

Community Mapping in the Philippines: A Case Study on the Ancestral Domain Claim of the Higa-onons in Impasug-ong, Bukidnon

**By Randy Abeto, Zeff Calilung, Joan Pauline Talubo (PAFID) and
Benny Cumatang (AGMIHICU)**

Philippine Association for Intercultural Development, Inc. (PAFID) - Central
71 Malakas St. Diliman, Quezon City, Philippines 1101

Paper presented at the Regional Community Mapping Network Workshop
November 8 – 10, 2004, Diliman, Quezon City, Philippines

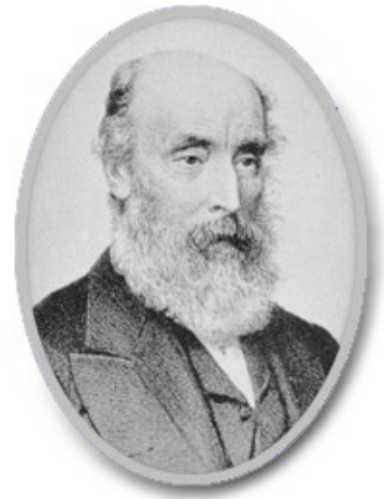
In the Philippines, the battle of indigenous communities for their rights to their domains has been, and remains to be a hard-fought struggle.

Background

The Philippines is a melting pot for different cultures due to colonization by other countries. After a long period under the Spanish rule, the Americans took over, followed by the Japanese during World War II. Due to this, land ownership was greatly influenced by the colonizers.

The Spaniards brought with them the Regalian Doctrine, which dictated that all lands belong to the king. This dictum stated that the colonizer has claims over all the lands in the name of the king, notwithstanding the fact that people already occupy these lands. All lands became known as crown lands. This was the very first challenge to indigenous peoples' ownership over their lands and the root cause of most of the threats that followed.

During the American rule, the State replaced the King, and crown lands were converted to lands of the public domain. Public lands belonged to the State and were divided into four categories: forest, mining, national parks and agricultural lands. Agricultural lands were classified as alienable and disposable and were given to private individuals by means of grants. It was also during this time that the Torrens titling system was adopted and the use of Spanish titles as evidence of ownership was discontinued. The Land Registration Act of 1902 required landowners to register their landholdings and acquire a Torrens title for their lands. The Torrens system was devised by British customs official Sir Robert Torrens, to put a stop to any question about the legality of the ownership of a parcel of land. This gave birth to the land registration system that is still being used in the country.



Indigenous communities found themselves lost through the changing of the system. Ancestral domain became part of the public domain. This gave access to private individuals to acquire these lands. The system left no room for “communal” ownership because lands could only be registered to private individuals. No legal instruments were available for indigenous communities to make negotiations, and their visions were blurred by these proceedings.

The Higa-onon Ancestral Domain Claim

The Higa-onon ancestral domain claim has a total area of 10,054.88 hectares¹, situated in the municipalities of Impasug-ong and Malitbog at Bukidnon, Mindanao. Inhabitants are composed of communities from the sitios of Mintapod, Agtulawon, Kiudto, Kaanibongan, Butongon, Ulawon and some sitios in Barangay Hagpa. At the northwest portion of the claim are the vast green forests of the Mt. Kimangkil Range. Mt. Kimangkil Range has one of the highest peaks in the entire country towering at 2500 meters² from mean sea level. The place is home not only to forests but also to rivers and waterfalls. Sacred places can also be found within. It serves as a hunting ground for the community and provides most of their basic needs. It is also their primary source of livelihood as the forest is rich in flora and fauna, rattan, timber and even non-timber forest products.

Early on, the community has faced problems because of logging operations in the forests. The rich forests attracted lowlanders to invest and engage in logging businesses which brought not only competition to the community, but also destruction of their sacred home and disturbance to their quiet lives. There are other problems confronting the community, but the biggest challenge they have to face is the proposed establishment of Mt. Kimangkil as a protected area.

According to the National Integrated Protected Areas System Act of 1992 (Republic Act 7586), a “protected area” refers to identified portions of land and water set aside by the reason of their unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploitation.

