

# Lumad women defending their indigenous right to ancestral land and resources in Mindanao

## Introduction

Sabokahan led a Feminist Participatory Action Research (FPAR) on rural indigenous women's rights to land and natural resources (Land FPAR) between September 2018 and June 2020 with Lumad indigenous women within the Pantaron Mountain Range, also known as the Central Cordillera of Mindanao. Sabokahan is a grassroots organisation led by Lumad women advocating to advance their rights, dignity and empowerment. Through the initiatives of this FPAR, Sabokahan focused on the impacts of mining (and related destructive extractive industries) on food security and sovereignty, and the sustainable livelihoods of Lumad communities as well as on civil and political rights and fundamental freedoms of Lumad women.

## Background

In the Philippines, 12-15 per cent of the national population is considered to belong to the indigenous peoples. The Lumads comprise 18 major ethnolinguistic groupings and are found in Mindanao -- the country's third major island that is the richest in natural and mineral resources but is the most economically deprived. The Lumads have been caught in a storm of government instigated political attacks, economic deprivation and ecological plunder amidst a long history of utter neglect and discrimination by the state. The corporate plunder of natural resources on Lumad ancestral land has fueled an armed conflict



between the Armed Forces of the Philippines (AFPs) and the revolutionary New People's Army (NPA). Because of the AFP's illegal occupation of Lumad communities, in violation of International Humanitarian Law, rural indigenous women are disproportionately affected by this conflict. They live their daily lives surrounded by bullets and tanks and suffer immensely from the violence and dire poverty stemming from the wide-scale plunder of their lands. Lumad women's resistance to defend their land and resources along with their communities is very much a life and death struggle for their survival.



## FPAR process

The Sabokahan FPAR team, composed of a young woman researcher and a mentor, led the pre-research consultation with the community in several sessions due to considerations of time, security and focus of participants. The consultations were held in makeshift evacuation centres in Davao City and Tagum City. Hundreds of displaced Lumads have sought sanctuary at these evacuation centres since 2014 as a result of the intense militarisation of their ancestral lands. After discussing the objective and purpose of the research, 27 women from the two (2) sites agreed to join the FPAR as co-researchers. The Lumad women shared their experiences of militarisation, evacuation and human rights violations in their communities in a series of activities using various participatory methods, such as storytelling, drawing, oral history, power mapping, focus group discussions, interviews, social mapping, resource mapping and document analysis. In the middle phase of the research, the scope was extended to a few additional sites in Bukidnon within the Pantaron Mountain Range, and in another evacuation site in Metro Manila where about a hundred youth and some indigenous women have also sought refuge. One of the Pantaron communities, Brgy. Matupi in San Fernando, Bukidnon, and the inputs from Pantaron's oldest women leaders and the new generation of young women activists who have taken sanctuary in Manila served as key sources of information for the research.



## FPAR findings

### **Corporate capture of land and resources through deregulation**

The major land rights issues of these communities stem from past logging concessions and current exploration of multinational corporations lusting after Pantaron Mountain Range. There are mining corporations, logging corporations, hydro-power dam projects and agri-businesses that want to repurpose the virgin forest into monocrop plantations. The Philippine Mining Act of 1995 (Republic Act No. 7942) liberalises foreign control over the Philippine mining industry, allowing multinational mining companies to plunder with hardly any regulation. This has resulted in atrocious open-pit mining excavations, caused lasting environmental destruction and endangered the livelihood of indigenous peoples across the Philippines. The government has recently approved the exploration permit of Philippine Meng Di Mining & Development Corporation to extract gold, silver, copper and other minerals that will cover around 17,000 hectares. Two more companies (Metalores Consolidated, Inc. and One Compostela Valley Minerals Inc.) have appealed to operate in the area.<sup>1</sup> The Lumad women co-researchers became aware of the law from their involvement in the "Save Pantaron Movement" and have clearly expressed that this law must be abolished to protect the land, food and resources of Pantaron range and other targets of mining corporations.

### **Forced closure of Lumad community schools through regulation and militarisation**

On December 4, 2018, President Duterte signed Executive Order No. 70 (EO 70), creating a National Task Force (NTF) to "end local communist armed conflict" and institutionalised what his administration calls a "Whole-of-Nation Approach" for the purpose of "attaining an inclusive and sustainable peace." Under EO 70, all agencies of the government work together on counter-insurgency measures, in areas where they otherwise would not collaborate. A concrete impact of this national security policy includes the collaboration of the Department

<sup>1</sup> Cagula, K.E. (April 22, 2019). Lumad, peasant groups unite to defend Pantaron Range. Retrieved from <http://davaotoday.com/main/environment/lumad-peasant-groups-unite-to-defend-pantaron-range/>



of Education with the Armed Forces of the Philippines and the National Security Council to vilify and close down operations of legitimate Lumad community schools. On September 20, 2019, the Department of Education (DepEd) approved the closure of 54 schools under the Salugpungan Ta'tanu Igkanugon Community Learning Center Inc. (Salugpungan) as per recommendation from Education Secretary Leonor Briones along with National Security Adviser and former Armed Forces Chief Hermogenes Esperon Jr. The Lumad communities also testify that oftentimes military personnel approach them, threatening that they will be denied welfare or other social services offered by the Department of Social Welfare and Development, especially the 4P's programme (patterned after the conditional cash transfer programmes of other countries), if they continue enrolling their children in Lumad community schools.

