

Community Management Plan

April 2019

PHI: Integrated Natural Resources and
Environmental Management Project

LIAS KANLURAN AND LIAS SILANGAN

Prepared by Barangays of Lias Kanluran and Lias Silangan, Barlig, Mountain Province for the
Department of Environment and Natural Resources and Asian Development Bank

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BARLIG, MOUNTAIN PROVINCE

ACRONYMS

ADB	Asian Development Bank
ADSDPP	Ancestral Domain Sustainable Development and Protection Plan
ANR	Assisted Natural Regeneration
AO	Administrative Order
AP	Affected Person
BARTAN	BARlig-TANudan (Watershed)
CADT	Certificate of Ancestral Domain Title
CAR	Cordillera Administrative Region
CBPM	Community-based Protection and Monitoring
CMP	Community Management Plan
CP	Certificate Precondition
CURB	Chico Upper River Basin
DENR	Department of Environment and Natural Resources
FPIC	Free Prior Informed Consent
INREMP	Integrated Natural Resources and Environmental Management Project
ha	Hectare
IP	Indigenous Peoples
IPP	Indigenous Peoples Plan
IPMR	Indigenous Peoples Mandatory Representative
IPRA	Indigenous Peoples Rights Act
LGU	Local Government Unit
LTDC	Lias Tribe Development Council
MLGU	Municipal Local Government Unit
NCIP	National Commission on Indigenous Peoples
NRM	Natural Resources Management
PO	Peoples Organization
PPMO	Provincial Project Management Office
SEC	Securities and Exchange Commission
SMO	Site Management Officer
WMU	Watershed Management Unit
WFP	Work and Financial Plan
WMPCO	Watershed Management Project Coordinating Office

GLOSSARY

<i>Aghkam</i>	Council house
<i>Anam-ama</i>	Elders
<i>Chakhop</i>	People's assembly
<i>Chalet</i>	Eel
<i>Fiabruy</i>	Residential area
<i>Fitu</i>	Pit trap
<i>Henpangili/umili</i>	Village/community members)
<i>Kafokab</i>	Prayer
<i>Khakay</i>	Ancestral domain
<i>Korchag</i>	Spirit of brotherhood
<i>Lawi</i>	Monkey eating eagle
<i>Mansapet</i>	Elder
<i>Morta/sachiw</i>	Imposition of fines or penalties to offenders such as:
<i>Motet</i>	Wild cat
<i>Nunpuor</i>	One who is accountable for a forest fire
<i>Puchun</i>	Peace pact Holders
<i>Paniyiw</i>	Customary law that warns a person not to perform acts that violate the norms and social standards of the community as the offender, his/her family or community may suffer a consequence in the future
<i>Payyiw</i>	Rice field
<i>Pechag</i>	Grassland
<i>Paatong</i>	Renewal/warning up of the peace pact of two tribes
<i>Puchon/budong</i>	Peace pact
<i>Songa/ manmanok</i>	Ritual
<i>Tungaw</i>	Rest day
<i>Uma</i>	Swidden farm

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A. INTRODUCTION

1. The Integrated Natural Resources and Environmental Management Project is a special project being implemented by the Department of Environment and Natural Resources (DENR) in the Chico Upper River Basin (CURB) within the Cordillera Administrative Region (CAR) and in three other priority river basins in the country.¹ With particular focus on indigenous peoples (IPs) and resource-poor communities, the project aims to reduce and reverse the degradation of watersheds and associated environmental services caused by forest denudation and unsustainable farming practices.

2. Within Mountain Province, CURB² covers the sub-watersheds of the **BARlig** and **TANudan** Rivers, which comprise the BARTAN Watershed Management Unit (WMU) - Mountain Province side, within the municipality of Barlig. The focal barangays for the implementation of INREM subprojects in the BARTAN WMU are Lias Kanluran and Lias Silangan, which comprise the Lias ancestral domain. These two barangays in Barlig are indigenous communities belonging to the i-Changyasan ethnic group.

3. In relation to its aim of restoring ecological stability and biodiversity conditions of degraded forest lands and protected areas in the target watersheds, INREMP supports environment and natural resources management (ENRM) subprojects to be implemented by partner people's organizations (POs) that are selected and endorsed by the communities and that pass the requirements of the DENR. In Lias, the Mamaruy Agro-Forest Advocate, Inc. (MAFAI) was selected and endorsed by the community as the partner PO for the INREM subprojects

4. In degraded forest lands and conservation areas that are above > 50 %, the restoration techniques for natural resources management (NRM) include assisted natural regeneration (ANR) and agroforestry. ANR targets the restoration and rehabilitation of inadequately stocked forest areas through the protection and maintenance of naturally growing seedlings (wildlings) and enrichment planting of open spaces with nursery-raised seedlings. On the other hand, agroforestry involves the planting of a combination of forest and fruit tree species in forestlands or production areas (backyards or home gardens) to increase household incomes while also increasing the forest cover.

5. The INREMP-NRM subprojects being implemented in Lias are (a) ANR covering 67 ha and (c) agroforestry covering 40 ha. The NRM subprojects cover a total of 107 ha or 0.3 % of the municipal land area of Barlig of 36,035.78 ha. These NRM subprojects were awarded to MAFAI in 2018 and are to be implemented from 2018 to 2020.

¹ The other priority river basins are Wahig-Inabanga River Basin in Bohol, the Lake Lanao Basin in the Autonomous Region of Muslim Mindanao, and the Upper Bukidnun River Basin in Bukidnun, Northern Mindanao.

² Aside from the KABAMAAM WMU, CURB in Mountain Province includes the sub-watersheds of the **KAlawitan**, **BAyudan**, **MAIitep** and **AMlosong** Rivers, comprising the KABAMAAM WMU in the municipalities of Bauko, Bontoc, Sabangan and Sagada, as well as the sub-watersheds of the **BA**litian, **AG**oyo, **MA**ligcong, **DO**cligan and **L**ingoy Rivers, which comprise the BAAGMADOLI Watershed Management Unit (WMU), found in the municipalities of Bontoc and Sadanga.

Table 1. NRM-ENRM subprojects being/to be implemented in Lias

NRM-ENRM Subprojects	Coverage (ha)
2018 awarded	
Agroforestry	40
ANR	67
<i>Subtotal</i>	<i>107</i>
CBPM – 2017 target	2,280
CBPM – 2018 target	2,608
<i>Subtotal</i>	<i>4,885</i>

6. An environmental and natural resources management (ENRM) intervention to be implemented in Lias is the community-based protection and monitoring (CBPM) subproject. This is anchored on indigenous technical knowledge with respect to forest protection, and the implementation of the LAWIN system in impact monitoring. INREMP will capacitate participants in the CBPM subproject activities on the use of modern technology to further strengthen the ongoing community-based forest protection and rehabilitation efforts. Two CBPM subprojects were awarded to MAFAI covering a total of 4,885 ha.

7. In addition, INREMP targets to increase household income in the project areas. Its Livelihood Enhancement Support (LES) subproject is intended to enable the partner POs and the members to increase their short, medium and long-term incomes for more sustainable, market-oriented livelihoods or enterprises. These enterprises will help the partner POs generate income while contributing to the overall improvement of the watersheds. In Lias, the proposal of MAFAI for a fruit processing facility was granted in 2018 and will be implemented this year.

8. This Community Management Plan (CMP)/Indigenous Peoples Plan (IPP) provides a framework to guide the implementation of the above INREMP subprojects in Lias Kanluran and Lias Silangan. This CMP, along with the Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) of the Lias indigenous communities that is due for updating, serves as a guide for the continued consultations with the Lias communities and the partner-PO. This CMP contains the work and financial plans (WFPs) of the NRM subprojects being implemented in Lias Kanluran and Lias Silangan; culturally appropriate grievance redress mechanism (GRM); implementation arrangements; capacity building needs of the implementing PO members and other community members; and measures to ensure that the indigenous community members will receive culturally appropriate benefits.

9. This plan was prepared with the participation of the PO members and representatives of the *ili* (village or barangay) of Lias Kanluran and Lias Silangan, such as the barangay officials, representatives of the *anam-ama* (elders), women and other sectors, during various consultations and meetings. The consultations started in 2015, when background details about the INREMP were first presented to the communities. In 2015-2016, INREMP staff conducted community mapping and participatory survey activities in the focal barangays for the identification of the proposed areas for the NRM subprojects, in which the barangay officials, *anam-ama* and other community members identified the sites for the possible NRM activities. Focused group discussions and interviews were conducted with the elders and PO/community members to gather pertinent data for the preparation of the CMP. This plan also draws on the Lias ADSDPP and indigenous knowledge systems and practices (IKSP). The CMP was presented during a meeting

of the BARTAN Watershed Management Council on June 30, 2017, in which the members gave their comments and inputs for the enhancement of the CMP.

10. Consultations are an on-going process to ensure that the community will maximize the benefits from the INREMP subproject implementation and immediately address concerns that arise along the way.

B. LEGAL FRAMEWORK

11. The recognition of the rights of indigenous peoples to their ancestral domains and to free prior and informed consent (FPIC) for projects that are to be implemented in their ancestral domains is mandated in the following policies:

Philippine Constitution of 1987

12. The Constitution of the Philippines incorporates provisions for the recognition of the rights of indigenous cultural communities, namely:

- a. Article II, Section 22. The State recognizes and promotes the rights of indigenous cultural communities within the framework of national unity and development.
- b. Article XII, Section 5. The State, subject to the provisions of this Constitution and national development policies and programs, shall protect the rights of indigenous cultural communities to their ancestral lands to ensure their economic, social, and cultural well-being.
- c. Article XIV, Section 17. The State shall recognize, respect, and protect the rights of indigenous cultural communities to preserve and develop their cultures, traditions, and institutions. It shall consider these rights in the formulation of national plans and policies.