Mt. Kimangkil is not the lone candidate for a protected area in the province of Bukidnon. In fact, applications for Mt. Tago and Mt. Pantaron Range are also underway. If approved, these three areas will be added to the other natural parks namely Mount Kitanglad Range and Mt. Kalatungan Range. Mt. Kitanglad was the first established protected area in Bukidnon. Although it has been classified as a national park since 1990 through Presidential Proclamation 677, it only became a full-fledged protected area in the year 2000 through Republic Act 8978.³

The conflict lies in the overlapping management of the area. If Mount Kimangkil becomes a protected area, it will be under the jurisdiction of the Protected Areas Management Board (PAMB) within the Department of Environment and Natural Resources.⁴ The PAMB is composed of representatives from the government, civil society and the community. The community will still be one of the stakeholders, but their say will be limited and subject to the evaluation of the government.

Agtulawon-Mintapod Higaonon Cumadon Initiatives

¹ From the results of the on-ground survey conducted in 2003 by AGMIHICU with the assistance of PAFID

² From the NAMRIA Topographic map of Calabugao Plain series no. 4045 IV

³ “Another Protected Area in Bukidnon” by Walter I. Balane/ Mindanews/ 25 April 2004

⁴ DENR is mandated to be the primary government agency responsible for the conservation, management, development and proper use of the country’s environment and natural resources

In May 1995, AGMIHICU⁵ (Agtulawon-Mintapod Higaonon Cumadon) applied for a Certificate of Ancestral Domain Claim (CADC) at the Department of Environment and Natural Resources. Back then, the processing of CADC applications was still under the mandate of DENR. An Ancestral Domains Office within the DENR was created under the Department Administrative Order No. 2, series of 1993. This office was given the power to identify, determine and delineate ancestral domain claims in the country. A CADC was a legal instrument that would give indigenous communities full rights over their domains and one was awarded to the Higa-onons in February 1998.

Despite the principles of self-delineation indicated in DAO 2, the boundaries set down by the actual survey of the Higa-onon ancestral domain claim was far from what the community elders identified as the extent of their domain. The size was reduced and the lack of on-ground markers prevented them from using the CADC and the map to defend their rights.

In 1997, the Republic Act 8371, commonly known as the Indigenous Peoples Rights Act, was enacted, creating the National Commission on Indigenous Peoples. The NCIP is an agency under the Office of the President, created specifically for the welfare and protection of indigenous peoples all over the country. The Ancestral Domains Office of the DENR was transferred to NCIP, along with the mandate of the identification and delineation of ancestral domains.

With the creation of NCIP, AGMIHICU found another outlet where they could put their initiatives. They started negotiating with the NCIP and continued coordinating with the DENR and other non-government organizations as well.

Mapping the Higa-onon Ancestral Domain Claim



AGMIHICU started working with the Philippine Association for Intercultural Development (PAFID) in the year 2001. After several meetings and consultations, it was planned and agreed upon that PAFID and partner NGOs would assist AGMIHICU in delineating the boundaries of their ancestral domain.

PAFID trained the community in making a scaled three-dimensional model of their claim. With just raw materials at hand, they were able to construct their 3D model in between August and October 2001.

After the construction of the 3D model, zoning and land-use planning was done. On a plastic sheet overlaid on the 3D model, the community identified and traced the lines dividing the claim according to land use. The community was also asked to add other details that they considered significant, such as names of sacred places, important

⁵ An indigenous peoples' organization composed of the Higa-onons

landmarks and cultural sites. Names of mountain peaks, rivers and roads were taken from the topographic map of the area. All of these were consolidated into a land-use map for the community's reference.

Community mapping activities did not materialize continuously for the Higa-onon tribe. There were major gaps in the process, but this did not prevent them from reaching their goals. The perimeter survey of their domain started in April 2002, but unfortunately, unwanted problems that caused the delay of activities occurred. The survey was resumed only after more than a year. Finally, in August 2003, the delineation of the boundary of their ancestral domain claim was finished.



The survey was conducted by fourteen individuals, four from AGMIHICU, eight from Impahanong Amosig Higa-onon Tribal Community Organization (IAHTCO⁶) and two from PAFID. Prior to the survey, the PAFID staff trained the other twelve in using a hand-held Global Positioning System receiver. The actual survey took five days and a ritual conducted by Datu Amay Matangkilan was performed a day before it started. Mount Kimangkil is considered sacred by the Higa-onons and they had to ask for permission first before conducting the survey. The team was able to get the position of fourteen corners covering the whole boundary of the area.

