

Indigenous Peoples Planning Framework

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Proposed Loan
Republic of the Philippines: Community-Driven Development
Support Project

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CURRENCY EQUIVALENTS

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ABBREVIATIONS

ACT	–	area coordinating team
ADB	–	Asian Development Bank
ASDPP	–	Ancestral Domain Sustainable Development & Protection Plan
CADT	–	Certificate of Ancestral Domain Title
CDD	–	community-driven development
CDDSP	–	Community-Driven Development Support Project
CEAC	–	Community Empowerment Activity Cycle
DSWD	–	Department of Social Welfare and Development
EMA	–	external monitoring agent
FPIC	–	free and prior informed consent
GRS	–	grievance redress system
IP	–	indigenous peoples
IPRA	–	indigenous peoples rights act
KALAHI-CIDSS	–	<i>Kapit-Bisig Laban sa Kahirapan</i> -Comprehensive and Integrated Delivery of Social Services
KC	–	KALAHI-CIDSS
LGU	–	local government unit
M&E	–	Monitoring and evaluation
MIBF	–	Municipal Inter-Barangay Forum
NAPF	–	National Anti-Poverty Framework
NCIP	–	National Commission on Indigenous Peoples
NPMO	–	National Project Management Office
PDP	–	Philippine Development Plan
PSA	–	Participatory situational analysis
RPMT	–	regional project management team
SI	–	social investigation
SIA	–	social impact assessment

GLOSSARY

Definitions are mostly adopted from the Indigenous Peoples Rights Act of 1997 (IPRA).

Ancestral Domain	Areas generally belonging to indigenous peoples (IPs) comprising lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownership, occupied or possessed by the IPs, by themselves or through their ancestors, communally or individually since time immemorial, continuously to the present except when interrupted by war, force majeure or displacement by force, deceit, stealth or as a consequence of government projects or any other voluntary dealings entered into by government and private individuals/corporations, and which are necessary to ensure their economic, social and cultural welfare. It will include ancestral lands, forests, pasture, residential, agricultural, and other lands individually owned whether alienable and disposable or otherwise, hunting grounds, burial grounds, worship areas, bodies of water, mineral and other natural resources, and lands which may no longer be exclusively occupied by IPs but from which they traditionally had access to for their subsistence and traditional activities, particularly the home ranges of IPs who are still nomadic
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	and/or shifting cultivators.
Ancestral Domain Sustainable Development & Protection Plan (ADSDPP)	Consolidation of plans of ICCs/IPs within an ancestral domain for the sustainable management and development of their land and natural resources as well as the development of human and cultural resources based on their indigenous knowledge systems and practices.
Ancestral Land	Land occupied, possessed and utilized by individuals, families and clans who are members of the IPs since time immemorial, by themselves or through their predecessors-in-interest, under claims of individual or traditional group ownership, continuously, to the present except when interrupted by war, force majeure or displacement by force, deceit, stealth, or as a consequence of government projects and other voluntary dealings entered into by government and private individuals/corporations including, but not limited to, residential lots, rice terraces or paddies, private forests, swidden farms and tree lots.
Certificate of Ancestral Domain Title (CADT)	A title formally recognizing the rights of possession and ownership of IPs over their ancestral domains identified and delineated in accordance with IPRA.
Certificate of Non-Overlap	A certificate issued by the NCIP attesting to the fact that the area where a particular plan, program, project or activity will be done, does not overlap with or affect any ancestral domain.
Certification Precondition (CP)	A certificate issued by the NCIP, signed by the Chairperson, attesting to the grant of FPIC by the concerned ICCs/IPs after appropriate compliance with the requirements provided in this guidelines.
Communal Claims	Claims on land, resources and rights thereon belonging to the whole community within a defined territory
Consensus-Building	A part of the decision-making process undertaken by the ICCs/IPs through their indigenous socio-political structures and practices in arriving at a collective/communal decision.
Culture Sensitive	The quality of being compatible and appropriate to the culture, beliefs, customs and traditions, indigenous systems and practices of IPs.
Customary Laws	A body of written or unwritten rules, usages, customs and practices traditionally observed, accepted and recognized by respective IPs.
Customs and Practices	Norms of conduct and patterns of relationships or usages of a community over time accepted and recognized as binding on all members.
Field-Based Investigation (FBI)	A ground investigation undertaken to determine whether or not the plan, program, project or activity overlaps with, or affects, an ancestral domain, the extent of the affected area, and the ICCs/IPs whose FPIC is to be obtained.
Free and Prior Informed Consent	A consensus of all members of an IP community 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.
Indigenous Knowledge Systems and Practices	Systems, institutions, mechanisms, and technologies comprising a unique body of knowledge evolved through time that embody patterns of relationships between and among peoples and between peoples, their lands and resource environment, including such spheres of relationships which may include social, political, cultural, economic, religious spheres, and which are the direct outcome of the indigenous peoples, responses to certain needs consisting of adaptive mechanisms which have allowed indigenous peoples to survive and thrive within their given socio-cultural and biophysical conditions.

Indigenous elder/leader	Indigenous elders/leaders emerge from the dynamics of customary laws and practices; they evolve from a lifestyle of conscious assertion and practice of traditional values and beliefs. They are recognized as authority in conflict resolution and peace-building processes, on spiritual rites and ceremonies and in doing so, possess the attributes of wisdom and integrity. They lead and assist the community in decision- making processes towards the protection and promotion of their rights and the sustainable development of their ancestral domains.
Indigenous People	A group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, became historically differentiated from the majority of Filipinos. IPs also include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural and political institutions, but who may have been displaced from their traditional domains or who may have resettled outside their ancestral domains.
Migrant	A person who is not a native to the ancestral domain or not a part owner of ancestral land but who, as a consequence of social, economic, political or other reasons, such as displacement due to natural disasters, armed conflict, population pressure, or search for seasonal work, opted to occupy and utilize portions of the ancestral land/domain and have since then established residence therein.
Protected Area	Identified portions of land and water set aside by reasons of their unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploitation.
Self-governance and Self-determination	The inherent right of ICCs/IPs to self-governance and self-determination includes the right to pursue their economic, social, and cultural development; promote and protect the integrity of their values, practices and institutions; determine, use and control their own organizational and community leadership systems, institutions, relationships, patterns and processes for decision- making and participation.

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I. INTRODUCTION

A. Project Description

1. The Asian Development Bank (ADB) is cofinancing the National Community-Driven Development Program (NCDDP) of the Government of the Philippines under the Community-Driven Development Support Project (CDDSP). The NCDDP is the government's flagship program to help implement the Philippine Development Plan (PDP) 2011–2016 and the National Anti-Poverty Framework (NAPF) to bring about more equitable access to basic services, reduce poverty, achieve inclusive growth, and improve human development outcomes in the poorest areas of the country. The Department of Social Welfare and Development (DSWD) is the executing agency for CDDSP, which will be implemented from 2013 to 2018.

2. The impact of the CDDSP will be reduced average poverty incidence in the poorest areas of the country. The outcome will be communities in targeted poor municipalities empowered to improve access to services and to participate in more inclusive local planning, budgeting and implementation. The project will have the following outputs (i) CDD subprojects identified and completed, (ii) institutional and organizational capacity strengthened, and (iii) program management and monitoring and evaluation (M&E) systems enhanced.

3. **Output 1: CDD subprojects identified and completed.** Planning and investment grants will be provided to participating barangays (villages) in poor municipalities. The planning grants will support participatory and gender inclusive planning processes and activities of barangay residents as well as technical assistance to ensure effective subproject selection and implementation.¹ The investment grants will support subprojects and activities that respond to community-identified priorities.² Eligible subprojects will be based on an open menu, subject to a negative list.³ The open menu will include community proposals on local disaster response and prevention. Investment grants will be released in three tranches, based on physical and financial accomplishment presented in a community assembly and verified by project staff.