Indigenous Peoples Rights Act (IPRA) of 1997 (Republic Act 8371)

13. The IPRA is said to be a landmark legislation in its comprehensive recognition of the rights of the IPs in the Philippines. IPRA recognizes four bundles of rights of IPs:

- a. self-governance and self-determination, which includes their rights to use customary laws, indigenous knowledge systems and practices, and indigenous political structure;
- b. ancestral domain, which covers ownership, access and control over the lands and water bodies and the natural resources that IPs have traditionally occupied, owned or used;
- c. cultural integrity, which include their right to practice and revitalize their culture, traditions and institutions; rights to practice and revitalize their customs and traditions; to practice and develop their spiritual and religious traditions and indigenous knowledge and practices; and to develop and control their education system; and,
- d. right to social justice. The IPRA upholds the primacy of customary laws and conflict resolution institutions in the settlement of disputes involving IPs

14. The IPRA provides for the recognition of the traditional rights of IPs over their ancestral domains through the issuance of CADTs. It also recognizes their rights to define their development priorities through their ADSDPP and to exercise management and utilize the natural resources within their traditional territories.

National Commission on Indigenous Peoples (NCIP) Administrative Order (AO) No. 3, Series of 2012

15. This policy specifies the guidelines on the IPs' exercise of their right to free, prior and informed consent (FPIC) as provided for in the IPRA to - among others:

- b. Protect the rights of ICCs/IPs in the introduction and implementation of plans, programs, projects, activities and other undertakings that will affect them and their ancestral domains to ensure their economic, social and cultural well-being;
- c. Provide, and ensure compliance with the procedure and the standards in the conduct of Field-Based Investigation (FBI) and FPIC process, payment of fees, compensation for damages, execution of Memorandum of Agreements, observance of corporate social responsibility; and imposition of sanctions for the commission of prohibited acts and omissions as hereinafter provided;
- d. Ensure just and equitable partnership in environmental management, land use, development and resource use within ancestral domains as well as benefit sharing, between and among the concerned ICCs/IPs and the prospective investor, government agency, local government unit (LGU), nongovernment organization (NGO) and other entities desiring to engage or collaborate in such undertaking;
- f. Ensure that any benefit derived after the grant of FPIC or as an exercise of priority rights shall be managed and used properly by, for and with the concerned community not forgetting inter-generational obligations.

16. IPRA defines Free and Prior Informed Consent as "consensus of all members of the ICCs/IPs to be determined in accordance with their respective customary laws and practices, free from any external manipulation, interference and coercion, and obtained after fully disclosing the intent and scope of the activity, in a language and process understandable to the community".ⁱ

17. A Certification Precondition (CP), signed by the NCIP Chairperson, is issued by the NCIP to attest to the grant of FPIC by an indigenous community after compliance with the requirements provided for in NCIP AO 3-2012.

ADB Safeguard Policy Framework (2009): Indigenous Peoples Safeguards

18. The Asian Development Bank's Indigenous Peoples Safeguards are triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of Indigenous Peoples or affects the territories or natural or cultural resources that Indigenous Peoples own,

use, occupy, or claim as an ancestral domain or asset. The safeguards aim to “design and implement projects in a way that fosters full respect for Indigenous Peoples’ identity, dignity, human rights, livelihood systems, and cultural uniqueness as defined by the Indigenous Peoples themselves so that they (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts as a result of projects, and (iii) can participate actively in projects that affect them”.ⁱⁱ

19. The Policy Principles include the following:

3. Undertake meaningful consultations with affected Indigenous Peoples communities and concerned Indigenous Peoples organizations to solicit their participation
 - (i) in designing, implementing, and monitoring measures to avoid adverse impacts or, when avoidance is not possible, to minimize, mitigate, or compensate for such effects; and
 - (ii) in tailoring project benefits for affected Indigenous Peoples communities in a culturally appropriate manner. . .
6. Prepare an Indigenous Peoples plan (IPP) that is based on the social impact assessment with the assistance of qualified and experienced experts and that draw on indigenous knowledge and participation by the affected Indigenous Peoples communities. The IPP includes a framework for continued consultation with the affected Indigenous Peoples communities during project implementation; specifies measures to ensure that Indigenous Peoples receive culturally appropriate benefits; identifies measures to avoid, minimize, mitigate, or compensate for any adverse project impacts; and includes culturally appropriate grievance procedures, monitoring and evaluation arrangements, and a budget and time-bound actions for implementing the planned measures.

20. According to the Indigenous People’s Safeguards Sourcebook, it is noted that “a stand-alone IPP may not have to be prepared when ... only positive impacts are expected from the project.” ADB clarified that given the scale and complexity of the INREMP project, the potential for not achieving certain intended positive impact on indigenous peoples justifies in Category B and warrants preparation of the IPP to help achieve intended impact on indigenous communities. Specific to INREMP, the Indigenous People’s Development Framework (IPDF) “ensures that INREMP subprojects are designed and implemented in a way that fosters full respect for IP identity, dignity, human rights, livelihood systems and cultural uniqueness as defined by the IPs themselves to enable them to (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts as a result of the project, and (iii) can participate actively in the project. For this purpose, an IP Plan (IPP) will be prepared in participating areas and an Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) will be enhanced or formulated in areas covered by ancestral domain claims.”ⁱⁱⁱ

C. DESCRIPTION OF THE PROJECT AREA

Physical - environmental status of the area

Location, area covered and accessibility

21. Lias is one of the three *khakay* or ancestral domains in the Municipality of Barlig. Lias ancestral domain is located about 43 km east of Central Bontoc, and 13 km north of the town center of Barlig. It is bounded on the north by barangay Dacalan, Tanudan of Kalinga; on the west by barangay Lingoy, Barlig; on the south by barangay Fiangtin, Barlig; on the southeast by

Macalana, Barlig; on the east by the Kadaclan ancestral domain; and on the northeast by the Municipality of Natonin. The ancestral boundaries as drawn by the forefathers were also affirmed in *puchon* agreements with neighboring *ili* (villages) or *khakay*.

22. The Lias ancestral domain consists of barangays Lias Silangan on the eastern part and Lias Kanluran on the western part. Lias-Silangan has a total land area of 5,232 ha which is 14 % of the municipal land area. It has eleven 11 sitios, namely, Finannay, Cawana, Olet, Chap-ay, Partug, *Tayangnga*, Tunchiin, Fotay, Afaka, Tangngad and Angwood. Lias-Kanluran, the largest barangay of the municipality, has a total land area of 9,440 ha (26 % of the municipal land area). Lias Kanluran has five sitios, namely, Finannang, Kussad, Chatar, Fuwa and Taranchoy.

Table 2. Land area per barangay

Barangay and Ancestral Domain	Land Area	%
<i><u>Lias ancestral domain</u></i>		
Lias Silangan*	5,232	14.5
Lias Kanluran*	9,440	26.2
<i><u>Fiallig ancestral domain</u></i>		
Latang*	5,579	15.5
Lingoy*	2,393	6.6
Macalana*	1,960	5.4
Gawana*	559	1.6
Fiangtin	504	1.4
<i><u>Kachakran ancestral domain</u></i>		
Lunas	5,302	14.7
Chupac	1,117	3.1
Ogo-og	2,381	6.6
Kaleo	1,568	4.4
<i>Total</i>	<i>36,035</i>	<i>100.0</i>

Source: Draft FLUP of Barlig as of 2018.

23. The *henpangili* (village/community members) of Lias applied for a certificate of ancestral domain title (CADT) with the NCIP on 16 July 2013 over an area of 14,672 ha. To date, the application is pending due to land of funds for the processing of the CADT.^{iv}

Land uses

24. *Mossy forests as watershed areas and hunting grounds.* The mossy forests are customarily for watershed purposes and hunting grounds. With the fast capacity of the regeneration of the pine trees to regenerate, the lower elevations of the mossy areas are threatened, thus, harvesting of pine trees are allowed while protecting other miscellaneous forest vegetation.

25. *Pine areas as production forests.* These are where the people can harvest lumber and fire wood for their use within the barangays.

26. *Agricultural areas.* The *payyiw* (rice lands/terraces) are where the people grow rice. After the palay is harvested, the farmers usually plant sweet potato, peanut and different kinds of vegetables.

27. There are agro-forest areas in certain moderately rolling terrain in which a few pine trees exist along with cultivated areas.

28. *Pechag (Grassland)*. These are grazing areas for cattle. Some of the *pechag* are within pine lots. Grass such as *rono*, *tanglag* and cogon also grow in some parts of the pasture areas and pine lots.

29. *Builtup area*. This is where the houses are built - the *fiabruy* (residential area) - and the limited institutional areas being occupied by the barangay hall, elementary school, child development center, churches and *ator*. There are croplands within the residential area planted mostly with sweet potato and fruit trees.

30. *Inland water*. This includes the Tanudan River, which is 38 km from the upper stream (Tongcho) to the lower stream (Kuwab), as well as smaller streams feeding it. The river and creeks serve as fishing grounds, where the i-Lias can catch *chalet* (eel).

Mapping of different land uses

31. The different land uses, including the forests, are shown in the community maps in Annexes 1.

Information on the indigenous communities

Population and ethnicity

32. The population of Lias in 2018 was 1,012. Lias Kanluran (population: 520) and Lias Silangan (492) were the 5th and 6th barangays with the largest population. The i-Chanyasan (“i-” meaning “people of or from”) belong to the Balangao ethnic group.

Table 3. Population per barangay, 2018

Barangay and Ancestral Domain	Population	%
<u><i>Lias ancestral domain</i></u>		
Lias Silangan*	492	9.1
Lias Kanluran*	520	9.6
<u><i>Fialliq ancestral domain</i></u>		
Latang*	442	8.2
Lingoy*	176	3.3
Macalana*	299	5.5
Gawana*	757	14.0
Fiangtin	583	10.8
<u><i>Kachakran ancestral domain</i></u>		
Lunas	425	7.9
Chupac	631	11.7
Ogo-og	450	8.3
Kaleo	629	11.6
Total	5,404	100

Source: Municipal Planning and Development Office, 2018.