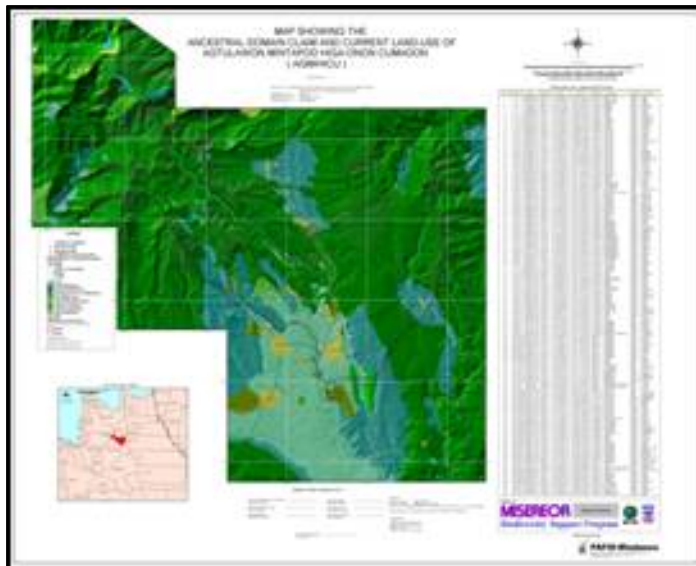
After the processing of the data, the boundary corners were integrated in the land-use map. Technical descriptions were also indicated in the map. With the approval of the community, the final map was finalized and printed. Copies were given to the community for their reference.

Impacts of Community Mapping Activities

Through these community mapping activities, government sectors heard the voice of the Higa-onons and doors of opportunities were opened for them. These activities even helped them deal with internal issues.

The 3D model made them determine the past, present and future land-use of their land. They were able to discuss boundary conflicts both within and outside the community. Most of all, they familiarized themselves more with their home. They know the place by heart but seeing it in a small-scale model that is exactly the same made it more meaningful.

⁶ IAHTCO is a people's organization representing another Higa-onon community whose ancestral domain claim is adjacent to AGMIHICU's.



The maps were instrumental in their negotiations with the government. Dialogues that were almost unimaginable before have transpired continually. The members of the community approached these dialogues with confidence for they were equipped with better knowledge of their land. With the aid of maps, the people they meet with understood their arguments better. Maps are visual, thus it can serve as a common language for

people with conflicting views.

Technical knowledge such as the utilization of a GPS receiver and map-reading further enhanced the legitimacy of their claim. The Higa-onon community's participation in the perimeter survey allowed them to become actual actors, and not mere observers in the process. "Self-delineation" will only be realized if the community is involved every step of the way.

All of these efforts will be thrown to waste if the community will lose empowerment over their domain. The protected area system has good intentions but this is not guaranteed in the implementation. Despite promises of major participation in the management board, this does not ensure the involvement of community in decision-making.

Community Mapping: A Powerful Tool

Community-based mapping, as the name suggests, is a process that involves the participation of the community in each and every step. It is based on the principle that the community has the most intimate knowledge of the place where they live in, thus making them the most credible source of information regarding their land. As opposed to government mapping projects, community mapping gives importance to the participation of the community. The community defines its own issues and goals and they are the ones who direct the process of mapping their land. They control the utilization of maps, determine the present land-use plan and direct the future of their lands. Other entities such as non-government organizations and the government may give assistance but it is still the community who should take the major role.

In the case of the Higa-onon ancestral domain claim, they reserve the right to take full ownership and consequently, management of their domain. They have occupied the land long before the colonizers came. They are the best source of information about the place and this knowledge gives them the empowerment to manage their land. The Higa-onons, not the government, nor the assisting NGOs, know what is best for them. If they will be put in a multiple stakeholders' management setting, they should be the major actors and should have the final say on what they want to do with their land.

Regaining their customary rights over their lands is the only way a community can establish themselves, socially and economically. Community mapping has served as a powerful tool in helping not only the Higa-onons, but indigenous communities all over the country, fight their battles with better weapons.

References:

Alix Flavelle (2002) Mapping Our Land: A guide to making maps of our own communities and traditional lands.

History of Land Ownership in the Philippines; www.lra.gov.ph

December 2003. National Land Tenure Program for the Philippines Progress Report (July to December 2003); PAFID, Inc.