4. **Output 2: Institutional and organizational capacity strengthened.** This output will support the capacity building and implementation support component of NCDDP. It will support capacity development of DSWD project staff at the municipal level, who will take the lead and provide facilitation support, technical assistance, subproject oversight, and local-level coordination. Newly hired project staff and their LGU counterparts will be provided training in CDD, development planning and management, conflict resolution, intra-and-inter-barangay mediation, quality review, local poverty assessment, and M&E, among others.

5. **Output 3: Program management and M&E systems enhanced.** This output will help strengthen NCDDP's program management and M&E systems by supporting the development and maintenance of a management information system for tracking, measuring, and reporting accomplishments on key performance indicators. The system will include electronic file management at the national and regional levels of community requests for fund releases and supporting documentation. Special studies on NCDDP, third party M&E, pilot testing additional

¹ The planning grants are equivalent to about 15% of investment grants per participating municipality.

² Investment grants are based on a formula using population size and poverty incidence.

³ The negative list includes activities that may be harmful to the environment or IPs such as: weapons, chainsaws, explosives, pesticides, insecticides, herbicides, asbestos, and other potentially dangerous materials and equipment, fishing boats and nets above the government prescribed size and weight, road construction into protected areas, purchase or compensation for land, political and religious activities, rallies, and materials, activities that employ children below the age of 16 years or that unfairly exploit women or men at any age.

features and elements under NCDDP, and capital expenditure requirements for program management will also be supported. In addition, the draft NCDDP operations manuals will be reviewed and harmonized with ADB policies and procedures.

B. Rationale for IP Planning Framework

6. The key elements of CDDSP are the transfer of investment resources to communities, and the participatory processes involved in the design and implementation of subprojects. A Community Empowerment Activity Cycle (CEAC) is followed in each participating community to identify and implement subprojects. The CEAC has four stages (i) social preparation, (ii) subproject identification and development, (iii) subproject selection and approval, and (iv) subproject implementation. By its nature, a CDD project cannot a priori determine the types of subprojects, until communities select them. Subprojects will only be known during project implementation. Therefore, Indigenous Peoples Plans (IPP) cannot be prepared before appraisal.

7. An estimated 85% or 768 of the 900 target municipalities to be covered by CDDSP have barangays with IP populations. IP communities are expected to benefit from the project as shown by the experience of the DSWD in the implementation of *Kapit-Bisig Laban sa Kahirapan* (Linking Arms against Poverty)–Comprehensive and Integrated Delivery of Social Services (KC) project. These IP areas may either belong to ancestral lands of IPs or have IP presence. Table 1 shows the typology of IP communities under the Project. Location in this case notes the presence of ancestral domains that have been awarded with Certificates of Ancestral Domain Titles (CADT), and which validate the presence of people with indigenous knowledge systems and practices distinct from mainstream Filipino society.

Table 1: Typologies of IP Communities under NCDDP

By population	By location
(i) Communities where all HHs are IPs; (ii) Communities where the majority of HHs are IPs, but where there is a significant non-IP minority; and (iii) Communities where IPs are not the majority, but where the IP population is significant.	(i) Within AD areas, covered by a CADT or an existing CADC; and (ii) Outside AD areas.

AD = Ancestral domain, CADC = certificate of ancestral domain claim, CADT = Certificate of ancestral domain title, HH = household, IP = indigenous peoples.

Source: Department of Social Welfare and Development. National Community-Driven Development Program

8. Under the ADB Safeguards Policy Statement 2009 (SPS 2009), IP safeguards are triggered if a subproject directly or indirectly affects the dignity, human rights, livelihood systems, or culture of IPs, or affects the territories or natural or cultural resources that IPs own, use, occupy, or claim as their ancestral domain.⁴ Given the expected benefits and positive impacts of subprojects on IPs, an IP Planning Framework (IPPF) for NCDDP is deemed necessary and thus prepared.

II. OBJECTIVES AND POLICY FRAMEWORK

⁴ ADB. 2009. Safeguards Policy Statement 2009 (Appendix 3). Manila.

A. Objectives and Principles

9. The objectives of the IPPF are to (i) provide guidance for subprojects selection, screening and assessment of social impact; (ii) provide guidance in the preparation and implementation of IPP for subprojects; and (iii) facilitate compliance with the requirements specified in the SPS Safeguards Requirement 3. The IPPF will guide project implementers in ensuring that IPs are informed, consulted and mobilized during the subproject identification, prioritization, and implementation in accordance with the ADB Safeguard Policy Statement 2009.

10. The project will ensure (i) informed participation of IPs in the CEAC so that they will be in a position to receive culturally compatible social and economic benefits, and (ii) that IPs will not be adversely affected by subproject implementation. It will (i) ensure that IPs in target municipalities will be able to provide input to local planning activities; (ii) facilitate the participation of IPs the choice of community projects through informed decision-making; (iii) ensure that IPs actively participate and lead in the design, development, and implementation of community projects; and (iv) provide feedback on project implementation, benefits and risks to IP groups.

B. Legal Framework

11. The key policy consideration for an IPPF in the Project are (i) recognition of the basic rights of indigenous peoples as the original occupants in the specified area, whether on a permanent or seasonal basis;⁵ (ii) respect for culture and practices of IP that may be different from the mainstream, but has value to the community; and (iii) recognition of the right of IPs to directly participate in the development process, as an integral component of the CDDSP.

12. The CDDSP subproject design and implementation will be guided by (i) national laws on IPs, (ii) ADB SPS 2009, and (iii) the Environmental and Social Management Framework (ESMF) of the DSWD.

1. National Laws

13. The national policies on IPs are embodied in the *Indigenous Peoples Rights Act of 1997* (IPRA). The IPRA enumerates and explains the basic rights and obligations of IPs to their ancestral domains, including self-governance, social justice, and cultural integrity, and the primacy of customary laws. It creates the National Commission on Indigenous Peoples (NCIP), the government institution mandated to administer and implement the IPRA. It defines the role and extent of NCIP's jurisdiction in protecting IP rights.⁶

14. The following laws affect IPs and their rights, which may in turn affect project implementation.

⁵ Occupation can be considered broadly as the communities having sociocultural links and sense of place in relation to an area.

⁶ Other pertinent issuances are (i) AO No. 1, Series of 2004. *Guidelines On The Formulation Of The Ancestral Domain Sustainable Development And Protection Plan* (ADSDPP); (ii) AO No. 1 Series of 2012. *The Indigenous Knowledge Systems and Practices (IKSPs) and Customary Laws (CLs) Research and Documentation Guidelines of 2012*; (iii) AO 2 Series of 2012. *The General Guidelines On The Confirmation Of Indigenous Political Structures And The Registration Of Indigenous Peoples' Organizations*; (iv) AO No. 3 Series of 2012. *The Revised Guidelines On Free And Prior Informed Consent (FPIC) And Related Processes Of 2012*; (v) AO No. 4 Series of 2012. *Revised Omnibus Rules on Delineation and Recognition of Ancestral Domains and Lands of 2012*.