33. The people have their own distinct cultural practices as distinguished from other indigenous communities. A citizen of the Lias Tribe is a person who possesses the following:

- a. Those whose father or mother is a native of Lias;
- b. Those children of marriage between Lias parent and other people;
- c. Other people or children adopted by any Lias citizen;
- d. Other people who are married to a citizen of Lias;
- e. Any person whose blood was established to be of Lias ancestry;
- f. *Abfarian* or *abfuyong* or brothers and sisters by way of the *budong* or peace pact.

History

34. The people of Lias trace their ancestry through a story that has been narrated from generation to generation. A hunter named *Somerfang* from Lofoc, an ancient village in Tocucan, Bontoc discovered Lias during his hunting trips. He then moved his family to Lias. Another group of people from Talifang (*Tallid*) located in Betwagan, Sadanga led by a man named *Sarakyaw*, came to settle in Lias and occupied the northern side of the place. These two groups composed of able-bodied warriors who were self-confident, gregarious and somewhat humble. The women did most of the work in the lands or fields. The men were skilled in stone-walling or riprapping. Inter-marriages took place between the groups of *Somerfang* and *Sarakyaw*. Some late settlers also trace their roots from Samoki, Bontoc.

35. The i-Lias called their ancestral domain land *khakay*, and this *khakay* (domain) is categorized into two territorial grounds named, the Fellang (Eastside of the river) and Kadtakad (Westside of the river). The center point or basis of the subdivision is the Tanudan River (Kachakran). The Fellang and Kadtakan are also subdivided into three parts: Khuwab, Fabruy and Tungchu. Khuwab refers to as the northern/downstream territories, Fabruy refers to all hunting grounds, agricultural lands and residential areas near the village, while *tungchu* refers to the southern/upstream territories.

The puchon or peace pact

36. The Lias tribe adheres to peace, mutual understanding, and mutual co-existence and equality. In order to achieve such aspirations, the tribe has to propose peace pact or indigenous treaty with other indigenous communities. As a tradition, every man in the Lias tribe is given the chance to seek peace treaty with other indigenous communities.

37. He who first seeks the peace treaty is given the priority to become the peace pact holder representing the tribe. While it is difficult and dangerous for a man to enter territories of other indigenous communities to propose peace pact treaty, the price is high because it is one way of achieving tribal respect and one way of getting the status of being called "*anam-a*" or respected elder. The price is high but the cost is also high. Sometimes the man wanting to propose peace treaty for his tribe may get killed upon entering the territory of another. Peace pact may start from crime or friendship. After the crime is committed, the solution is to forged peace treaty if none exist. Friendship of two people of two tribes may also forge into a peace treaty between the tribe of the two friends. The process and celebration of peace treaty is long and expensive. It is a

sacrifice but the fruits of the peace pact cannot be measured for it will lead to peace and co-existence. In most instances, the proposition of a peace pact or peace treaty is always welcome. The aim of every peace pact is to protect life, liberty, and property, through peaceful co-existence.

Importance of the puchon

- a. Peace pact is used as a safe pass of Lias people in crossing territories of other indigenous communities, for children to go to school especially far places and their safe passage when they go home.
 - b. Peace pact was used to promote intermarriage of Lias people with other indigenous communities. Peace pact was also used by the Lias tribe in solving criminal offenders who violated the indigenous laws of the Lias tribe.
38. A peace treaty by itself and it is an indigenous court of justice.
39. Since it is a treaty by itself both tribes have to abide with the provisions or agreements entered into between the two tribes. Lias peace pact with one tribe may not be totally the same with the agreements entered into a peace pact treaty with another indigenous community. However, the common provision is to protect life, liberty, and property. As an indigenous court of justice, the peace pact the forum to decide violations from both tribe and the judge to persecute the violation and to issue judgment is the peace pact holder of the offended or violated tribe. The people of both the offended tribe and the offender tribe are obliged to follow the judgment otherwise tribal conflicts may erupt thus causing more destruction to life and property. Even indigenous people welcome the ideas of peace and equality.
40. Common land uses generally prevail within the different forest classification. While there are foremost uses identified in each forest type, other areas are with particular resource uses such as, agricultural settlement areas and the like.

Cultural beliefs

41. The people of Lias believe that *Ekom* is the sole owner of the wild animals and live in the forest while *Afat* is the caretaker of every mountain, rivers and abound therein. When a hunter catches wild pig or deer in the forest, they will cook some of it and say a prayer called *pakhawas*. This is done so that next time that they will return to hunt, *Ekom* will give them wild animals.

Cooperative practices

- a. *Futad*. It is done in cases of emergency, such as an accident involving members of the community, in which immediate assistance is needed to bring the victims home. If the person is alive, he/she is brought to the nearest hospital. Or if the person is dead, then the traditional rituals must be observed.
- b. *Korchag*. This is done during the cleaning the pathways and irrigation canal, and to help an *umili* carry the sewn lumber from the forests to the residential area.
- c. *Tungaw*. This is a sacred holiday in the community declared by the elders. It regulates the activities in the fields, forests or water sources. All the members of the community

are obliged to respect the *tungaw* by not going to the fields, forests or outside the *ili*. People are enjoined to remain in their homes or gather for community meeting and discuss concerns related to agricultural activities or other concerns, such as development projects, relations with other territories, death or illnesses within the community.

The practice of setting aside and observing community rest days where work in the fields and hunting in the forests are suspended provides occasions for the people to rest and reflect. *Tungaw* is also declared during difficult situations such as death, disasters or grave illnesses of members of the community. *Tungaw* is also observed during the rice cropping seasons.

Customary laws

42. The Lias people live with their indigenous laws and practices as their guidelines and regulations. The laws may be spiritual or moral law, natural law or personal law. Laws affecting life and property and laws provided in “peace pact” or “budong”. The indigenous law is practiced inside the territory as well as in other places. The Lias people have an indigenous law which is similar to civil law and criminal law. Depending on the scope of the problem, the wisdom of the old folks, the *mansapet* and the peace pact holder is consulted.

43. As a rule, a Lias man is obliged to serve his family, his old folks, and his tribe as a whole. The measurement of service is good if good for the majority. The Lias people are morally obliged to perform acts or mission that will not displease the almighty and that will not impair or destroy life, limb, or property.

Laws affecting the forest

44. *Paniyew* or it is a sin or a crime to destroy the forest because the forest gives life to the tribe. The forest should be guarded and protected so the birds, wild pigs, deer, including forest products and by-products will always be available. Forest destruction is tantamount to killing the people of Lias. Every forest owner is cautioned not to destroy his forest. Penalty is confiscation of his indigenous ownership in favor of those who suffered loss or damage by reason of forest destruction. If the destruction is caused by people from other indigenous communities, the penalty is death because the act is tantamount to killing of the Lias People.

Laws affecting property

45. *Paniyew* or it is a sin or crime for the person to steal or grab or encroach the property of another person. Penalty of the crime is confiscation of the indigenous property of the offender in favor of the offended person.

46. *Paniyew* or it is a sin or crime for the whole tribe if a tribal member has no property in Lias. Every person must have a property in the arable land, and he is entitled to a forest property,

including a common ownership in the river. For example, an infant become orphan, he is entitled to properties that is due him. The tribe is obliged to show his property. The property will be taken from the property of his ancestors and his kin or relatives are obliged to share. This is one moral law or spiritual law, or god's law.

The *agkham* (Council House)

47. *Agkham* is a sacred place where rituals concerning indigenous laws and practices are being settled or practiced. Participants and attendants on religious prayers, rites and rituals are exclusively for the male members of such *ator*. Elders/*Puchon* Holders play an important role in the community, being the peacemakers and ritual organizers of *agkham*. However, at present the barangay council share important role in the decision making of the community. Nowadays many of the old folks died and are outnumbered. In addition, introduction of Christianity, and formal education contributed to the weakening of the customs and traditions.

Resolution and local grievance redress mechanism^v

Resolution of Conflicts among Community Members

48. The involved parties initially talk and settle among themselves their differences. In instances that such disputes are not settled, the attention of the respected elder *anam-ama* is called for them to mediate and finally decide settlement agreements to both parties. If such arrangement is not respected, it is brought out to the council of elders together with the barangay *lupon*. The decisions of the council are respected by the community to be final and executory.

Resolution of Inter-ili Conflicts

49. For the resolution of conflicts involving the *umili* of other *ili* in relation to the domain or resources, the offenders who violate the community's forest management practices are warned to stop committing such act and face the consequences of their offense. In case they repeat the same offense, which the aggrieved party protests, the *puchun* or peace pact holder of the aggrieved party coordinates with the peace pact holder of the offending side for a peace pact agreement. If a peace pact exists between the concerned tribes, a *paatong* renewal or warming up of the *puchun* is called for. This is hosted by the tribe of the offending party; the dispute or conflict is deliberated upon by the elders of both tribes until it is resolved.

Violations and usual resolution

Table 4. Traditional conflict resolution

NRM Violations	Traditional Conflict Resolutions	Responsible Entity
1. Timber poaching and any unauthorized gathering of forest products	<i>Morta/sachiw</i> – Imposition of fines or penalties to offenders such as: a. Payment of incidental expenses, due to the amicable settlement, and equivalent value of harvested timber,	Community elders and Barangay officials

	<p>or confiscation in favor to the recognized claimant of the forest.</p> <p>b. Confiscation of tools used and extractions therein, in offenses by non-domain members and or other people.</p> <p>c. Replacement of harvested and damaged timber</p> <p>d. Division of trees</p>	
2. <i>Nunpuor</i> (accountability for a forest fire)	<p>a. Reprimand</p> <p>b. Remuneration of expenses and labor in cash or in kind</p> <p>c. Payment of incidental expenses during settlement</p> <p>d. Replacement of damaged trees</p>	Community elders and Barangay officials
3. Violations related to water resources	<p>a. Reprimand</p> <p>b. Repair or rehabilitation of damages</p>	Community elders and Barangay officials
4. Land conflict		
<p>a. Within the <i>tayan/khakay</i></p> <p>b. Domain boundary with adjoining communities</p>	<p>a. Amicable Settlement through the elders and or community meeting facilitated by the barangay chair</p> <p>b. <i>Puchun</i></p>	<p><i>Lupon</i>/Elders, LGU</p> <p><i>puchun holders</i>/Elders, LGU</p>

Situational analysis

Environmental issues

50. The widest portion of the Lias ancestral domain consists of the thick forest. The thick forest is very important, as this is where the people gather forest products and is a vital source of livelihood of the people. For instance, the people gather wild fruits, wild berries, birds for food. It is also where the men hunt wild pig or deer, the major source of meat for the people because the people are not trained in raising domesticated pigs. A man from Lias would prefer to go to the forest and hunt rather than to raise pigs at home. While the forest is part of the indigenous territory, the ownership of it belongs to the people. Customarily, the thick forest is subdivided among the clans and the clan owned forests are further subdivided and owned by individual family-members. Ownership is passed through hereditary succession.

