory Representation (IPMR) and other participatory frameworks will be strengthened.

Section 16 of the IPRA Law states that “ICCs/IPs have the right to participate fully, if they so choose, at all levels of decision making in matters which may affect their rights, lives and destinies through procedures determined by them as well as to maintain and develop their own indigenous political structures. Consequently, the State shall ensure that the ICCs/IPs shall be given mandatory representation in policy-making bodies and other local legislative councils.”

The full implementation of the NCIP Administrative Order No. 03, s. 2018 or Revised National Guidelines for the Mandatory Representation of Indigenous Peoples in Local Legislative Councils and Policy-making Bodies as amended by Commission En Banc Resolution No. 08-008-2020, series of 2020 would result to an increase in provinces, cities, and municipalities with IPMRs from 21.4 percent to 78 percent (Open Government Partnership, n.d.). This would mean that indigenous cultural communities would be more informed that their rights and protection are afforded including access to basic services under the law.

In engaging for and with the indigenous peoples, the DSWD and DepEd’s IPPF are at best two of policy and standard procedures that aim to develop, fund and implement programs and services for the sector, with focus on the acceptability and suitability to their needs by ensuring that there is free, prior and informed consent prior to implementation. Review and enhancements of these frameworks in the context of the sector’s emerging needs and global and regional prospects towards social inclusion as well as adoption of the same by various government agencies involved in delivering basic services would greatly contribute to improving

access to basic services. Likewise, the use of the community-driven development (CDD) approach as a strategy for inclusive growth and social protection in the community-based programs and services of both local and national government ensures active participation and partnership between the community and the government in local development planning and budgeting. In DSWD's KALAHÍ-CIDSS, indigenous peoples are informed, consulted and mobilized during the subproject identification, prioritization, and implementation. In areas where KALAHÍ-CIDSS are implemented, there is a high participation rate in barangay assemblies of indigenous peoples.

The discourse on social participation is necessary as the right to participate is alluded to in international human rights law in both general and particular ways. In its general sense, the right to engage in public relations is not restricted to traditional political institutions, as it often covers public social activities. In addition, the right to participate is defined as both an individual right and a collective right (United Nations, 2010).

Full social participation serves as a gauge that measures the success of social integration of the majority of the ethnic groups (Beresneviciute, 2003). Moreover, social participation is considered as one dimension of social integration (Kamali, 1999). Through social participation, individuals in indigenous people communities develop social engagements that become the basis for positive strategies and satisfaction, thus, allowing opportunities to participate in the mainstream society.

In this regard, participation pertains to development of one's capacities and chances to discern social reality and be accepted as part of the community (Kamali, 1999). Furthermore, relations

between an individual and social reality grows by means of one's abilities and aptitudes that allow the individual to act according to social reality, hence, in indigenous or ethnic communities, symbolic and cultural factors matter more than blood, language, culture, and others (Beresneviciute, 2003). Social reality affects degrees of participation as it can be socially learned and socially stimulated (Anderson, 1996).

There is a need for a meaningful consultation as well as the respect for autonomy and encouragement to participate in decision-making processes. The government should also take into consideration the holistic nature of indigenous peoples' aspiration for self-determined development, which would require profound legislative, policy, and institutional reforms.

This option was rated moderately effective, equitable and efficient in addressing gaps in the access to basic services and the most acceptable to the sector. Representation in all local policy-making bodies and legislative councils in the provinces, cities and municipalities by the sector through the IPMR will ensure that the indigenous peoples sector will have equitable access to government resources. The strengthened implementation of IPPF and CDD approach are also touted to be an effective mechanism in addressing the gaps in access since issues will be charted and led by indigenous peoples themselves. Strategies and mechanisms in providing access will be co-designed and co-implemented by the sector acceptability of these mechanisms will be most acceptable.

RECOMMENDATION

The shortcomings of the existing frameworks and strategies in providing

access to basic services to ICCs/indigenous peoples can be best mitigated by policy alternative 2, which is to establish Indigenous Peoples Resource Centers that will be one-stop-shop service centers for all indigenous peoples' development agenda and issues; and, institutionalize a free and culture-sensitive Civil Registry System for indigenous peoples. Although current measures are being implemented based on existing frameworks, bringing the government's services closer to the ICCs/indigenous peoples and improving their registration and profiling will provide for more evidence-based design and implementation of social inclusion strategies.

The following initiatives are put forward to carry out the cited recommendation:

- Lobby for the inclusion of the policy alternative in the NCIP Legislative Agenda. The DSWD, as the mother agency of the NCIP, has the influence in promoting sector-specific interventions and recommendations. Furthermore, the DSWD may also include the policy alternative in its own Legislative Agenda and/or recommend this to the various inter-agency bodies of social protection or social welfare development. The DSWD may strategize, identify and work closely with legislators in both houses of Congress who can champion this policy alternative.
- Conduct consultation meetings and/or public dialogues with stakeholders, implementers and decision-makers. The DSWD may utilize the initial stakeholders mapping presented in this paper as a starting point of coordination and advocacy with the objectives of developing enhanced measures and institutional arrangements prior to the adoption of these legislations. This strategy will ensure that participation, especially of

the indigenous peoples, is sought out, hence, acceptability of the legislation to the sector will be established.

- In aid of legislation, benchmark with other countries not only in the Association of Southeast Asian Nations but also in other regions that have similar resource centers and indigenous people-specific registry systems that provide or help provide access to basic social services to indigenous people. Research on the conceptualization, establishment, operations of similar resource centers and registry system in other countries may be endorsed to the NCIP and the legislators for their reference as these studies/researches will further provide evidence-based foundation why the Philippines needs to urgently institutionalize the establishment and operations of a resource center and indigenous people-specific registry system through legislation.

With the adoption of this recommended policy alternative, the NCIP, as the lead government institution for indigenous peoples' rights, will have more institutional capability to serve as a conduit between the sector and the relevant government and private instrumentalities in the delivery of basic services and to fully implement its mandates. The civil registry integrated with the NHTS-PR and/or the Philippine Identification System will provide a more enabling mechanism to reduce the social exclusion in basic services and social protection, giving the indigenous peoples more opportunities for development. These mechanisms will further contribute to the commitment of the Philippines to ensuring that no one will be left behind towards sustainable development and a transformed world.

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