- (i) **The Comprehensive Agrarian Reform Law or CARL (RA 6657)** mandates that the state will apply the principles of agrarian reform, or stewardship, whenever applicable, in the disposition or utilization of other natural resources, including lands of the public domain, and their lease or concession, suitable to agriculture, subject to prior rights of indigenous communities to their ancestral lands.
- (ii) **The Local Government Code of 1991 (RA 7160)** provides IPs with the option to establish tribal barangays as similarly recognized by the IPRA.⁷
- (iii) **The National Integrated Protected Areas System (NIPAS) Act of 1992 (RA 7586)** safeguards protected areas (PAs) from further encroachment. It allows the implementation of development projects with compatible uses, or which enhance the protection of these PAs. It includes specific provisions that protect the rights of IP communities to their ancestral domain.⁸
- (iv) **The Philippine Mining Act of 1995 (RA 7942)** requires proponents of mining projects in IP areas to secure an IPs' free and prior informed consent.
- (v) **The Conservation and Protection of Wildlife Resources and their Habitats Act of 2001(RA 9147)** mandates that the collection of wildlife by IPs may be allowed for traditional use and not primarily for trade.⁹

2. ADB Safeguards Policy Statement of 2009

15. The ADB's SPS 2009 defines "indigenous peoples" as a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (iv) distinct language, often different from the official language of the country or region. This may cover a group that has lost collective attachment to geographically distinct habitats or ancestral territories within a project area because of forced severance.

16. The ADB IP safeguards policy under the SPS underscores the following (i) avoidance of adverse impacts of projects on environment and affected people, where possible; (ii) minimization, mitigation, and/or compensation for adverse impacts on environment and affected people, when avoidance is not possible; and (iii) assistance in strengthening country safeguard systems and development of capacity to manage environmental and social risks.

17. Should ADB projects affect IPs, a set of general policy requirements will be observed to maintain, sustain, and preserve the IPs' cultural identities, practices, and habitats (SPS 2009, SR-3), as follows:

⁷ Section 18 of the IPRA states that IPs "living in contiguous areas or communities where they form the predominant population but which are located in municipalities, provinces, or cities where they do not constitute the majority of the population, may form or constitute a separate barangay in accordance with the Local Government Code on the creation of tribal barangays"

⁸ Related to this is the Implementing Rules and Regulations (IRR) of Department AO (DAO) 92-25 that states "The zoning of a protected area and its buffer zones and management prescriptions within those zones will not restrict the rights of indigenous communities to pursue traditional and sustainable means of livelihood within their ancestral domain unless they so concur."

⁹ "Traditional use" means utilization of wildlife by indigenous people in accordance with written or unwritten rules, usage, customs, and practices traditionally observed, accepted and recognized by them.

- (i) **Consultation and Participation.** The borrower/client will undertake meaningful consultation with affected IPs to ensure their informed participation.
- (ii) **Social Impact Assessment.** When screening confirms likely impacts on IPs, the borrower/client will retain qualified and experienced experts to carry out social impact assessment (SIA).
- (iii) **Indigenous Peoples Planning.** If the screening and SIA indicate that the proposed project will have impacts, positive and/or negative, on IPs, the borrower/client will prepare an IPP in the context of the SIA and through meaningful consultation with the affected IP communities.
- (iv) **Information Disclosure.** The borrower/client will submit to ADB the following documents to disclose on ADB's website (a) a draft IPP and/or an IPPF, endorsed by the borrower/client, before appraisal; (b) a final IPP upon completion; (c) a new or updated IPP and a corrective action plan prepared during implementation, if any; and (d) monitoring reports.
- (v) **Grievance Redress Mechanism.** The borrower/client will establish a mechanism to receive and facilitate resolution of the affected IP communities' concerns, complaints, and grievances.
- (vi) **Monitoring and Reporting.** The borrower/client will monitor and measure the progress of implementation of the IPP.
- (vii) **Unanticipated Impacts.** If unanticipated impacts on IPs become apparent during project implementation, such as a change in the project's footprint, the borrower/client will carry out an SIA and update the IPP or formulate a new IPP covering all applicable requirements specified in this document.

18. The SPS 2009 provides a set of special requirements should a project (i) be within ancestral domains, lands and related natural resources; (ii) involve commercial development of cultural resources and knowledge of IPs; (iii) be one that causes physical displacement from traditional or customary lands; and (iv) involve commercial development of natural resources within customary lands, which would impact on livelihoods or cultural, ceremonial, or spiritual uses that define the identity and community of IPs.

3. Environment and Social Management Framework

19. The DSWD has prepared the Environmental and Social Management Framework¹⁰ (ESMF) for the NCDDP. The ESMF unifies the environmental and social safeguard policies of government, ADB, and WB¹¹ to make sure that all subprojects undertaken by communities are environmentally and socially compliant with these policies. It ensures that (i) appropriate measures are applied in the integration of environmental and social concerns during the CEAC process, (ii) subprojects are designed to avoid or minimize negative environmental and social effects, and (iii) mitigation measures are developed and implemented as part of subproject design and implementation, should there be any. The ESMF includes (i) specific guidelines on environmental safeguards; (ii) land acquisition, resettlement and rehabilitation (LARR) framework and guidelines; and (iii) IPs.

20. Under the ESMF, projects are to be designed and implemented in a way that fosters full respect for IPs' dignity, human rights, and cultural uniqueness so that they (i) receive culturally compatible social and economic benefits, and (ii) do not suffer adverse effects during the

¹⁰ ADB provides inputs to the ESMF to ensure that it has no conflict with ADB's SPS 2009.

¹¹ World Bank (WB) is also cofinancing the NCDDP.

development process. For projects that affect IPs, the following are required (i) screening to identify whether IPs are present in, or have collective attachment to, the project area; (ii) a social assessment by the borrower; (iii) a process of free, prior, and informed consultation with the affected IP communities at each stage of the project, particularly during subproject preparation, to fully identify their views and ascertain their broad community support for the project; (iv) preparation of an IPPF; and (v) disclosure of draft IPPF.

21. The Project is categorized as Category A, largely for the expected positive outcomes and impacts on IPs. While there may be adverse impacts, these are more sociocultural in nature that require mitigating measures. ADB maintains Category A for IP safeguards and has ensured that its requirements based on the SPS, are fully integrated in the ESMF.

22. To enhance the ESMF, the government, ADB and WB agreed on the following:

- (i) Ensure that traditional structures on IP representation and decision-making are harnessed.
- (ii) Establish pertinent and appropriate information disclosure modalities to IP communities.
- (iii) The ADB SPS requirements as well as the ADB Public Communication Policy will serve as guide on project disclosure mechanisms.
- (iv) Unanticipated impacts may become apparent during project implementation, thus a Social Impact Assessment (SIA) will be conducted, which can result in the preparation of an updated IPP or formulation of a new IPP covering all applicable requirements specified in the ESMF. The SIA will be done in accordance with the procedures stipulated under the CEAC.
- (v) Full engagement and coordination with NCIP across levels, parallel to the project implementation structure, will be observed at project start to come up with agreed protocols before engaging with IP communities.
- (vi) Two monitoring mechanisms will be installed (a) internal monitoring, and (ii) external monitoring, which will determine if the IPPs for subprojects are being carried out in accordance with the IPPF.

C. Subproject Screening Criteria

23. The desirable condition for the subproject is to have zero or least number of people negatively affected by subproject activities. However, it is virtually impossible to have only positive impacts on all stakeholders.

24. Subproject are selected based on a criteria established in a municipal inter-barangay forum (MIBF). The project uses an open menu subject to a negative list of activities harmful to the environment or people.¹² The most common types of subprojects from the KC experience are water supply systems, school buildings, access roads, day care centers, health stations, post-harvest facilities, drainage systems, and small irrigation facilities. Subproject on local disaster response and prevention will also be covered by the investment grant.

¹² Negative list includes activities that may be harmful to the environment or IPs such as: weapons, chainsaws, explosives, pesticides, insecticides, herbicides, asbestos, and other potentially dangerous materials and equipment, fishing boats and nets above the government prescribed size and weight, road construction into protected areas, purchase or compensation for land, political and religious activities, rallies, and materials, activities that employ children below the age of 16 years or that unfairly exploit women or men at any age.