51. Nevertheless, all the people use their forest and mountains communally for hunting and other purposes such as gathering firewood, making lumber from the forest to use in building houses for their tribal members, and gathering rattan to augment their income by producing handicrafts to be sold raw to their neighbors. All of these are allowed by owners provided these are not used for big commercial purposes wherein only few would benefit. The people conserve their forests for themselves and for the next generations. As such, they do not allow any outsider to intrude into their forests without their permission.

52. There is abundant water in Lias and the rivers and creeks serve as fishing grounds. There are still fresh water resources, such as *chalet* along the streams that the i-Lias can catch. This indicates that the river is still not contaminated that these can still thrive.

53. Mount Farook, located thirty (30) kilometers from the Lias settlement is where the monkey-eating eagle locally known as “*Lawi*” mating net is found.

Opportunities

54. The INREM Project provides an opportunity for the community to avail themselves of funding support for forest management activities, such as agroforestry and ANR. The agroforestry subproject includes fruit trees that can be sources of food or income when the trees will start bearing fruit. INREMP’s ENRM subproject, CBPM, will strengthen existing forest protection efforts. Further, through INREMP’s LES subprojects, MAFAI will be granted a fruit processing facility, which will help them process the fruits they are harvesting.

D. ANCESTRAL DOMAIN GOVERNANCE

Vision, goals and objectives^{vi}

Vision

55. “We, the indigenous people of Lias envision a loving, cooperative, hospitable educated and respectful community; a clean and green environment and to promote the customs and traditions we inherited from our forefathers with the guidance of the Almighty God for the good of the next generation”

Goals of traditional governance and customary laws

- To protect our ancestral domain
- To preserve and practice our lasting cultural inheritance from our forefathers
- To maintain a clean and green environment
- To promote health and literacy among the people

Objectives of traditional governance and customary laws

- To promote selective cutting of trees
- To preserve the flora and fauna and biodiversity resources
- To sustain cultural practices
- To support and practice proper waste management
- To promote education for all integrating the indigenous knowledge systems and practices of the community

Existing political structures

The Sangguniang Barangay

56. At present, political leadership in the barangays or *ili* is in the hands of the elected barangay officials who comprise the Sangguniang Barangay or barangay council. The council is headed by the punong barangay with seven elected barangay kagawads or barangay councilmen and an Indigenous Peoples Mandatory Representative (IPMR). The Sangguniang Barangay also includes the chairman of the Sangguniang Kabataan (SK), a secretary and a treasurer. The punong barangay, kagawad (and SK chairperson) are elected, and any adult member of the barangays can run for office. The secretary and treasurer are appointed while the IPMR is endorsed by the community elders. These officials serve a term limit of three years.

57. The Sangguniang Barangay is now the formal governing unit in the barangay that formulates and implements ordinances, prepares and implements barangay development plans, etc. The elected officials are members of the indigenous community. They are assisted by the Barangay Peace Action Team (or the barangay *tanod*) in maintaining the peace and order in the community. Conflicts and cases are mediated or resolved by the *anam-ama* and other appointed members of the Lupong Tagapamayapa or *lupon* headed by the *punong barangay*.

Headship/Council of Elders/Mansapet ay Anam-ama

58. The *mansapet ay anam-ama* are men of integrity and good reputation. The decision of the *mansapet* is needed in case the consultative decision affects the tribe or the tribal territory. However, if a problem is caused by another indigenous community having peace pact treaty with the tribe, the decision of the peace pact holder may take precedence before the council of elders will announce their consultative decision.

59. Since Lias has several sitios, it follows that there are several *mansapet ay anam-ama* (village leader or several respected elders). Council of elders are composed of several *anam-ama* (male elder), some of whom are peace pact holders or *budong* holders.

60. An elder is a man who has done good deeds in the *ili* and possesses wisdom for the tribe. He is a man who stand for the people and the community as a whole. He must be knowledgeable

of and practices the customary laws and traditions of the community. He must also be credible, honest and responsible, and is guided by a sense with justice.

Roles of the of puchun peace pact holders

61. The *puchun* holders play a critical role in the protection of the ancestral domain and the security of the Lias *umili* from possible abuse by other tribes. They serve as ambassadors of goodwill in case of inter-*illi*/tribe conflict.

Procedures in the establishment of puchun/peace pact treaty

a. The *warang* practice and procedures (preliminary procedure)

62. When two persons from two distinct *illi*/tribes have agreed to establish a *puchun* their preliminary act is to exchange a token of friendship called *warang*. The *warang* may be a *fagkaw* (spear) and *choros* (bolo). It is token of mutual understanding that both of them were willing to lead or bind a diplomatic relationship for their respective tribe/ *illi*. These two parties will inform their *kailiyan* (tribesmen) and decide who will be the first to host the first celebration of the *puchun*. Each of them will prepare an item, such as *khangsa* (gong), *poriyok* (vat) and *forawan* (native gold jewelry) as peace offering called *infayaman*. When the time of the *puchun* celebration comes, these two *puchun* holders will exchange these *infayawan*. This is one of the highlights of the first peace pact celebration.

b. The *kenet* practice and procedures

63. When the existing *puchun* is violated through a serious offense, such as killing or wounding of a person living in the village with peace pact (*pinchuna*), the peace pact holder in the offending tribal village must give to his offended *puchun* counterpart a symbiotic item called *kenet*. The *kenet*, such as a *khangsa* (gong), *ponyok* (vat), cattle or carabao, is a symbol of voluntary admission that the existing peace pact under one's guardianship has been violated by his own tribesmen or *kailian*. It also emphasizes the offender party's regret over the incident.

c. The *tukkum* practice and procedures

64. *Tukkum* is an act of loyalty and bravery by a *puchun* holder who will take it upon himself to kill a member of his own tribe who killed or wounded a member of the tribal village with whom they have a peace pact (*pinchunan*). The essence of *tukkum* is to show his *puchun* counterpart that he is loyal to the peace pact that has been established. In this *puchun* practice, the *puchun* holder from the offending tribal village must redeem his honor which has been severed by the violation of his tribesman.

d. The *chawat* practice and procedures

65. When the *puchun* holder fulfills the principles of *tokum* by killing or wounding his own tribesmen to avenge the victim belonging to the offended village, it is the prerogative of the *puchun* holder from the offending tribal village to inform the aggrieved party in the offended tribe that the killing or wounding has been avenged. He will channel his information to his *puchun* holder counterpart in the offended tribe. This act will prove his sincerity and commitment to the peace treaty. Moreover, the *chawat* is evidence to the *puchun* holders that the violator/violators have

been punished. The *chawat* is the jaw bone of the violator. If not, the *chawat* is the weapon used to avenge the crime, together with the credible witness to testify that the *chawat* is completed. The two *puchun* holders of the affected tribal villages will arrange the time for the *chawat* to be presented. At the time of presentation, the avenger (*puchun* holder) accompanied by tribal warriors and elder will go the offended village and kinsmen of the victim would be present to welcome the avenger. The *puchun* holder of the offended tribal village will give the *chawat* bearer a hero's welcome like a warrior coming from the victorious tribal war. They will adore him with war customs like head plumes of rooster tails, bead necklace and woven arm band called *fakwar*. There will be great celebration throughout the night. The following days are declared *tongaw* (holiday). All the tribal community will go and participate in the continuation of *chawat* celebration. The offended tribal village will slaughter a pig for the feast. When the time comes that the avenger will return to his tribal village, the *puchun* holders of the offended tribe will present the avenger with gifts as token as of appreciation for the loyalty and bravery in avenging the offense. They usually give gifts representing all his war victory costumes. After the presentation of the gifts, the *puchun* holder will decide whether to renew the violated *puchun* or not. However, if they decide that the *puchun* will be transferred to the violator or the victim, this will follow the proper procedure.

e. The *porteng* or *sudsud* practice and procedure

66. The *porteng* or *sudsud* as called by various communities in Mountain Province, is another customary practice of the *puchun* system. It is a legal procedure wherein an offended *puchun* holder can terminate the existing peace treaty when there is justified reason for him to declare the revocation of the *puchun*. For instance, there is repeated abuse and violation of the peace treaty, especially, when there is strong evidence of a secret murder committed by parties from one of the *illi*/tribe with a peace treaty. Then justified reasons can be grounds for the delivery of the *porteng* or *sudsud* as a declaration that the diplomatic relationship is officially severed and terminated. After the declaration of *porteng*, the two tribes/*illi* can plan their war path, or they can conduct tribal war activities. The *porteng* will be given in a form of *farfug* (spear), *choros* (bolo). As in the *warang* procedures, it is also articulated in the peace pact that the *porteng* bearers or messenger shall be respected or never be molested or killed. They must return to their villages safe and sound. Finally, after the *porteng* is delivered, both *puchun* holders are freed from their responsibilities as peace pact guardians and can join their tribesmen to their warpaths.

f. The *khakhayam/khungkhung-u* practice and procedure

67. It is also customary practice of the *puchun* system that if one of the peace pact holder and member of his family dies, his *puchun* holder counterpart must be informed to attend the funeral as part of the tribal brotherhood. This *puchun* holder counterpart will bring something as a token of sympathy to condole the bereaved family of the *puchun* holder. This token is called *khungkhung-u*. These are instances that the *khungkhung-u* is given after the burial of the dead *puchun* holder or family of the *puchun* holder. The most important is fulfillment of this ceremonial ritual.