Lumad women, along with broader organisations and communities of Lumads, have worked hard to establish Lumad schools as part of their right to self-determination, which includes access to education that is relevant and responsive to Lumad needs and development. They continue to dispel the accusation that their community schools are rebel training grounds and pursue to demand their right to self-determination that includes the respect for culturally responsive education.

### **Development aggression by the World Bank-funded "Build Build Build" programme**

The Duterte Administration's "Build Build Build" programme, which is funded in part by the World Bank, envisions building four major highways across forests cutting through the Pantaron. When talking about the construction of these highways, the Lumad women have asserted that this is "only for the purpose of easier entry of corporations onto the ancestral lands". They have expressed their bitterness about how the Philippine government has never brought infrastructure to their communities before. Now that these highways are being built, the government is trying to convince the Lumad that they are beneficiaries and should be grateful, when in fact these highways will only lead to the destruction of their land, food and resources.

### **Violation of human rights of the Lumads as indigenous peoples**

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) prohibits military activities on indigenous territories (Article 30) as well as forceful displacement of indigenous peoples (Article 10) from their territories without their free, prior and informed consent (FPIC). However, Mindanao is the most militarised region of the Philippines, and Lumad territory has been disproportionately targeted at alarming rates since the implementation of Martial Law in the island. Lumad communities have faced continuous forcible displacement for periods ranging from weeks to years at a time because of bombings, massacres and other state-sponsored attacks. They have never been granted any compensation, nor the option of safe return. When displaced, they are not provided with shelter, food, water or health care by the government. In fact, the government has even militarised and surveilled evacuation centres and blocked relief goods sent from churches and NGOs.

The Department of Environment and Natural Resources (DENR) and the National Commission on Indigenous Peoples (NCIP) claim to meet the requirements of the UNDRIP. However, as per the testimonies of the Lumad women, these institutions serve the purpose of advancing the government's interests at the expense of indigenous peoples and the environment — namely, to serve the interests of the multinational corporations and national elites by any means necessary. This is exemplified by the case of Gina Lopez, the former DENR secretary and environmental activist who was forced out of her job after cracking down on the multinational mining industry in Mindanao.



The capacity building initiatives through FPAR have built the confidence of Lumad women to lobby directly with government agencies and make resolutions with legislators or government representatives, even though at the beginning, many women expressed being embarrassed of their illiteracy, wary of discrimination or too shy to take such actions.

The growing confidence of the women is seen in their active engagement with media personnel who visited the evacuation centre during the Indigenous Peoples' Month. The Lumad women in the bakwit (evacuation) centre invited the media to return and cover succeeding events, which resulted in a successful turnout for both the opening programme and the Solidarity Night, and led to the publication of a feature article in Davao Today titled "Lumad women, their inter-generational struggle for self-determination" (14 August 2019). Having practised speaking and interviewing in FPAR prepared the women to tell their personal and collective stories in public and to stand out from news coverage focusing on the men's stories or general 'Lumad' narratives.

During the FPAR, the Lumad women mobilised other women to join in campaigning for and participate in the International Women's Day, Earth Day mobilisation, International Day of the World's Indigenous Peoples, Indigenous Peoples' Month and International Rural Women's Day. To mark the ending of Indigenous Peoples' Month in October 2019, 12 members of Sabokahan participated in a 'trooping' or petition filing at the DENR and NCIP, demanding these agencies to fulfil their obligations to ensure sustainable use of resources and indigenous self-determination. This petition-filing event was a testament to the women's collective spirit considering the Lumads' deep and justified fear of entering government offices and engaging agencies.

#### About Sabokahan

Sabokahan is a grassroots organisation of Lumad women that seeks to empower Lumad women through education, organising, capacity building and participation in advancing women's and indigenous rights as key to overcoming barriers that preclude women from being at the front lines of the struggle for land rights, self-determination, social justice, genuine peace and development.

Email: [sabokahanlumadwomen@yahoo.com](mailto:sabokahanlumadwomen@yahoo.com)

#### About APWLD



Asia Pacific Forum on Women, Law and Development (APWLD) is the region's leading network of feminist organisations and individual activists. For 35 years, we have been carrying out advocacy, activism and movement-building to advance women's human rights and Development Justice.

Email: [apwld@apwld.org](mailto:apwld@apwld.org)

Website: [www.apwld.org](http://www.apwld.org)

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## Recommendations

- The government must withdraw its counter-insurgency programme Oplan Kapayapaan, recall Executive Order No. 70 and retract the creation of a "national task force to end local communist armed conflict". These policies have institutionalised attacks on innocent and unarmed civilians and the forcible closure of Lumad schools as well as criminalised the work of human rights defenders and environmental activists.
- The government must abolish the Mining Act of 1995 and make the Indigenous People's Rights Act (IPRA) work for indigenous peoples instead of using it as an instrument to violate the self-determination and land rights of Lumads.
- The Philippine military and government must adhere to and respect the Universal Declaration of Human Rights, the International Convention on Civil and Political Rights, and all core human rights instruments that it is a party and signatory to.
- The government must show sincerity in the Peace Talks with the National Democratic Front of the Philippines to resolve the roots of armed revolution instead of using military means to fuel further conflict.
- The government must prioritise the enactment and full implementation of a Human Rights Defenders Protection Bill that will give legal recognition and safeguard rights defenders in the conduct of their work, in accordance with the UN Declaration on the Rights of Human Rights Defenders.
- The United Nations Human Rights Council should launch an independent, international, thorough and just investigation of the human rights violations by the Duterte regime.