III. IDENTIFICATION OF AFFECTED INDIGENOUS PEOPLES

A. IP Screening

25. The IPRA defines IPs as “a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as organized community on communally bounded and defined territory and who have under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds or language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, became historically differentiated from the majority of Filipinos.”

26. The NCIP considers CDD subprojects as community-solicited or initiated activities. Programs, projects and activities solicited or initiated by the concerned ICCs/IPs themselves, where the activity is strictly for the delivery of basic services to be undertaken within or affecting the ancestral domain, do not require compliance with the Field-Based Investigation (FBI)/Free and Prior Informed Consent (FPIC) requirement as provided under NCIPAO No. 3 Series of 2012. However, the subprojects will be subjected to a validation process in which the following will be determined:¹³

- (i) That the Indigenous Cultural Community (ICC), in fact, voluntarily solicited or initiated the plan, program, project or activity to be undertaken;
- (ii) That the plan, program, project or activity conforms with the community's Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) or in the absence of the ADSDPP, the concerned community considers the same to form part already of the ADSDPP that they will formulate in the future;
- (iii) That the ICC knows the extent of the plan, program, project or activity and its sociocultural/ environmental impact to the community;
- (iv) That the parties acknowledge their obligations; or
- (v) That the plan, program, project or activity is for the delivery of basic services or livelihood projects involving community.

B. IPs in CDDSP Areas

27. Majority of the estimated 14 million IPs in the Philippines come from different ethnolinguistic groups, belonging to marginalized, isolated and mostly inaccessible areas where customs, traditions, beliefs systems and indigenous institutions abound. IPs are among the poorest and most vulnerable, who suffer from lack of education, and higher incidence of diseases. They are usually oppressed by other sectors of society with waves of violations and threats against their culture, identities and ancestral territories. They live in depressed conditions and uncertain circumstances usually deprived of basic necessities and fundamental asset, such as land, and are often underserved in terms of social service delivery.¹⁴

28. Table 2 presents the IP population in project areas by region. The Project will cover 900 poorest municipalities in 63 provinces and 15 regions. Dominant IP groups per region are likewise identified. The largest concentration of poor municipalities is in Region VIII (132), followed by Region V (105), and Region VII (104). Region VIII has no recorded IP group while a small size of IP population is noted in Regions V and VII. The largest concentration of IPs is in

¹³ National Commission on Indigenous Peoples (NCIP)-AO No. 3 Series of 2012.

¹⁴ NCIP. Indigenous Peoples Master Plan (IPMAP), 2011.

CAR (87%), followed by Region XI (52%) and Region XII (45%). All these three regions however have provinces included in the top 16 poorest provinces (Table 3).

Table 2: Regional Distribution of IP Population by NCDDP Target Areas

Regions	No. of Provinces	No. of Target Municipalities	No. of Barangays	Total Population	IP Population	% IP Population	Known/Dominant IP Group
CAR	6	57	746	1,694,400	1,470,977	87%	Adasen, Apayao, Applai, Ayangan, Bago, Balangao, Bontok, Ibaloi, Ifugao, Ikalahan/Kalanguya, Isneg, Inlaud, Kalinga, Kankanaey, Maeng, Masadiit Tingguian, Tawali
I	4	18	320	5,172,900	1,206,798	23%	Bago, Ibaloi, Kankanaey, Tingguian
II	1	2	59	3,365,400	1,030,179	31%	Agta, Bugkalot, Dumagat, Gaddang, Ibaloi, Ibanag, Ifugao, Ikalahan/Kalanguya, Itawes, Ivatan, Kalinga, Kankanaey, Malaueg, Yogad
III	3	10	210	10,159,300	236,487	2%	Aeta, Agta, Dumagat
IV-A	1	30	884	11,904,100	936,745	6%	Aeta-Remontado, Agta, Alangan Mangyan, Ati, Ati/Bantoanon, Bantoanon, Batangan Mangyan, Dumagat, Hanunuo, Iraya, Mangyan, Remontado, Tagbanua
IV-B	5	68	1,302	3,018,000			
V	6	105	3,054	5,711,500	213,311	4%	Aeta-Abiyan, Agta, Tabangnon
VI	6	74	2,173	14,607,300	203,912	1%	Ati, Bukidnon, Magahat, Sulod
VII	4	104	2,309				
VIII	6	132	3,625	4,447,500			
IX	3	67	1,636	3,487,400	1,203,598	35%	Badjao, Kalibugan, Sama, Samal, Subanen, Yakan
X	5	84	1,574	4,349,300	1,802,266	41%	Bukidnon, Higaonon, Mamanwa, Manobo
XI	4	40	781	4,362,400	2,289,268	52%	Ata/Matigsalog, B'laan, Bagobo, Bagobo-Guingan/Clata, Bagobo-Tagabawa, Kalagan, Mandaya, Manguangan, Manobo / Ubo, Manobo Biit, T'boli, Tagakaolo
XII	4	43	983	4,080,400	1,856,300	45%	B'laan, Bagobo, Higaonon, Ilianen, Tiruray, Manobo
Caraga	5	66	1,035	2,549,400	1,004,750	39%	Higaonon, Mandaya, Manobo
TOTAL	63	900	20,691	78,909,300	13,454,591	17%	

IP = indigenous peoples, NCDDP = national community-driven development program.

Sources: National Statistics Office (NSO), 2010, and National Commission on Indigenous Peoples (NCIP) data as of 2013.

29. The top five poorest provinces in terms of poverty incidence in 2006 are Zamboanga del Norte (63%), Apayao (57.5%), Surigao del Norte (53.2%), and Northern Samar (52.2%), and Masbate (51%). All provinces with the exception of Northern Samar have IP communities.

Table 3: IP Population in 16 Poorest Provinces

Region/Province	2006 Poverty Incidence	2009 Estimated Population	2009 Estimated IP Population	% IP Population
Zamboanga Del Norte	63.0	989,800	529,515	53.5%
Apayao	57.5	120,600	100,200	83.1%
Surigao Del Norte	53.2	573,700	288,670	50.3%
Northern Samar	52.2	618,100	...	0.0%
Masbate	51.0	853,300	16,644	2.0%
Abra	50.1	240,700	229,543	95.4%
Misamis Occidental	48.8	567,000	338,351	59.7%

Region/Province	2006 Poverty Incidence	2009 Estimated Population	2009 Estimated IP Population	% IP Population
Agusan Del Sur	48.7	688,600	260,511	37.8%
Oriental Mindoro	47.1	861,200	329,306	38.2%
Kalinga	45.8	215,100	178,133	82.8%
Mt. Province	45.0	171,000	152,832	89.4%
Occidental Mindoro	46.5	489,600	185,235	37.8%
Surigao Del Sur	45.4	587,700	195,185	33.2%
Sarangani	44.8	520,600	164,469	31.6%
Lanao Del Norte	44.1	887,800	77,530	8.7%
Negros Oriental	43.7	1,326,900	24,540	1.8%

IP = indigenous peoples.

Source: National Commission on Indigenous Peoples-Indigenous Peoples Master Plan 2011.

30. Table 4 shows that a total land area of about 4.3 million hectares nationwide has already been covered by CADTs (158 CADTs). Most CADTs are in Region IV (A and B). In terms of population, CAR has the highest with 29% of the total CADT population.