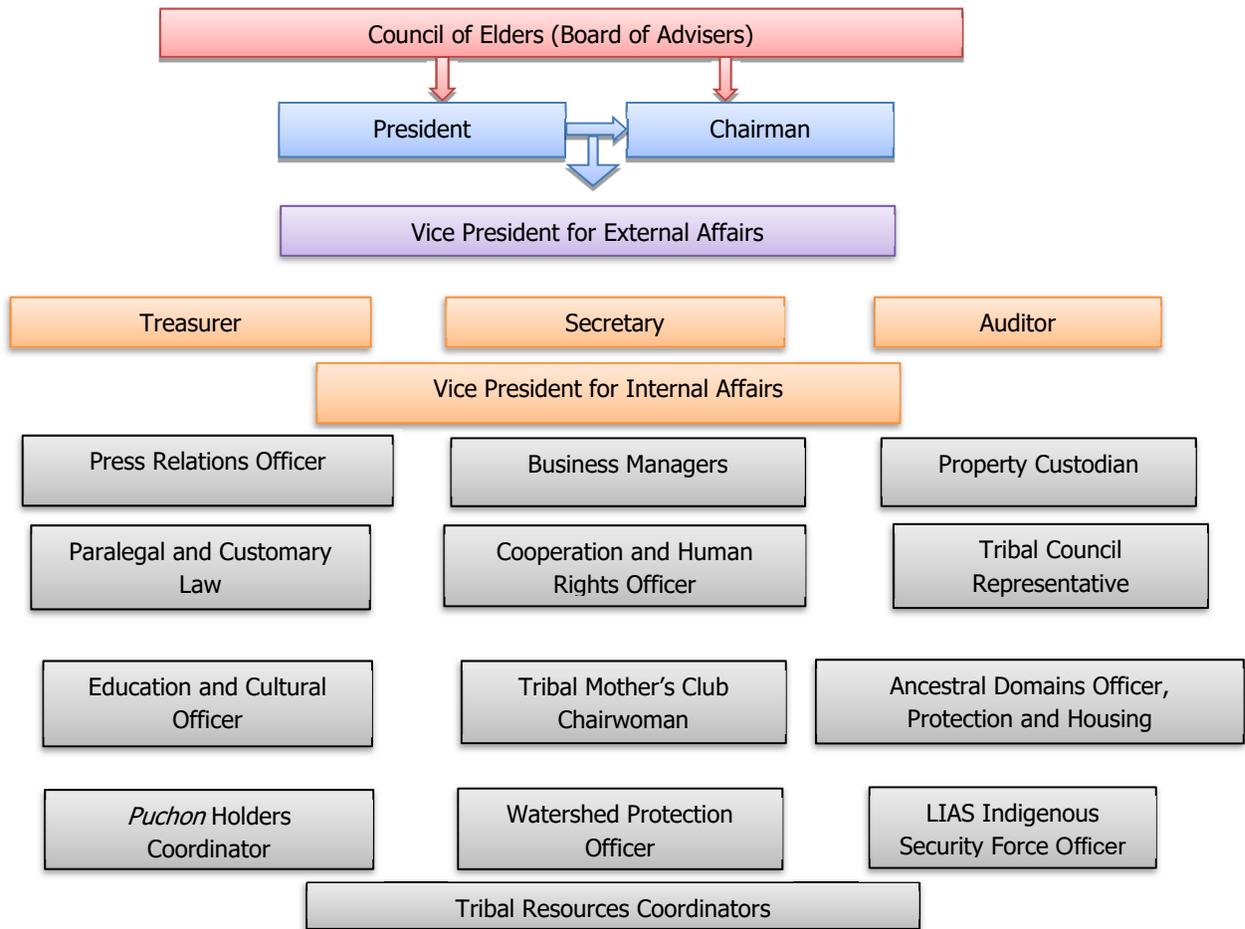
Organization structure as to ancestral domain management

68. Aside from the family home and the council of elders, the Lias tribe has a tribal assembly. This assembly is a gathering of all citizens of the tribe. The tribal assembly is presided by an elder chosen by the council of elders who constitute the tribal assembly for a particular gathering. The tribal assembly is a venue where new decisions affecting the tribe or any news from neighboring communities affecting the tribe may be announced. This is also a forum where opinions or questions are brought out and a particular consultative decision is announced. Also, this is the

forum where a peace pact holder may announce pertinent updates on peace conditions affecting the tribe in relation to other indigenous communities.

69. The Lias Tribe Development Council (LTDC) through its Council of Elders is the overseer in the management of the whole domain of Lias. There are committees within the LTDC in Lias ancestral domain which are operating within the domain.

Organizational Structure of the Lias Tribe Development Council



The partner people’s organization

70. The PO, Mamaruy Agroforestry Advocates, Inc., is the partner-PO in the implementation of INREM subprojects in Lias. The PO last renewed its registration with the Securities and Exchange Commission in 2018. MAFAI implemented NRM projects in the past, such as Upland Development Program (2008-2009), National Greening Program (2011-2013) as well as other projects, such as water system (2013-2015), and livelihood activities.

Policies on resource management and land uses

Governing policy

- Barangay Lias Silangan and Lias Kanluran Resolution NO. 16 – Series of 1999 adapting the previous ordinances (An ordinance prohibiting unauthorized intrusion with illegal intent inside the territory of both barangays of Lias Silangan and Lias Kanluran for the protection of its natural resources/personal properties
 - o Section 2. No unauthorized person shall be allowed to illegally enter into the territorial boundaries of Lias Silangan and Kanluran to exploit its own natural resources/personal properties.
 - o It is strictly prohibited for any person to perform illegal activities affecting our natural resources such as, but not limited to illegal fishing, logging and unauthorized gathering of other forest products.
 - o Any person found and caught violating this ordinance shall be punished by a fine of not less than Php 1,000.00 or shall at the discretion of authorized concerned be charged accordingly in violation of Section 68, PD 705 as amended by EO 277, Series of 1987.

Land ownership

71. As an ancestral domain managed by the Lias indigenous community, there is an existing resource ownership system governing the ownership of and rights and access to the land, forest and other resources. Every family possesses a piece of land and/or are co-owners of woodlands. The unused open areas, non-productive or unutilized farm lots have been converted to tree plantations that provide basic necessities such as firewood and lumber for houses.

72. Ownership is associated with the management system of the particular forest. Established through community and individual initiatives, resource rights emanate from them as recognized in the community.

73. The modes of land ownership are as follows:

Table 5: Land uses and the types of ownership

Land Uses	Type of Ownership
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Agricultural or cultivated areas	Individual; family owned
Forest	Clan; family owned
Grassland	Clan; Family owned
Water Resources <ul style="list-style-type: none"> ➤ Irrigation Systems (<i>arak</i>) ➤ Creeks (<i>chinnaw</i>) ➤ Rivers (<i>chawwang</i>) ➤ Springs (<i>igwar</i>) 	Community
Built-up/Settlement Areas Residential (<i>fabruy</i>)	Clan Family owned

74. *Khakay chi sinpangapo* (Clan ownership). An ownership system whereby members are the descendants of one family or either through affinity or consanguinity and share a common privilege over an area in the management, protection and use of resources. The system describes the scope of corporate ownership by a group that manages the area.

75. *Khakay chi om*. An ownership system whereby members are the descendants of the socio-political structure (*umator*) preferably through affinity and share a common privilege in the management of resources use rights.

76. *Khakay chi sin-anad-i* (siblings)/family-owned. An ownership system wherein siblings have their own share of the property. A parcel of land owned by brothers/sisters of households whereby collective decision and management emanate from the parent to which the land has been given to. In such case, the eldest son of the family serves as the head of the family when both parents are dead. He will manage the use of a woodlot but the decisions are made by him and his siblings.

77. Personal/individual/ family owned (*sinfaruy*). Family ownership is claimed by means of inheritance (*tawid*), *penlak* (bought property) and *porak* (to sell property). In such case, the head of the family administers the *khakay*. In case of *penlak*, the one who bought with his/her spouse are co-owners.

78. Another way of acquiring properties is the *sufad*. *Sufad* is the exchange of land properties in case the owner does not want the location of its property.

79. In some instances, when the offender will be giving up his land property as his *morta* or punishment depending on the agreement.

General governing policy/rituals

- It is *paniyew* or it is a sin or a crime to destroy the forest because the forest gives life to the tribe. The forest should be guarded and protected so the birds, wild pigs, deer, including forest products and by-products will always be available. The destruction of the forest is tantamount to killing the people of Lias. Every forest owner is cautioned not to destroy his forest. Penalty is confiscation of his indigenous ownership in favor of those

who suffered loss or damage by reason of forest destruction. If the destruction is caused by people from other indigenous communities, the penalty is death because the act is tantamount to killing of the Lias People.

- It is *paniyew* or it is a sin or crime for the person to steal or grab or encroach the property of another person. Penalty of the crime is confiscation of the indigenous property of the offender in favor of the offended person.

- It is *paniyew* or it is a sin or crime for the whole tribe if a member has no property in Lias. Every person must have a property in the arable land, and he is entitled to a forest property, including a common ownership in the river. For example, an infant become orphan, he is entitled to properties that is due him. The tribe is obliged to show his property. The property will be taken from the property of his ancestors and his kin or relatives are obliged to share. This is one moral law or spiritual law, or god's law.

- The people of Lias believe that *Ekom* is the sole owner of the wild animals and live in the forest while *afat* is the caretaker of every mountain, rivers and abound therein. When a hunter catches wild pig or Deer in the forest, they will cook some of it and say a prayer called *pakhawas*; this is done so that next time that they will return to hunt *ekom* will gave them wild animals.

Policy on anti-trespassing (lap-a)

80. The importance of the *lap-a* (boundary) law is to secure/safeguard the implementation of the boundary delineation. There are three issues articulated in *lap-a* or tribal anti trespassing law.

