

Summary of "Peace Lens: On Indigenous Peoples in the Bangsamoro" roundtable discussion (December 11, 2013)

Video link: <http://www.youtube.com/watch?v=3-xCG82eCvU>

The mood was both appreciative and ambivalent as this fifth series of *Peace Lens: On Indigenous Peoples in the Bangsamoro* was being held on December 11, 2013, three days after the signing of the Annex on Power Sharing. Most groups following the roadmap of the negotiations between the GPH and the MILF lauded the signing of the said Annex. However, it cannot be discounted that there are groups of indigenous peoples (IP) who feel uneasy about how their rights and aspirations were reflected (or not reflected) in the Annex.

The issues being put forward by IP groups within the Bangsamoro territory has been a recurring issue in every *Peace Lens* series conducted in the past given the unresolved issues in the implementation of IPRA in the ARMM and varied perspectives of IP groups on the Bangsamoro struggle, among others.

With this context, the last leg of *Peace Lens* for this year was an opportune time to raise sentiments of IP groups and advocates on how their assertion for self-determination was recognized and respected in the newly signed Annex on Power Sharing.

The organizers asked Fr. Albert S. Alejo, SJ (*Paring Bert*) of Ateneo de Zamboanga University to be the lead discussant for this series considering his cultural research in IP rights advocacy, his work on cultural dialogue and his experience in the peace process grassroots consultations.

Paring Bert started the conversation by defining his role not as a resource person but to open the space for collective and communal thinking on how the IPs (or Lumads) are positioning themselves in relation to the Bangsamoro struggle and in their search for peace in Mindanao. He also invited the participants (representatives from the IP groups based in the ARMM, NGOs with focus on IP rights, National Commission on Indigenous Peoples-Region XI, Bangsamoro Transition Commission, academic institutions, youth groups) to also locate themselves how they are connected to Mindanao and its indigenous peoples.

The following summarizes the provoking thoughts thrown by *Paring Bert* to initiate the conversations among the participants and also reflecting the latter's responses and further questions:

Is the IP's assertion of their self-determination just a riding-on on the Bangsamoro struggle? *Nakikisakay lang ba sila?*

Do we sincerely believe that the IPs have sufficiently assert their right for self-determination? Or do we also support the idea that the IPs cannot fight on themselves because they lack massive political mobilization and that they just ride on with the peace process between the government and the Bangsamoro or the National Democratic Front with the government?

Fr. Alejo opined that the Lumads have expressed their own way of asserting their rights on their ancestral lands and indigenous ways of justice and governance (peacefully and silently) through rituals, symbols, and clarification of traditional boundaries. But are we noticing all these symbols and rituals?

From the point of view of a Teduray who has been part of the Bangsamoro struggle, he expressed that "*hindi sila nakikisakay*", because from the very start they have contributed to the struggle (in terms of resources and in the military movement). One of the founders of the MILF is a Teduray, *Abuyaya Alil Kampong*. From the start of the armed struggle up to their participation in the peace negotiations, their group has been represented.

Another Teduray IP leader also emphasized that they cannot be branded as "nakikisakay lang" because from the beginning their group and their Bangsamoro brothers know their history which is way back before Philippines was created.

All these conversations boil down in the idea that IPs themselves within the ARMM are not homogenous and so their positions in the peace process. If Commissioner Melanio Ulama on the part of the MILF and Froilyn Mendoza on the part of the government can work together, they can achieve something. The peace process is a compromise, not all our demands and aspirations can be granted. The IP groups will need to define their non-negotiables or their minimum requirements for them to say that their rights are respected in the Basic Law or within the different agreements.

How are the Lumads in the Bangsamoro or inside the ARMM faring now? Which groups are involved or affected directly? How do they see their identity, integrity and security being inside the ARMM? Are we inclusive enough in engaging all these IP groups inside the ARMM? How about the horizontal dynamics between the so-called Bangsamoro people?