Table 4: Regional Distribution of IP Population by CADT and ADSSPP Areas: 2012

REGION	CADT		CADT Area		CADT IP Population		ADSDPP		ADSDPP Area		AD IP Population		ADSDPP With CADT	
	No	%	Ha	%	No	%	No	%	Ha	%	No	%	No	%
CAR	20	12.7	340,999.8	7.9	266,610	29.0	28	32.2	546,678.5	28.4	299,785	45.8	17	33.3
I	6	3.8	37,365.1	0.9	27,075	10.5	4	4.6	35902.5	1.9	9,551	1.5	3	5.9
II	11	7.0	970,969.6	22.6	53,238	5.8	10	11.5	277985.8	14.4	44,851	6.9	3	5.9
III	12	7.6	133,559.5	3.1	19,594	2.1	10	11.5	60517.5	3.1	19,408	3.0	5	9.8
IV-A	21	13.3	865,159.7	20.1	69,938	7.6	2	2.3	6145.9	0.3	3,013	0.5	2	3.9
IV-B	8	5.1	41,787.5	1.0	21,811	2.4	3	3.4	19208.0	1.0	12,122	1.9	2	3.9
V	5	3.2	20,399.3	0.5	7,625	0.8	2	2.3	10407.9	0.5	5,230	0.8	2	3.9
VI	11	7.0	142,853.2	3.3	41,760	4.5	4	4.6	115497.4	6.0	57,705	8.8	1	2.0
VII	16	10.1	242,986.2	5.6	57,315	6.2	7	8.0	149954.2	7.8	35,631	5.4	5	9.8
VIII	14	8.9	634,363.2	14.7	131,516	14.3	9	10.3	476599.5	24.8	123,535	18.9	5	9.8
IX	14	8.9	377,584.7	8.8	148,826	16.2	2	2.3	49387.1	2.6	20,529	3.1	2	3.9
X	20	12.7	496,437.1	11.5	73,187	8.0	6	6.9	176936.7	9.2	23,211	3.5	4	7.8
XI	158	100.0	4,304,464.9	100.0	918,495	100.0	87	100.0	1,925,221.0	100.0	654,571	100.0	51	100.0

AD = ancestral domain, ADSDPP = Ancestral Domain Sustainable Development & Protection Plan, CADT = Certificate of Ancestral Domain Title, IP = indigenous people.

Source: National Commission on Indigenous Peoples data as of 2012.

31. Of the 158 CADTs, only 55% or 87 have ADSDPPs. Most of these ADSDPPs are in CAR (32.2%), followed by Regions II and III.

32. Not all IP households own land. Having a CADT also does not assure IP communities of increased income or delivery of basic services.¹⁵ The DSWD¹⁶ acknowledges that IPs have been marginalized by previous programs because surveys were not extensive and did not reach far-flung areas where most IP communities live.

¹⁵ 23% of the 609 poorest municipalities are found within CADTs as cited in the Department of Budget Management-Department of the Interior and Local Government-Department of Social Welfare and Development-National Anti-Poverty Commission Joint Memorandum Circular No. 1 series of 2012, dated 8 March 2012.

¹⁶ NCCDP Mission conference, February 2013.

C. Impact Assessment

33. Four main considerations are addressed in project safeguards (i) direct impact, (ii) indirect impact, (iii) indigenous knowledge systems and practices, and (iv) need to protect indigenous values.

34. **Direct Impact.** Direct impact could either be positive or negative. Positive impact will arise from the inputs of a subproject. However, negative impact could likely result from displacements due to civil works. Since subprojects under the Project are small-scale, negative impacts may be nil or limited. However, other impacts may result – subprojects may cause divisiveness among IP community members. Furthermore, IP members, including their IP leaders, will be directly involved in all stages of the planning processes and will impose on their time and effort. It is therefore important that the Project ensure that community activities incorporate processes and procedures for IP participation and consultation, and validate that subprojects indeed are community-initiated. The cost of the consultation process will be directly proportional to the length of the consultation process, and will be integrated in the design of CDDSP community activities.

35. **Indirect Impact.** Subprojects may have indirect impacts that are either positive or negative. Any activity before, during and after construction of an infrastructure subproject can create disturbance and drive away animals from the nearby hunting grounds. For example, a schoolhouse project within the ancestral land can create noise and other disturbance that will drive the animals further from the clearing. The hunters of the village will have to go further to hunt for food and may find less catch. Once development has started, there would be more demand for basic necessities for inhabitants such as water and food.

36. **Indigenous knowledge systems and practices (IKSP).** IPRA defines IKSP as systems, institutions, mechanisms, and technologies comprising a unique body of knowledge evolved through time that embody patterns of relationships between and among peoples and between peoples, their lands and resource environment. IKSPs are embodied in ADSDPPs. It includes spheres of relationships such as social, political, cultural, economic, religious spheres, and which are the direct outcome of the IPs responses to certain needs consisting of adaptive mechanisms which have allowed indigenous peoples to survive and thrive within their given socio-cultural and biophysical conditions. In the context of the Project, specifically designing a water system with the community, Project management will have to refer not only to ADSDPPs, but will also need to uphold indigenous knowledge on water sources in the final design.

37. **Protecting indigenous values.** Development opportunities can bring inherent risks for IP culture and wellbeing. Examples are numerous including, excessive logging in ADs, promulgating external values that are not consistent with indigenous cultural norms leading to conflict of traditional values/social disintegration. The project will aim to safeguard traditional/indigenous values systems as guided by the IP organizations/political structures¹⁷ through the NCIP.

38. Table 5 summarizes the results of a social impact assessment.

Table 5: NCDDP Impact Assessment in IP Areas

¹⁷ It refers to organizational and cultural leadership systems, institutions, relationships, patterns, and processes for decision-making and participation, identified and accepted by IPs – NCIP AO 2 series of 2012.

Project component/ activity / output	Anticipated positive effect	Anticipated negative effect
1. CDD subprojects identified and completed	IP communities will get the projects that they have been asking for from government	<p>If modalities of consultation and participation to planning and implementation are not IP-sensitive, appropriate to IKSPs and customary laws observant of the provisions of IPRA, the following may occur:</p> <ul style="list-style-type: none"> - Subproject may not be appropriately designed for the IP community. - They may be further marginalized from barangay processes. - Lack or low participation of the community, particularly women. - IR triggers within and even outside of ancestral domains may lead to (i) unjust/inequitable processing of compensation and benefits, and (ii) deny access to resources traditionally utilized by the IP groups.
	IP communities will have better access to basic services	
	IP communities can better participate in decision-making process of and integrate with larger community	
2. Institutional and organizational capacity enhanced	IPs will acquire project development and management skills	Conventional project development and management practices may run counter to IP traditional practices/ customary laws
	IPs will get technical assistance in developing their area	
	LGUs will be better equipped to serve the needs of IPs	
3. Program management and M&E systems enhanced	Better data to understand the profile, characteristics and needs of IP households and communities	<p>If not treated sensitively will further marginalize IPs as wrong signals/interpretations may be made. Indicators have to be IP sensitive. IPs are more qualitative in worldview than quantitative, hence may require careful transposition of qualitative measures to quantitative modes for entry to database.</p>
	Better tracking of program outcomes and impacts for IPs	
	Lessons learned on effective ways of engaging IPs in NCDDP	

IV. SOCIAL IMPACT ASSESSMENT AND IP PLANNING

A. Social Impact Assessment

39. The presence of IPs in the project sites require a social assessment to generate the necessary baseline information on demographics, social, cultural, and political characteristics of affected IP communities as well as the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend.

40. Social assessment activities and processes will be embedded in the CEAC, and will utilize modalities for stakeholder identification and analysis to craft culturally appropriate and gender-sensitive processes for IP communities at each stage of the project. Methods for data

collection will observe culturally appropriate norms. For instance, where IP worldviews are more traditional and qualitative, then the corresponding qualitative methods will be used. Experts will make the necessary quantitative transpositions through validation activities.