- Hunting related issues. The *umili* of Lias are legalistic. They believed in that each tribal people have their own hunting grounds. There is no reason for encroachment in other tribes' hunting grounds/domain. These are the basis of elders in insisting that the illegal hunters must be penalized if found guilty under the provision of the *lap-a* law.
- Issues that are not covered in the *lap-a* (anti-trespassing law)
 - Despite the advocacy on the strict implementation of the *lap-a* the inter *puchun* tribal assembly considered flexibility of the *lap-a* because of some unavoidable circumstances that need the flexibility of the said policy.
 - For instance, hunter/hunters from other tribes will hunt by using dogs, they/he cannot prevent the dogs to follow the prey to inter other tribes hunting grounds, the owner of this hunting dog can enter one's territorial hunting grounds are free from the *lap-a* punishment, this is an accordance with the *puchun* anti trespassing treaty. The treaty shall be states that if the interring hunter will catch his prey, he

is obligated to share the meat or venison one leg to every tribesman he is going to meet as evidence of sincerity and loyalty to the articles of *puchun* treaty.

- Hunters can enter certain territorial grounds to look for a lost hunting dog. But before conducting the search, he must have to make courtesy call to the *puchun* holder out of respect to the *lap-a* law and to the *puchun* itself. Usually, this courtesy call inspires the peace pact holder to help this visitor find his lost hunting dog/dogs.
- War related issues
 - One important provision under the anti-trespassing law is the “no passing of warrior policy”. This policy comes any tribal warriors who will pass territorial grounds of the other tribes to conduct any war/violence related to other tribes. The penalty of any tribe violator is called *charamsak*.
- Logging related issues
 - Aside from illegal hunting and war related issues, one of the major problems of Lias *umili* is illegal logging conducted by neighboring tribes. But the *lap-a* law also provide consideration as one scheme of solving illegal logging. According to the *lap-a* law, loggers from other tribes can conduct logging activities in the Lias territorial domain if the loggers pays a courtesy call to the land owner of the mountain where he will plan to conduct logging. But it is the option of the land owner if he will grant their request or not, they will be charged with offense pursuant to the Lap-a provisions.

Policy on resources management and land use zoning

81. Common land uses generally prevail within the different forest classification. While there are foremost uses identified in each forest type, other areas are with particular resource uses such as, agricultural settlement areas and the like.

Table 6: Forest resource management

Mossy Forest (<i>Pagpag</i>)	Pine Forest and Dipterocarp	Grassland	Other Wooded Areas
- Conservation Forest - Watershed/Source of water - Source of minor forest products such as: • <i>Uwuy</i> (rattan), <i>fikor</i> (bamboo) for weaving packs & other	- Conservation Forest - Production Forest • Source of lumber or house construction; woodcarvings	- Free grazing of animals (<i>Munpastuwan</i>) - Sources of indigenous materials for fencing; roofing materials and others	- Source of lumber and other wood materials - Agro-forestry areas - Farm sheds

<p>household devices and for tying such as palay bundles, shack construction etc.</p> <ul style="list-style-type: none"> • <i>Fugfug</i> rattan shoot for human consumption <p>- Source of wild edible plants</p> <ul style="list-style-type: none"> - aromatic plants <p>- Source of alternative medicine/Herbal plants</p> <p>- Hunting ground (Manganopan)</p> <p>- Honey bee harvesting (Munpanag hi iyukan.)</p>	<p>and furniture; firewood</p> <p>(<i>Muntabraan as pang-afong; munpa-etan ya mangaiwan as (pang-apuy)</i>)</p>	<p>(<i>Mangor-an hi kawet ya arad chi mura</i>)</p>	<p>- Settlement/ built- up areas</p>
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Policy on protection forest areas

Table 7: Policies on forest protection

Natural Resources	Traditional Development Practices	Responsible Entity
Forest (timber and non-timber or other minor forest products)	<ul style="list-style-type: none"> - Selective cutting of trees - Preserved mother trees along water sources - Cutting of trees for fuel is good for one-year consumption. - <i>pinuku</i> - Pruning of branches (<i>suplingan nan pangan chi forfor.</i>) - Adherence to the forest protection approaches - Assisted natural regeneration in harvested areas. 	Individual/family and clan owners
Wildlife	<ul style="list-style-type: none"> - Adherence to the forest protection approaches. 	Individual/family and clan owners
Water Resource	<ul style="list-style-type: none"> - Designation of water sources as conservation areas. - Conservation of aqua-marine life through prohibited use of toxic chemicals and electric fishing gadgets in fishing activities. - Maintained cleanliness/ non-pollution around water sources - Protection of vegetation along water springs 	Individual/family, clan owners and community
Grassland	<ul style="list-style-type: none"> - Common use practice with livestock owners obliged to maintain fences or barriers to prevent destruction of farmlands 	Individual/family, clan owners and community

	- Claimed pasture areas shared for free grazing	
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Policy on resource use, harvesting and hunting

- Individual/ family claimed forest
 - Immediate family members have the right for reasonable share from the timber products.

- Timber shared to relatives and community members in need.
 - Rights over minor forest products are common to all regardless of the claim of ownership.
 - Priority use of the products remains to the claimant but shared with other non-members depending on availability and usage.
 - Rattan are used in making *pasiking*; *fikor* are used for bundles or ties; fish traps (*ufor*)
 - Non-timber products such as *kiattel* for *e-et*, wild flowers/ornamental plants are mainly for decorative purposes only.
 - Wild ferns are used as orchid vases; and *kikun* during lumber harvesting. *atollab* are primarily used in bundling vegetables.
 - *Lelet* are primarily used in tying lumber or pine branches while *fikor* is used in bundling palay.

- Common use to the community members
 - Free grazing is observed
 - *Nunu* (sticks) found along the grassland are used as *arad*/fence and within the *uma* and *kawet* for vegetables.
 - While the forests are common for hunting, the established areas for hunting are prohibited to non-claimants without permission.
 - Water is for everybody and cannot be limited to whoever is privileged. The owners' right over the source of water is subordinate to the use of water for the community.
 - Priority use of water arising from the different modes of forest management, if with improvements in the water system, may stay to the claimants but openly shared to others.

Policy on non-IPs within the ancestral domain

82. Through inter-marriages, there are people from other ethnic groups who have come to reside in Lias Kanluran and Lias Silangan. The *umili* do not discriminate against someone just because he/she is from another place or culture. Intermarriages, education, religious teachings, inroads of modernization, migration and other factors have made the *henpangili* more open and accepting of outsiders - whether from other indigenous communities or non-IPs - who live with them. Non-iLias are considered part of the community as long as they know how to get along

with and respect the *umili*. They must respect the cultural practices, ordinances and unwritten laws, adapt to the community's way of life, and not just do as they please. They must not make their own rules or policies or establish their own leadership structure. They must also participate in the community affairs and meetings.

83. A non-iLias' access to the resources must conform with the existing resource ownership system. For instance, if one wants to till an uncultivated piece of land, he/she must first ask the permission of the owner. Land owners who cannot cultivate their farms may allow others to do so, often under a usufruct arrangement that they agree on. Their access to water for domestic or irrigation supply must also abide by the existing access/distribution arrangements. If he/she wants to operate a business, he/she must obtain a business permit from the Mayor's Office.

E. Policy on involvement of IP members to development projects (protection, rehabilitation, ENRM/NRM, production, agriculture and rural infrastructure)

84. A fundamental requirement for all development projects to be undertaken in Lias Kanluran and Lias Silangan in Barlig is the consultation process that the project proponents must conduct to obtain the FPIC of the community. The project proponents who are not familiar with the way of life of the communities in Lias must do their homework, learning about the local culture to have an initial understanding whether or not the program or project they want to implement in these communities is culturally appropriate. Developments must be in accordance with the customary laws.

85. Consultations have to involve not only the barangay officials, but also *anam-ama* and the larger community, including the women, youth, POs and other sectors. Development interventions must be properly coordinated with the community for their acceptance and approval. Exploitative projects are not allowed.

86. Amid the political and sociocultural changes, the iLias have the right to determine and decide their priorities for development affecting their beliefs, institutions spiritual well-being and the lands they own, occupy and use.^{vii}

87. The residents of the focal barangays in Lias are mostly Indigenous Peoples. A fundamental requirement is the consultation process for the concerned community's FPIC for the implementation of INREM Project in their ancestral domain. Part of the FPIC consultation process is the approval of the owners/claimants of the lands where project activities will be undertaken. Even without land titles or land tenurial instrument, the existing land ownership is binding among the community members and is legally recognized under the IPRA. Another is the respect for the existing customary laws and practices.

88. The consultations must involve to the concerned community members, not just the barangay officials. The participation of the elders is important, in recognition of their authority on matters related to the ancestral domain and natural resources. Other sectors, such as the women and youth, POs, etc. must be represented for them to share their inputs and voice out their concerns.

Roles and responsibilities of women in the overall implementation of the management plan

89. The women in Lias play an important role in the development of their communities. They sustain food production, which is a crucial function for the nourishment of the members of their households. They also participate in the monitoring of illegal fishing activities in the river. Traditionally, women were responsible for maintaining the rice seedbeds as well as transplanting

of the seedling, although the transplanting of seedlings may be done by men. The women are also important in conducting cultural practices, such as offering *kafokab* (prayer) during the *songa* or *manmanok* rituals. Today, the women in Lias are involved in local politics.^{viii}

90. The PO that is implementing subprojects in Lias, the Mamaruy Agroforest Advocates, Inc., is made up of 57 % women and 43 % men (a total of 63 members). Both the men and women are active in implementing the project. In general, the women are involved in the planning and approval of the WFPs, together with the SMOs, in implementing the activities as targeted, in participating in meetings and trainings, and in processing necessary requirements.

F. DEVELOPMENT PLANS AND PROGRAMS

Subprojects Being Implemented in Focal Barangays in the Lias ancestral domain

91. The implementation of INREMP-NRM subprojects in Lias ancestral domain - 67 ha for ANR and 40 ha for agroforestry – is ongoing. The NRM interventions aim to address the need to improve the forest cover in the BARTAN watershed and in turn to enhance the forests' ecosystems services.

