



LAGUNA LAKE DEVELOPMENT AUTHORITY

Indigenous People (IP) Plan for the PhilWAVES Project in the Laguna de Bay Region

I. Brief Description of the PhilWAVES Project

PhilWAVES stands for Philippine Wealth Accounting and Valuation of Ecosystem Services. It is a 5-year project launched in 2010 and led by the World Bank (WB).

The Philippines was identified as one of the pilot countries for the WAVES Global Partnership Program (GPP) because: 1) there is a high Government demand for indicators, tools and methodologies that will help determine the sustainable use of natural resources and inform development planning and policy analysis; 2) a more sustainable use of natural resources could potentially have a large impact on the poor and thus economic growth, as the poverty incidence is particularly high among natural resource-dependent sectors; and 3) the Government has a high latent capacity in natural capital accounting (NCA) from previous initiatives, while academic and private organizations have the necessary skills for ecosystem accounting.

Under the PhilWAVES Project, two (2) ecosystems have been selected as case study sites: the Southern Palawan Region and the Laguna Lake Basin. The lead agency for the Southern Palawan ecosystem account is the Department of Environment and Natural Resources (DENR) in collaboration with the Palawan Council for Sustainable Development (PCSD) while for the Laguna Lake Basin ecosystem account, the lead agency is the Laguna Lake Development Authority (LLDA).

The activities for the Laguna Lake Basin take into consideration wealth accounting and a comprehensive valuation of ecosystem services of various existing uses. Such an evaluation should not only analyze water production costs for the pricing of the abstracted raw water from Laguna Lake but also takes into account potential interactions with other basin uses, including habitat for capture and culture fisheries, drainage of highly urbanized watershed, flood control, pollution from various sources and potential water demand from Metro Manila. Thus, PhilWAVES will generate more rigorous evidence on the value of natural capital and assess different ecosystem use scenarios to inform development planning and policy analysis.

II. Objective of the IP Plan

This IP Plan seeks to ensure that the Indigenous Peoples (IPs) are informed and meaningfully consulted during the course of the implementation of the sub-project in compliance to Republic Act (R.A.) No 8371, also known as Indigenous Peoples Rights Act of 1997, and pursuant to National Commission on Indigenous Peoples (NCIP) Administrative Order No. 03, Series of 2012 (The Revised Guidelines on Free and Prior Informed Consent and related Processes of 2012).

Based on Section 19 of NCIP Administrative Order No. 3, the PhilWAVES Project falls under the category of research since it does not involve any extractive, intrusive (no physical activities on the ground), and large

scale activities. As such, the activities also do not require any permit from any government agency. Nevertheless, LLDA as the government agency in-charge of the Laguna Lake Basin endorsed the project to the NCIP Region IV to comply with the NCIP requirements.

III. Brief Social Assessment of IPs in Laguna de Bay Region

Based on the NCIP census in year 2000, IPs in the Laguna de Bay Region are present only in the Province of Rizal. Presented in the Table below is the breakdown of the total population of the IPs in Rizal province by municipality:

Municipalities	IP Population
Tanay	10,154
Rodriguez	7,363
Antipolo	1,568
Taytay	1,502
Pililla	899
Morong	788
San Mateo	729
Cardona	530
Teresa	466
Jala-jala	427
Binangonan	373

NCIP records showed that the Indigenous Peoples/Indigenous Cultural Communities (ICCs/IPs) in province of Rizal belong to the Dumagat/Remontado tribe headed by tribal leaders/chieftains locally known as “Ratu”. The areas that were traditionally owned by the IPs were issued Certificate of Ancestral Domain Title (CADTs) by the NCIP. From the information also gathered from the NCIP, the main sources of livelihood of the IPs in Rizal province are vegetable farming and selling of forest products.

IV. Impacts of the PhilWAVES Project to the IPs

The approach of PhilWAVES Project to data gathering in Laguna de Bay Region is through remote sensing. Therefore, it is anticipated that there will be no adverse impacts to the IPs since no physical entries to ancestral domains (ADs) will be undertaken. In the event that ground truthing is required within ADs, Free and Prior Informed Consent (FPIC) of the ICCs/IPs as committed in the Affidavit of Undertaking will be sought. The expected impact is positive because the project will provide information on the valuation of ADs which the IP communities may find useful for future activities.

V. Policies and Procedures

A. Coordination with NCIP Region IV

The Laguna Lake Region is within Region IV as its coverage includes 1) all cities and municipalities of Metro Manila 2) all cities and municipalities of the Province of Laguna, 3) the municipalities of Malvar, Sto. Tomas and Tanauan City in the Province of Batangas, 4) the municipalities of Carmona, GMA, Silang and Tagaytay City in the Province of Cavite, 5) the municipality of Lucban in the Province of Quezon, and all municipalities and the City of Antipolo in the Province of Rizal. It is for this reason that LLDA coordinated with the NCIP

Region IV for the conduct of Free and Prior Informed Consent (FPIC) in the aforementioned areas with IPs. The areas in the Laguna Lake Region identified with ancestral domains are the municipalities of San Mateo, Teresa, Morong, Taytay, Rodriguez and Tanay, and the City of Antipolo in the Province of Rizal. As required by the NCIP, LLDA submitted the PhilWAVES Project Profile and initially, an Affidavit of Undertaking for non-IP areas. The NCIP Regional Director formed a Field Based Investigation (FBI) Team for the conduct of the field validation in the IP areas within the Laguna Lake Region. The FBI Team was also tasked to consult with the IP organizations regarding the PhilWAVES Project.