41. The social impact assessment will likewise identify the potential adverse and positive effects of a subproject through consultations with affected IP communities during the CEAC. Gender-sensitive analysis of IP vulnerability and risks brought about by the subproject in comparison to other groups (IP and non-IP) will be a key focus of the assessment. The assessment will identify and recommend necessary measures to avoid adverse effects. If avoidance is not possible, mitigating activities or alternatives will have to be developed with IP communities through consultation, to ensure that IPs receive culturally appropriate benefits under the project.

B. IP Planning

42. Upon identification of subproject impacts on IPs, an IPP is prepared. Entry points for IP planning, as initiated by the National Project Management Office (NPMO), will recognize and harness the unique planning processes and IP representation per IP community in coordination with NCIP. Key elements of the IPP are presented in Appendix A in the form of a prescribed outline. A subproject description will be presented in a manner that is understandable to the IP community. Subproject components and activities will be discussed with corresponding identified impacts on IP communities. Identified impacts and associated mitigating measures are results of the Social Impact Assessment discussed above.

43. Elements of an IPP are included in the overall project design as reflected in the CEAC. IPPs specific to subprojects will be prepared during technical and social due diligence and updated following the completion of detailed subproject design. IPP updates will accommodate adjustments on mitigating measures to avoid adverse impacts on IPs, as well as measures to enhance culturally appropriate development benefits. Outcomes originally provided in the draft IPP will not be lowered or minimized. Should new groups of IPs be identified prior to finalization of the IPP, meaningful consultation with that IP community will likewise be undertaken.

V. CONSULTATION AND PARTICIPATION

44. To ensure meaningful participation with IPs, Area Coordinating Teams (ACTs) will (i) make use of appropriate mechanisms and structures, and (ii) undertake specific activities that will enable IPs to engage in CEAC activities. IP consultation across project stages will be documented.

A. Social Preparation

45. In undertaking Social Preparation activities, ACTs will ensure the following:

- (i) **Engagement with NCIP.** Full engagement and coordination with NCIP across all levels, parallel to the project implementation structure will be observed. This engagement will lead in agreed protocols in compliance with the FPIC process before the project operates with IP communities.
- (ii) Demographic and other data on the situation of IP communities are gathered by the ACT as part of Social Investigation (SI). These data are used during team meetings and tactic sessions to design activities and calibrate social facilitation plans for IP groups.

- (iii) Council of Elders headed by the chieftain or leaders and representatives of IP groups, as well as of the NCIP, are present during the conduct of municipal orientations.
- (iv) Attendance forms used in barangay (village) assemblies will reflect the IP composition of the attendees and capture membership in a particular IP group. In cases where a particular IP group is underrepresented, the ACT will conduct additional meetings with the IP group concerned to feedback and gather inputs on concerns raised and decisions to be made in the BA.
- (v) IP Leaders and IP-selected representatives of are elected as community volunteers for the Participatory Situational Analysis (PSA) activities.¹⁸ ACTs will ensure that data on the situation of IPs are gathered, analyzed, and used in all stages of the PSA process.

B. Project Identification and Development

46. In undertaking subproject identification and development activities, ACTs will ensure the following:

- (i) IP Leaders, or their duly selected representatives, are included as members of community volunteer committees charged with the task of preparing criteria for prioritization, and with preparing subproject proposals.
- (ii) Criteria on effects on IPs, including projected benefits for, and potential risks to IP communities are used in identifying and selecting community subprojects to be proposed by the Barangay.
- (iii) IP Leaders and representatives, as well as the NCIP are regularly consulted, their opinions and insights gathered, and their recommendations used in the design of community subprojects, and the development of community proposals.
- (iv) The process for designing subprojects is undertaken in a form and manner that is sensitive to and reflect IPs cultural identity, and is in line with the provisions of the IPRA. The ACT will likewise ensure that consultation assemblies are undertaken specifically with IP groups/communities at each stage of the subproject design and development process, and prior to barangay assemblies where decisions are made on project proposals, including but not limited to (a) site for subprojects within IP areas; (b) use of materials and resources; and (c) inclusion/exclusion of IP households as beneficiaries, and other concerns affecting IPs.
- (v) Baseline data on indigenous groups are included as part of the community profile and needs assessment forms required for subproject proposals.

C. Prioritization

47. In undertaking subproject prioritization activities, ACTs will ensure the following:

- (i) IP Leaders and/or their selected representatives determined through customary laws are included as members of the MIBF which will prioritize proposed community projects for funding. In homogenous or predominantly IP barangays, an IP member will be selected to represent the barangay in the MIBF. In areas where an IP community straddles many barangays, but where the individual barangays are composed of mixed IP and non-IP populations, the team will

¹⁸ NCIP AO 2 Series of 2012.

ensure that an IP leader selected by them represents the IP tribe or community in the MIBF. This will be in addition to the volunteers selected by the barangays during the BA.

- (ii) Leaders and representatives of IP barangays are adequately represented in the crafting of the prioritization criteria during the Criteria Setting Workshop.
- (iii) Criteria on benefits to IPs are included in the ranking by the MIBF of a subproject to be implemented in an IP area or barangay.

D. Project Implementation

48. In undertaking subproject implementation activities, ACTs will ensure the following:

- (i) Management committees of community subprojects in IP areas or are intended to generate benefits for IPs include IP community volunteers / leaders selected by the community following customary procedures. In addition, members of IP households will be given priority in benefiting from labor and remuneration for work attendant to the implementation of subprojects in IP areas.
- (ii) IP community volunteers involved in managing all aspects of project implementation, from procurement to implementation and construction (for infrastructure projects), to managing finances, are provided with training to equip them with bookkeeping, simple accounting, procurement, and resource management skills during design and implementation stages.

E. Unanticipated Impacts

49. Indirect, and/or unanticipated impacts on IPs may become apparent during project implementation.¹⁹ Should this occur, the NPMO will ensure that a social impact assessment is conducted resulting to an updated IPP or formulation of a new IPP covering all applicable requirements specified in this IPPF. The social impact assessment will be done in accordance with the procedures stipulated under the CEAC.

F. Participation of Women and Vulnerable Sectors

50. There generally is equality in decision-making among males and females in IP communities. But in traditional and predominantly IP communities, the last word is that of the tribal leader, more often than not, a function attributed males. Local leadership is still highly male-dominated, but this does not prevent women from taking the necessary initiative to organize and perform localized decision-making.²⁰

51. The CDDSP Gender Action Plan ensures engagement with local women's groups in key project activities. In case of under-representation or where needed, separate meetings with marginalized households, including women, shall be organized to discuss subproject proposals prior to the barangay assembly. Beyond the GAP, participation of women and the vulnerable/marginalized sectors will be upheld across the CEAC stages.

VI. DISCLOSURE

¹⁹ ADB Safeguards Policy Statement 2009: Appendix 3.

²⁰ ADB. 2010. *Technical Assistance to the Philippines for Preparing the Integrated Natural Resources and Management Project*. Manila. (PPTA 7109)

52. For IP communities, pertinent information for disclosure are (i) notices of meetings or consultation; (ii) NCDDP concept and implementation arrangements; and (iii) results, minutes or agreements made during meetings and consultations, grievance redress mechanisms, results of assessment studies, IPPs, and M&E results.

53. Disclosure modalities will be in accordance with prevailing customs and traditions and written in English or Pilipino and in the IP language and authorized by community elders/leaders. They will be delivered and posted in conspicuous places or if lengthy, copies provided to community elders/leaders and IP organizations. Popular forms of printed materials include fact sheets, flyers, newsletters, brochures, issues papers, reports, surveys etc. Popularized materials aim to provide easily read information. These materials may be in the local language enhanced with drawings, to inform a wide range of IPs about the planning and assessment processes and activities.