92. The LES subproject - fruit processing - that will be implemented by MAFAI will enable help the PO to process and add value to the fruits they are producing, particularly ponkan. This LES subproject was awarded in 2018 and will be implemented starting in 2019.

93. The CBPM subprojects to be implemented in Lias, covering 4,885 ha will strengthen local efforts in forest protection, integrating the LAWIN application in the conduct of foot patrol and monitoring. The implementation of this subproject will also start in 2019.

Work and financial plans for NRM subprojects

94. The NRM subprojects ANR and agroforestry are being implemented based on the approved WFPs. The WFPs for the LES and CF subprojects are being finalized with the POs and the approved WFPs will guide the implementation.

Other proposed projects/activities for funding

95. Other projects/activities that the community members identified for possible funding are as follows:

Forest protection thru cultural governance and capacity building

- Assembly meeting with the council of elders and tribal leaders for updating the documentation on the traditional governance system and customary laws and policies on forest protection
- Workshops with the LGU for the presentation, adoption and integration of forest protection plan and policies in the LGU's comprehensive land use plan (CLUP), comprehensive development plan (CDP) and the annual investment plan (AIP)
- Annual assessment workshops with the Protected Area Management Bureau (PAMB), LGU and DENR for CBPM-LAWIN monitoring results assessment and analysis

- Dialogue/meeting with adjacent Municipal LGUs on the possible settlement of the contested areas within the Lias ancestral domain (delineation survey of the boundaries post-settlement)
- Forest resources inventory (biodiversity, carbon stock, water resource)

Establishment of forest protection & monitoring facilities (Multi-purpose building/check points, water reservoir)

- Construction of lookout tower/view deck
- Construction of satellite quarters (Camp site cottage)
- Provision for forest protection gears, tools and equipment
- Provision of forest fire fighting tools and equipment

Livelihood and enterprise development

- Establishment of livelihood development center
 - Multi-purpose building facility for trainings, product/food processing and product storage
 - Cottage industry development
- Farm product/food processing (value-adding)
- Provision of tiller
- Provision of customized rice mill

G. CAPACITY BUILDING NEEDS OF THE MEMBERS

96. The POs identified the following trainings that they are interested in and that they would need to help develop their capacity and to facilitate the implementation of the subprojects:

1. Practical technical training on nursery establishment and maintenance. To increase the knowledge of the PO members regarding NRM-ENRM subproject implementation especially on seedling production (including seedling collection, selection and sowing) and maintenance
2. Financial management and bookkeeping. To enhance skills and knowledge of the POs on handling and recording their finances to promote honesty and transparency
3. Leadership training and organizational strengthening. To strengthen leadership capabilities of the POs; to enhance the capacity of the POs in running their organization
4. Seminar on geo-tagging. To train the IPs/POs on geotagging for them to be able to properly document their activities/accomplishment on site
5. Farmer's field studies on citrus/lemon production. To increase the knowledge of the POs on citrus/lemon production
6. Training on asexual propagation. For the POs to learn techniques in asexual reproduction

7. LAWIN System. To organize, training and deputize the Bantay Gubat Brigade; to orient the CBPM team on the use of the LAWIN application
8. Resource inventory. To train the PO members in the conduct of resource inventory
9. Para-legal training on environmental laws and policies. To orient the PO members on environmental policies
10. Gender development. To increase the awareness of the PO of gender issues and find out more about ways to respond; to

H. GRIEVANCE REDRESS MECHANISM

97. Concerns and issues related to the implementation of the subprojects will be dealt with through the pertinent dispute processing practice of the communities (*Manfutad*) and, if necessary, formal grievance mechanisms:

For internal concerns of the PO

- For conflicts involving PO members, the PO will do their best to resolve the internal concern. They may seek the assistance of Mr. Ivan Putsky Banna, the SMO assigned to them.
- If they cannot handle the issue on their own, they can refer the same to their respective Sangguniang Barangay for concerns related to land ownership, or to the BARTAN Watershed Management Project Coordinating Office (WMPCO) through the Focal Person, Mr. Forest Facale, if the concern is related to the subproject implementation.

For concerns of affected persons in relation to the PO or INREMP subprojects

- A complainant or affected person (AP) can bring his/her concern to the PO Officers first for immediate action. If the PO cannot handle the concern or if the AP is not satisfied with the PO's action/decision, the AP may bring his/her concern to the barangay officials, particularly the punong barangay: Mr. Romeo Amawan - Lias Kanluran and Mr. Robert Ateneo - Lias Silangan.
- For land disputes, the boundary disputes will be brought to the *chakhop* (people's assembly). The *chakhop* will be presided by a credible elder preferably with blood relations with the disputing parties. Both parties will present their witnesses and factual evidence.
- The barangay chair/officials, together with the *anam-ama* and other *lupon* members, will deal with the concern or complaint. The punong barangay, with the council members, will call the parties involved (complainant and the respondent and witnesses, if any) for an *mankongaw* or meeting. The objective is to settle the conflict or address the concern. The meeting may be held at an *ator* or at the barangay hall.
- If an agreement is reached, the concerned parties will sign the agreement.
- Additional meetings may be called if there is a need, for instance, if there are witnesses coming from other places. For boundary conflicts, the elders who know historical accounts and boundary markers act as witnesses.

- If the AP/complainant is not satisfied with the decision reached at the barangay level and still wants to seek legal action, he/she has the right to file a case at the Municipal Trial Court. The case will then follow the legal procedures.
- The complainant/AP may also take the following steps:
 - o He/She will file a grievance with the BARTAN WMPCO through the assigned SMO, Mr. Ivan Putsky Banna, or the Focal Person, Mr. Forest Facale, who will act within 15 days upon receipt thereof.
 - o If no understanding or amicable solution can be reached, or if the AP does not receive a response from the WMPCO within 15 days, he/she can appeal to the Provincial Project Management Office (PPMO) through the Provincial Focal Person, Mr. Rudolph Val Degay, who will act within 15 days upon receipt thereof.
 - o If no understanding or amicable solution can be reached, or if the AP does not receive a response from the PPMO within 15 days, he/she can appeal with the Regional Project Coordination Office (RPCO), which will act on the complaint/grievance within 15 days from the day of its filing.
 - o If the AP is not satisfied with the decision of the RPCO, he/she can appeal to the National Project Coordinating Office (NPCO) within 15 days of receiving the decision of the RPCO.
 - o If the AP is not satisfied with the decision of the NPCO, he/she can submit the complaint to any court of law.
- All complaints received in writing from affected persons will be documented and will be acted upon immediately according to the procedures detailed above.
- At each level, the ones handling the concern or complaint must adequately document the complaint; what action/resolution was/were proposes, and what agreement was reached (if any).

I. INFORMATION DISCLOSURE, CONSULTATIONS AND PARTICIPATION

98. The formulation of this plan, the identification of subprojects to be implemented in the barangays of Lias Kanluran and Lias Silangan and how these are to be implemented are all openly discussed with the communities during consultation meetings in the interest of transparency.

99. This plan was prepared with the participation of the PO members and representatives of the *ili* (village or barangay) of Lias Kanluran and Lias Silangan, such as the barangay officials, representatives of the *anam-ama* (elders), women and other sectors, during various consultations and meetings. The consultations started in 2015, when background details about the INREMP were first presented to the communities. In 2015-2016, INREMP staff conducted community mapping and participatory survey activities in the focal barangays for the identification of the proposed areas for the NRM subprojects, in which the barangay officials, *anam-ama* and other community members identified the sites for the possible NRM activities. Focused group discussions and interviews were conducted with the elders and PO/community members to gather pertinent data for the preparation of the CMP. This plan also draws on the Lias ADSDPP and indigenous knowledge systems and practices (IKSP). The CMP was presented during a meeting

of the BARTAN Watershed Management Council on June 30, 2017, in which the members gave their comments and inputs for the enhancement of the CMP.

100. The public sharing of this CMP on the ADB website was consented through a resolution (Annex 3).

J. BENEFICIAL MEASURES

101. The NRM, CBPM and LES subprojects being/to be implemented in Lias will benefit the POs and communities:

Social/organizational

- The project will strengthen the POs and their legal personality in representing the community, which can help them in availing themselves of similar projects in the future.
- The trainings and onsite learning and application that were/to be implemented during project implementation will help build the capacity of the PO/community members, especially the women.
- The subprojects allowed the women to have experience in implementing NRM subprojects considering that women do not ordinarily work in the forest areas.

Economic/financial

- The project funds were/are additional source of cash income for the households of those who participated in the actual subproject implementation of the NRM/ENRM subprojects.
- The fruit processing facility will help establish an income generating project from the operation of the said livelihood facility.

Environment/ecological

- The trees and wildlings that are supported through ANR will enhance the ecological services of the forests, such as better quality and quantity of water, improved watershed cover and watershed functions, biodiversity conservation, soil erosion reduction, fresh air and healthy environment, climate change adaptation and mitigation

102. During the orientation of the communities on the INREM Project, the ecological benefits of the NRM subprojects were emphasized. These ecological benefits will not be confined to the barangays of Lias Kanluran and Lias Silangan only. The realization of the ecological benefits will depend on the maintenance of the NRM sites even after the project duration.

K. MITIGATING MEASURES

103. There are no adverse impacts of the identified subprojects that are anticipated; thus, no mitigating measures are proposed.

104. It has been agreed, however, that in case there will be unanticipated impacts in the future, the POs, barangay officials, sectoral representatives of the elders, senior citizens, women and the youth will discuss the matter, come up with a plan of action and, if necessary, update this CMP.

105. The community will help in the POs in safeguarding the NRM sites and the forest in general from destruction, such as forest fires and cattle grazing in the pasture lands that wander into NRM sites. The feedback or comments they share to the PO Partners, barangay officials or SMO on the projects are welcome and will be acted on.

L. IMPLEMENTATION ARRANGEMENT

106. To ensure smooth implementation of the INREMP subprojects in the focal barangays of Lias Kanluran and Lias Silangan and avoid possible conflicts, the implementation arrangement is as follows:

- After the preparatory consultations, the community were given the option to form or choose an organization that would represent the community. The PO must meet the requirements of the DENR to be able to enter into a partnership with the agency for the implementation of INREM subprojects.