In the discourse of trying to push for the voices of the indigenous peoples in the ARMM to be reflected in the BBL, are we also giving the space to other IP groups which are not in Central Mindanao? How about the Badjaos, Bangingi, Sama and Palawani in the island provinces of ARMM?

The challenge now is not to limit the perspective of IPs as stakeholders in this peace process among the non-Islamized IPs such as the Tedurays and the Manobos but also among Islamized groups such as the the Sama-Dilaut, the Sama Siasi, the Sama Laminosa, and all the different 13 ethno-linguistic groups.

With the establishment of the new political entity, how will we handle the internal horizontal dynamics between the Bangsamoro people, for example with the Iranuns who have their own indigenous way of practicing Islam which others call as folk Islam? Their interpretation of Islam somehow represents their identity, way of understanding and appreciating how Islam influences them and how it molded their way of life.

It is a known that MILF espouses a particular school of thought in Islam, which others call scriptural Islam. What would be the scenario when the new political entity will be established? Will the MILF define a kind of Islam that will be taught in Madrasah? Will the indigenous identities of those Muslims who had strong roots of the folk or the Sufi belief be threatened by the dominant Suni or Woshiya school of thought?

If we examine all these groups on the religious lines and ethnicity, we will see that there more sub-groups. How do we reflect these nuances among the different groups in the whole discourse of the Bangsamoro? How do we celebrate this multifaceted identity?

There should indigenous sensitivity in the understanding of ancestral domain in the Annexes and in the BBL. It should be within the framework of affected IP groups.

Ancestral domain or territory should not be simply discussed as 'division of resources' but should be sensitive to the interpretation of those affected IP groups (e.g., ancestral domain as sacred and more dwelling on the idea of protection rather than its utilization).

The IPs are facing not just the Moro issue but also the conflict context of other revolutionary groups such as the CPP-NDF-NPA. What would be the differences in the experiences of the Lumads in dealing with the two armed conflicts and the two peace processes? Where would the Lumads be more accepted and can benefit more? In the GPH-MILF peace process or in the GPH-NDF peace process?

In an ideal world, the IPs would have better chances to be accepted in the Bangsamoro peace process because the struggle is for identity and the right to self-determination, as opposed to the currently stalled peace process between the government and the CPP-NPA-NDF. But the problem now raised by IPs in the Bangsamoro are the non-recognition of their identities and of their struggle and how their issues are being taken as an agenda in the GPH-MILF peace process. In this context, the State should be held accountable. But this cannot be taken for granted since the sense of accountability in this country is very low while the sense of impunity was very strong. And with the non-implementation of IPRA in the ARMM, one would need to ask where lies this sense of accountability?

What if we take IPRA as a signed peace agreement in itself? What if we consider that actually the Lumads do not have to bother with what they can get from these two peace processes? IPRA could be considered as a signed peace agreement in itself which was won and achieved peacefully and also aimed to correct the historical injustices done to the indigenous peoples in terms of their rights, territory, resources, etc.

One of the participants raised that in ARMM, it should have been the ideal scenario but for some reasons, *IPRA has not been implemented since 1997 after 27 years of ARMM and after 17 years of IPRA*. So, how can the IPs of the ARMM hold government accountable for not implementing a peace agreement or a law that is IPRA?

It was shared in the group that one underlying issue for IPRA's non-implementation is the *lack of trust*. Dealing with the lack of trust and rebuilding trust within the communities, between the government and the MILF and with the other stakeholders is a big challenge. It was suggested that trust-building should take into account through cultural confidence-building measures.

Another reason is the lack of political will of the previous ARMM government. The Teduray, Dulangan Manobo at Lambangian groups tried to advocate for the implementation of IPRA within the ARMM. But because of the issue on political will, it has not materialized. There are also oppositions from one of the leaders within the tribes. There was a position to hold it in abeyance while waiting for the results of the annexes. Now that the Annex on the Power Sharing was already signed, this could be the right momentum for to continue working on the stalled implementation of IPRA.