54. The following are required to be disclosed (i) draft IPP, as endorsed by DSWD before appraisal; (ii) final IPP; (iii) new or updated IPP; and (iv) monitoring reports. These documents will be generated and produced in a timely manner, and posted in both ADB, and DSWD Project website, and at any locally accessible place in a form and language understandable to the affected IPs and other stakeholders.

55. The ADB SPS requirements as well as the ADB Public Communication Policy will serve as guide. The documents listed above will be uploaded in the Project management information system as well as the ADB website.

VII. GRIEVANCE REDRESS MECHANISM

56. The Project's grievance redress system (GRS) will be used as the mechanism for IPs to air complaints or grievances in the course of implementation. Community facilitators will inform indigenous groups about this system at the start of the implementation of the Project in the municipality. Staff will ensure that meetings and consultations about the system are conducted with IP groups on the system, independently of the regular GRS orientation activities, if needed. IPs will likewise be informed that complaints may also be registered with and by the NCIP, and included in their quarterly reporting to the national steering committee or the regional project management team (RPMT). Regional offices will ensure that the NCIP will likewise disseminate this information through its staff to indigenous groups, local NGO's and the press.

57. In addition, the Project will continue to maintain a grievance register, which will provide information on the number and type of grievance and complains from indigenous groups at the municipal and provincial levels, and on the way these complaints have been addressed. This information will be included in the quarterly project reports to the National Steering Committee.

58. To the extent possible, resolution of grievances involving IP communities related to project implementation will be through traditional IP grievance resolution processes and systems, following of the principle of precedence of customary laws in the IPRA.

VIII. INSTITUTIONAL AND IMPLEMENTATION ARRANGEMENTS

A. Institutional Arrangements

59. The Project adopts an institutionalization framework that integrates lessons in the implementation of CDD into the regular planning, budgeting, implementation, and monitoring

systems, and structures of the barangay and municipal LGUs. In project areas where IPs are found, project staff will ensure that participatory approaches for engaging IPs, as well as the development priorities of IPs, are integrated into the local development planning system. These include, among others (i) integration of key features of this safeguards framework and strategy into the LGU governance systems; (ii) establishment and maintenance of IP databases; (iii) integration of ADSDPP processes into the LGU local development planning instruments and manuals, and; (iv) facilitating review and development of ADSDPPs.

B. Capacity Building

60. Orientation on the IPRA as well as the project's strategy to address indigenous peoples' concerns, including orientation on the (ADSDPP) or NCIP Administrative Order No. 1, series of 2004, and the FPIC process (NCIP AO 3 Series of 2012), and the preparation of the IPP consistent with the IPPF, will form an integral part of the training program for project staff at all levels, in order to better prepare Project staff in engaging IP communities. Collaboration with NCIP will be established to ensure that trainers are knowledgeable to impart IP-related knowledge and that the training or capacity building processes are IP-friendly.

C. IPP Implementation

61. IPP implementation is governed by the overall project structure where the NCIP sits as a member of the national steering committee and at all RPM Teams where there are IP communities. During IPP implementation, ACTs shall (i) make use of appropriate IP mechanisms and structures, and (ii) undertake specific activities that will enable indigenous groups to meaningfully engage in CEAC activities as stipulated under Section V-D of this document.

62. In order to capacitate IP community volunteers towards IPP implementation, they will learn how to monitor IPPs and subprojects and receive training in procurement, financial management, and operation and maintenance (O&M).

D. Monitoring and Reporting Arrangements

63. The NCDDP will ensure proper monitoring and evaluation of compliance of this IPPF. Project monitoring of IP engagement will generally include the following:

- (i) Compliance Monitoring – This will include establishment and maintenance of an IP database, and monitoring arrangements to (a) track engagement of indigenous groups in the various activities along the CEAC, and (b) determine whether IPPs were carried out as planned, and in accordance with the IPPF. The NPMO will conduct supervision and in-house monitoring of implementation of the IPP. The procedure for monitoring will be guided by the monitoring, evaluation, and reporting arrangements set forth in this IPPF. Appendix 2 provides the guidance in the preparation of internal and external monitoring indicators.
- (ii) Community self-assessments of subproject preparation and implementation to provide an avenue for IPs to communicate whether they have been involved in project activities and whether the final subproject addresses their needs.
- (iii) External monitoring by qualified and experienced experts or qualified NGOs to verify monitoring information and provide avenue for identification of cases where indigenous groups have been bypassed or marginalized in the subproject planning and selection process.

64. **External Monitoring Agency (EMA).** External monitoring will be commissioned by the NPMO to undertake monitoring and evaluation, through an EMA that will be either a qualified individual, a consultancy firm or NGO with qualified and experienced staff. The Terms of Reference (TOR) for the EMA will be prepared by the NPMO and will be acceptable to ADB prior to engagement. This will be undertaken after the 1st cycle implementation of the 1st batch of CDDSP municipalities, at CDDSP mid-term, and prior to CDDSP closure. The NPMO will be responsible for the engagement of the EMA, and will ensure that funds are available for monitoring activities, and that monitoring reports are submitted to ADB.

65. **NCIP engagement in M&E.** In addition, Chapter III, Section 44 (h) of the Indigenous People's Rights Act mandates that the National Commission on Indigenous Peoples (NCIP) be involved in monitoring of project implementation in relation to indigenous peoples engagement. To this end, the NCIP sits as a member of the NCDDP National Steering Committee. All RPMOs with NCDDP areas covering IP areas will ensure that the NCIP is likewise represented at the RPMT. The RPMOs will likewise invite representatives from the NCIP to observe and participate in municipal-level activities in IP areas.

66. **Schedule of Monitoring and Reporting.** The NPMO will establish a schedule for the implementation of this IPPF and IPPs taking into account the project's implementation schedule. It is expected that one month prior to the start of subproject implementation, internal and external monitoring key actors will have determined all IPP activities. Quarterly progress reports will be prepared and submitted to the ADB following the NCDDP regular reporting systems and procedures.

IX. BUDGET AND FINANCING

67. CDDSP (GOP and ADB sourced) has allocated funds for planning and implementation of IP plans through the CEAC. The budget for preparation of the plans is part of component 1, falling under planning and technical assistance grants. Component 2 will also provide appropriate training in the preparation of the plans. Funds for implementing IPP shall be from the LGUs and communities as part of the local counterpart contributions.

68. Specifically, the following key activities will be provided with the necessary budget support at implementation:

- (i) Provision for IP Specialists
- (ii) Social Assessment, CP-FPIC, & IPP
- (iii) Internal and external monitoring
- (iv) Capacity Building:
 - a. DSWD, LGU, NGA & Private Sector on Sensitivity to Indigenous Peoples Culture
 - b. NCIP and IPOs on IP Enabling mechanisms: IPRA, ADSDPP, & FPIC: Rights, Privileges and Obligations, IP Planning, and IPO fund management
 - c. Institutional support to NCIP (IP community facilitation and M&E) at CDDSP implementation
- (v) Piloting for CDDSP in select CADT areas

69. Detailed budget shall be prepared during CDDSP development planning stage.

70. ADB funds will be downloaded to DSWD on to each RPMO for the exclusive use of the project and only for ADB's share of expenditures. From the RPMO, community planning funds

and subproject grants will be forwarded to community bank accounts at Land Bank. Planning and budgeting for IPs will observe and adhere to prevailing cultural practices. NCIP shall oversee CDDSP capacity building for the management of IP community funds and IP funds management monitoring.