The PO Mamaruy Agroforest Advocate, Inc., was chosen and endorsed by the community to implement INREMP subprojects in Lias.

The partners must commit to comply with the specified terms of their partnership and the WFPs.

- The barangay officials, PO and the community members will consult with the land owners to get their consent over the inclusion of their individual or clan-owned lands in the implementation of the NRM subprojects.

As agreed with the landowners, the lands remain as their properties and that the PO would help them maintain and enrich the forest cover during the subproject duration. The landowners will be responsible for the maintenance of the forest trees after the subproject ends.

- The PO will coordinate with the barangay officials and *anam-ama/ ator* leaders regarding status of INREMP implementation.
- The INREMP staff will facilitate meetings with the community and POs for the identification of subprojects. They will also assist the POs, along with the community members, in preparing the WFPs of the NRM, CBPM and LES subprojects that the POs will implement. The INREMP staff will provide technical assistance and will monitor and validate the work done for the processing of payments.
- The POs, with the SMO, will have meetings with the barangay officials and community members for transparency purposes on the planning and implementation of the WFPs.

This is to increase the stakeholders' understanding of their roles and responsibilities, to ensure the attainment of the targets on time.

- The POs will clearly present the benefits out of the subproject and ensure equitable sharing. The POs must be transparent to the members and the community members in their financial transactions and operations.

Important decisions on the ancestral domain and resource use in the communities are to be made by the elders and Sangguniang barangay with the participation of the community.

- The NCIP will conduct community validation meetings to confirm the issuance of FPIC for the NRM subprojects.
- The Barangay LGU and Municipal LGU will provide needed support, such as endorsements, GRM participation, etc.
- The POs, Sangguniang Barangay and *anam-ama/ lupon*, are tasked to deal with grievances. The INREMP Staff and WPCOs will also deal with grievances brought to their attention.

M. MONITORING, REPORTING AND EVALUATION

107. A team responsible for the monitoring and evaluation of the project activities will comprise the following:

- Barangay Officials
- Community representatives (Barangay IPMR, Women's sector representative, Youth sector representative)
- PO representatives
- INREMP-DENR representatives (SMO)

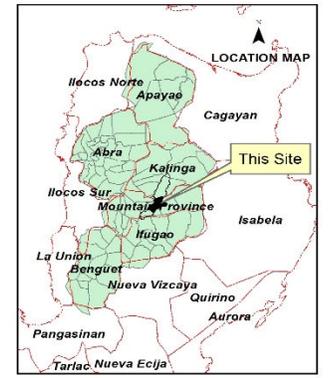
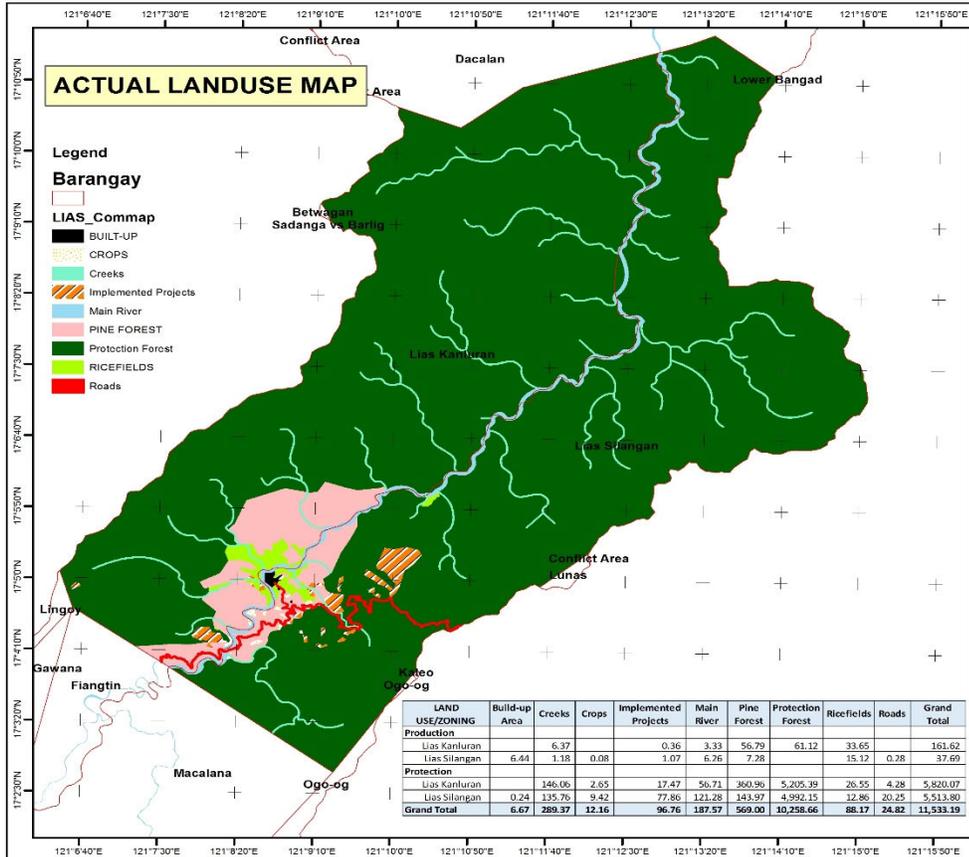
108. The group will monitor the status of the implementation of the subprojects and accomplishments based on the WFPs as often as necessary. They will report concerns requiring immediate action immediately to the PO officers and, if necessary, the barangay officials. The PO officers will closely coordinate with the SMO/INREMP Staff for timely and effective implementation of the activities.

109. Also, the community will help the POs in safeguarding the NRM sites and the forests in general from destruction, such as from forest fires and cattle grazing in the pasture lands that wander into NRM sites. The feedback or comments they share to the PO partners, barangay officials or SMO on the projects are welcome and will be acted on.

110. INRMEP NPCO consolidates monitoring reports and prepare semi-annual safeguards monitoring report (SMR) and submits to ADB for approval and disclosure in ADB website.

N. ANNEXES

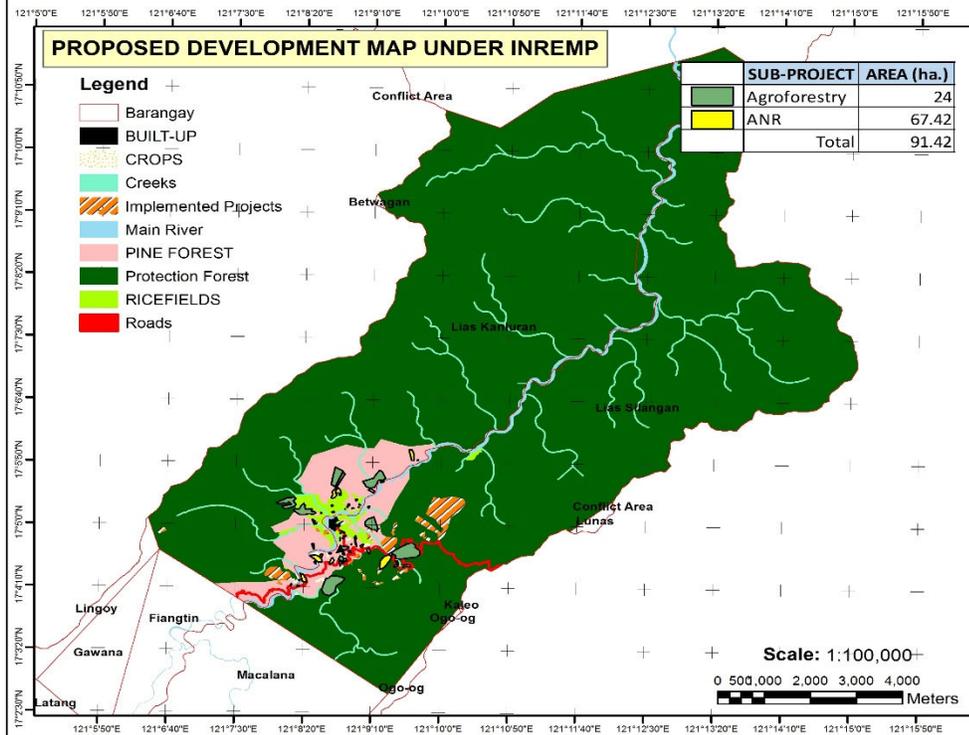
ANNEX 1: LIAS COMMUNITY MAP



COMMUNITY MAP OF
Barangay Lias Silangan and Lias Kanluran
Barlig, Mt. Province
Location

Projection: Universal Transverse Mercator (UTM) Zone 51N
Datum: WGS_1984

URB : Chico River
WATERSHED : Barlig - Tanudan Watershed
Management Council
Name of Organization : Mamaruy Agroforest
Advocates, Incorporated
PO Chairman : Wilfredo Masadao
Contact Person :
Contact No. :
Major Ethnicity : Ifallog
Tinural Instrument : CADC
Agency Registration No : CN201734051
Date Registered/ Accredited : October 9, 2017



We (The Tribal Council, PO Leaders Officer & it's members) hereby certify that this Community map is use prepared in consultation with the community as requested by and certified by DENR concerned staff.

IPO/ PO Representative

PRINTED NAME & SIGNATURE

PREPARED BY:

QUINE G. TOCNIT
GIS Officer

APPROVED BY:

ANDRES COFIN
Lias Silangan Brgy. Captain

ROMEO AMAWAN
Lias Kanluran Brgy. Captain

i Indigenous Peoples Rights Act, Sec. 3g.

ii Asian Development Bank, 2009. Safeguard Policy Statement, p. 18.

iii Asian Development Bank, 2009. Indigenous Peoples Safeguards Sourcebook.

iv National Commission on Indigenous Peoples.

v Lias Ancestral Domain Sustainable Development and Protection Plan (ADSDPP).

vi Lias ADSDPP.

vii Barlig STIFRMSP

viii Lias ADSDPP.