B. Affidavit of Undertaking

Aside from the Affidavit of Undertaking for those areas without IPs signed by LLDA and forwarded to the NCIP Region IV, LLDA submitted another Affidavit of Undertaking later for those areas with IPs and ancestral domains as a required attachment to the validation report of the NCIP's FBI Team. The purpose of executing both affidavits is for the PhilWAVES project to undergo the Free and Prior Informed Consent (FPIC) process in the event that it will be found later to overlap, in whole or in part, any ancestral domain/land.

C. Certificate of Non-Overlap (CNO) for Non-IP Areas or Areas Without Ancestral Domains

As defined in the Administrative Order No. 03, Certificate of Non-Overlap (CNO) refers to the Certificate issued by the NCIP attesting to the fact that the area where the particular plan, program, project or activity will be done does not overlap with, or affect ancestral domain.

The NCIP Region IV issued six (6) CNOs for the PhilWAVES Project in the Laguna Lake Region for the non-IP areas. The CNOs are for 1) Metro Manila (covering all cities and municipalities), 2) Province of Laguna (covering all cities and municipalities), 3) Province of Batangas (covering the municipalities of Malvar, Sto. Tomas and Tanauan City), 4) Province of Cavite (covering the municipalities of Carmona, GMA, Silang and Tagaytay City), 5) Province of Quezon (covering the municipality of Lucban), and 6) Province of Rizal (covering the municipalities of Angono, Baras, Binangonan, Cainta, Cardona, Jala-jala and Pililla) upon approval at the NCIP Central Office.

D. Certificate of Non-Overlap (CNO) for IP Areas or Areas With Ancestral Domains

The identified areas with IP ancestral domains in the Laguna de Bay Region are all located in the Province of Rizal. After the FBI Team from NCIP Region IV completed their field validation activities, another CNO was issued by the NCIP for the PhilWAVES Project based on their recommendation covering the municipalities of Tanay, Morong, Teresa, Taytay, Antipolo, San Mateo and Rodriguez.

E. Strategies for Local IP Participation

- IP Participation in the WAVES Process
 - 1) The IPs in Laguna de Bay Region shall be invited to participate in the WAVES process and in the identification and development of selected subprojects within their barangay or ancestral domains.
 - 2) IPs shall be included in the discussions, workshops and interviews. Efforts shall also be exerted to solicit their views and perspectives. As much as possible, separate sessions shall be held with them so that discussions are more focused on their views and concerns.
- Use of Appropriate Communication Media and Strategies

Meetings, consultations, interviews, etc. shall be conducted in the local or native language. In addition, facilitators shall use simple and uncomplicated process flows during these sessions.

VI. Budget

Activities Done	Amount Spent (PhP)
1) Field Validation in Rizal Province conducted by the Field-Based Investigation (FBI) Team created by the NCIP-Region IV (as per Work and Financial Plan prepared by NCIP–Region IV and concurred by LLDA)	17,945.00
2) Payment for six (6) Certificates of non-Overlap for Non-IP areas in Laguna de Bay Region(see Item IV-C for the area coverage)	3,000.00
Total:	20,945.00

In case that the conduct of FPIC will be required by the NCIP for the activities of the PhilWAVES Project in the future that may affect the ICCs/IPs and their ancestral domain in Laguna de Bay Region particularly in Rizal Province, it is estimated by the NCIP that the amount needed is five hundred thousand pesos (PhP 500,000.00). Once the consent is obtained from the IPs, the terms and conditions agreed upon shall be embodied in a Memorandum of Agreement (MOA) to be executed between and among the ICCs/IPs, LLDA, the NCIP, and any other party that may be necessarily involved.

VII. Coordination, Supervision and Monitoring

To ensure compliance by concerned project stakeholders with the guidelines set forth in this Policy Framework, the following mechanisms and processes shall be followed during PhilWAVES Project implementation:

A. Establishment of Institutional Linkages with NCIP

The LLDA shall establish institutional linkages with the NCIP by entering into a MOA with them. The MOA shall enable the NCIP Region IV to designate specific staff that can act as the Commission's Focal Person/s for PhilWAVES Project in Laguna de Bay Region. The staff assigned shall be expected to substantially contribute to the realization of the objectives of the PhilWAVES Policy Framework on Indigenous Peoples and shall ensure that compliance by all concerned to the general principles and operational strategies contain herein shall be enforced.

B. Monitoring and Evaluation

Documentations of the meetings and consultations will have to be furnished to the NCIP and IP representatives. For the evaluation, possible impact/s of the activities of the PhilWAVES Project on the IPs, if there are any, will be checked with the IP and NCIP representatives.

VIII. Grievance and Redress Mechanism

LLDA through the Head of the Legal and Adjudication Division whose office is located at the National Ecology Center Compound, East Avenue, Quezon City shall receive complaints or grievances from the IPs/ICCs and to attend to them for immediate resolution. In case the complaint or grievance of the IPs/ICCs is not settled at the level of LLDA with the IPs/ICCs, it will be elevated to the NCIP Region IV Hearing Officer whose office is located at the 3rd Floor, Argo Building, 574 EDSA corner P. Tuazon Blvd., Cubao, Quezon City, for disposition.

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