From the point of view of the NCIP, it has been insisting for the implementation of IPRA in the ARMM since the start of FAB roadmap. There is no legal impediment for the implementation of IPRA in the ARMM and an IRR (Implementing Rules and Regulations) should have been enacted for this purpose. Until ARMM or the future Bangsamoro will enact an enabling law to implement IPRA, the NCIP (as part of the executive branch) cannot enter into the picture due to political and legal points.

So, if IPRA has not been implemented in the ARMM as a law that protects the rights of the IPs in the ARMM, how would the 'new laws' fare? In the ministerial form of government, it is hoped that the IPRA concept will be adopted and not sidelined and only used when it is convenient for those in power.

There are observations that the Annexes on Wealth Sharing and Power Sharing are missing out on important IP concerns.

Some IP groups say that the annexes (especially on power sharing) relegated the IP concerns in the Annexes as a mere environmental issue.

In the peace processes before the birth of FAB, there have been several attempts for CSOs to contribute even in the languaging only of the signed peace agreements. But now, the civil society and the communities have no direct contact with the negotiators because the "battle" now is with the experts.

One IP leader also raised the point why the protection of the rights of IPs in the Annex on Power Sharing is in accordance with UNDRIP (United Nation Declaration of IP Rights) which is generic and not based on IPRA which is more specific. This IP leader felt that the Annex is shying away from the IPs which are around 123,000 within ARMM with 200,000 hectares of ancestral domains. Because of this, some IP groups felt abandoned and they demand explanations from the Philippine government on why existing laws (e.g., IPRA) were not considered as basis in reflecting their rights in the provisions of the Annexes.

Why are IP issues recurring in the current discourses on the GPH-MILF peace process?

In the previous years of the peace negotiations, IP groups all over Mindanao have tried to submit to the peace panels their IP agenda and positions. However, these were considered informal documents. Thus, the IP agenda was not part of the consensus points of the current negotiations between the GPH-MILF.

At present, a majority of the IP groups is now asking for IP autonomy within the Bangsamoro since IPRA was not implemented. This autonomy means full administration of the customary governance and justice system of the IPs within their ancestral domain territory.

But wait, how about the young generation?

Youth groups are also expressing their sentiments on how the young generation can grasp the fast-paced dynamic changes in the political and legal discourse of the peace process. What lessons will the next generation learn if trust-building between both parties is not achieved? How will we simplify all these processes so we can engage the younger generation and other uninterested sectors of the society or those not benefiting from higher or formal education?

Are the IP groups ready and able to participate in the critical points of the whole process? The roadmap of the peace negotiations between the GPH and the MILF is a very technical process. Do we have resources and champions in Congress for the campaign of IP's decision and judgment on the draft BBL?

There is a need for political campaigning to push for the cause of the IPs as part of the national agenda. In the conversations, it is important to look at the political actions to push forward the agenda and positions of the IPs especially when the draft BBL will be passed on to Congress. How will the discourses on the IP issues on the ground and in Mindanao be communicated as part of the national agenda? *"Dahil kung walang tulak, walang lakas ng boses, walang pino ng debate, hindi maririnig sa itaas, hindi dahil wala silang interes". In the face of all the disasters that plagued the country, it is hard to hear voices and issues such as these which are delicate, full of nuances and intricacies.*

On the other hand, we cannot just leave behind the peace negotiations because it is also a platform to win the struggle. But let us not forget those larger platforms since unless these issues are heard in the national discourse, *malulunod yon sa mga sunod-sunod na bagyo*. **So who are those champions, spokesperson that would advocate for these intricate issues of the IPs in the Bangsamoro?**

Video of Fr. Alejo's talk available for viewing at: <http://www.youtube.com/watch?v=3-xCG82eCvU>
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