APPENDIX 1: GUIDE TO PREPARING AN IP PLAN

1. This outline is part of the Safeguard Requirements 3. An Indigenous Peoples Plan (IPP) is required for all projects with impacts on Indigenous Peoples. Its level of detail and comprehensiveness is commensurate with the significance of potential impacts on Indigenous Peoples.

2. The community projects under the CDDSP will be community solicited. Hence, following the CDD strategy, the IP Plan is an output of community volunteers, from both mixed communities and homogenous IP areas. While the process of IP Plan preparation will be facilitated by Facilitators with experience in working with IPs, the IPP will need to be simple for better utility. A standard template in the form of a “question-answer” format will be further detailed in the ESMF, the substantive portions of which are described below, although not necessarily in the order shown.

A. Executive Summary of the Indigenous Peoples Plan

3. This section will concisely describe the critical facts, significant findings, and recommended actions.

B. Description of the Project

4. This section will provide a general description of the project; discusses project components and activities that may bring impacts on Indigenous Peoples; and identify project area.

C. Social Impact Assessment

5. This section will:

- (i) Review the legal and institutional framework applicable to Indigenous Peoples in project context.
- (ii) Provide baseline information on the demographic, social, cultural, and political characteristics of the affected Indigenous Peoples communities; the land and territories that they have traditionally owned or customarily used or occupied; and the natural resources on which they depend.
- (iii) Identify key project stakeholders and elaborate a culturally appropriate and gender-sensitive process for meaningful consultation with Indigenous Peoples at each stage of subproject preparation and implementation, taking the review and baseline information into account.
- (iv) Assess, based on meaningful consultation with the affected Indigenous Peoples communities, the potential adverse and positive effects of the subproject. Critical to the determination of potential adverse impacts is a gender-sensitive analysis of the relative vulnerability of, and risks to, the affected Indigenous Peoples communities given their particular circumstances and close ties to land and natural resources, as well as their lack of access to opportunities relative to those available to other social groups in the communities, regions, or national societies in which they live.
- (v) Include a gender-sensitive assessment of the affected Indigenous Peoples' perceptions about the project and its impact on their social, economic, and cultural status.
- (vi) Identify and recommends, based on meaningful consultation with the affected

Indigenous Peoples communities, the measures necessary to avoid adverse effects or, if such measures are not possible, identifies measures to minimize, mitigate, and/or compensate for such effects and to ensure that the Indigenous Peoples receive culturally appropriate benefits under the project.

D. Information Disclosure, Consultation and Participation

6. This section will (i) describe the information disclosure, consultation and participation process with the affected Indigenous Peoples communities that was carried out during project preparation; (ii) summarizes their comments on the results of the social impact assessment and identifies concerns raised during consultation and how these have been addressed in project design; (iii) in the case of project activities requiring broad community support, documents the process and outcome of consultations with affected Indigenous Peoples communities and any agreement resulting from such consultations for the project activities and safeguard measures addressing the impacts of such activities; (iv) describes consultation and participation mechanisms to be used during implementation to ensure Indigenous Peoples participation during implementation; and (v) confirms disclosure of the draft and final IPP to the affected Indigenous Peoples communities.

E. Beneficial Measures

7. This section will specify the measures to ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate, and gender responsive.

F. Mitigation Measures

8. This section will specify the measures to avoid adverse impacts on Indigenous Peoples; and where the avoidance is impossible, specifies the measures to minimize, mitigate and compensate for identified unavoidable adverse impacts for each affected Indigenous Peoples groups.

G. Capacity Building

9. This section will describe how the social, legal, and technical capabilities of (i) government institutions, and (ii) indigenous peoples organizations in the project area will be strengthened to ensure effective implementation of the IPP.

H. Grievance Redress Mechanism

10. This section will describe the procedures to redress grievances by affected Indigenous Peoples communities following customary norms as well as the overall CDDSP Grievance Redress System.

I. Monitoring and Evaluation

11. This section will specify arrangements for participation of affected Indigenous Peoples in the monitoring and reporting of IPP implementation.

J. Institutional Arrangement

12. This section will describe the institutional arrangements, responsibilities and mechanisms for carrying out the various activities and measures of the IPP. It will also describe the process of including relevant local organizations and NGOs in carrying out the measures of the IPP.

K. Budget and Financing

13. This section provides an itemized budget for all activities described in the IPP, including the sources of such funds and resources.

APPENDIX 2: GUIDE IN THE PREPARATION OF INTERNAL AND EXTERNAL MONITORING INDICATORS¹

A. Internal Monitoring Indicators

Monitoring Indicators	Basis for Indicators
1. Budget and timeframe	<ul style="list-style-type: none"> • Have capacity building and training activities been completed on schedule? • Are IPP and MOA activities being implemented and targets achieved against the agreed time frame? • Are funds for the implementation of the IPP/ADSDPP allocated to the proper agencies on time? • Have agencies responsible for the implementation of the IPP/ADSDPP received the scheduled funds? • Have funds been disbursed according to the IPP/ADSDPP? • Has social preparation phase taken place as scheduled? • Have all clearance been obtained from the NCIP?
2. Public Participation and Consultation	<ul style="list-style-type: none"> • Have the consent of the IP community in the affected ancestral domain been obtained? • Have consultations taken place as scheduled including meetings, groups, and community activities? Have appropriate leaflets been prepared and distributed? • Have any APs used the grievance redress procedures? What were the outcomes? • Have conflicts been resolved? • Was the social preparation phase implemented? • Were separate consultations done for Indigenous Peoples? • Was the conduct of these consultations inter-generationally exclusive, gender fair, free from external coercion and manipulation, done in a manner appropriate to the language and customs of the affected IP community and with proper disclosure?
3. Benefit Monitoring	<ul style="list-style-type: none"> • How was the participation of IP women and children? Were they adequately represented? • What changes have occurred in patterns of occupation, production and resources use compared to the pre-project situation? • What changes have occurred in income and expenditure patterns compared to pre-project situation? What have been the changes in cost of living compared to pre-project situation? Have APs' incomes kept pace with these changes? • What changes have taken place in key social and cultural parameters relating to living standards? • What changes have occurred for IPs? • Has the situation of the IPs improved, or at least maintained, as a result of the project? • Are IP women reaping the same benefits as IP men? • Are negative impacts proportionally shared by IP men and women?

B. External Monitoring Indicators

Monitoring Indicators	Basis for Indicators
1. Basic information on IP households	<ul style="list-style-type: none"> • Location • Composition and structures, ages, education and skill levels • Gender of household head • Ethnic group • Access to health, education, utilities and other social services • Housing type • Land use and other resource ownership and patterns • Occupation and employment patterns • Income sources and levels • Agricultural production data (for rural households) • Participation in neighborhood or community groups • Access to cultural sites and events • Value of all assets forming entitlements and resettlement entitlements
2. Levels of IP Satisfaction	<ul style="list-style-type: none"> • How much do IPs know about grievance procedures and conflict resolution procedures? How satisfied are those who have used said mechanism? • How much do the affected IP communities know about the IP framework? • Do they know their rights under the IP framework? • How much do they know about the grievance procedures available to them?

¹ Adapted from ADB's Handbook on Resettlement: A Guide to Good Practice, 1998.

Monitoring Indicators	Basis for Indicators
3. Other Impacts	<ul style="list-style-type: none"> • Do they know how to access to it? • How do they assess the implementation of the IPP/ADSDPP? • Were there unintended environmental impacts?
4. More IP Indicators	<ul style="list-style-type: none"> • Were there unintended impacts on employment or incomes? • Are special measures to protect IP culture, traditional resource rights, and resources in place? • How are these being implemented? • Are complaints and grievances of affected IPs being documented? • Are these being addressed? • Did the project proponent respect customary law in the conduct of public consultation, in IPP/ADSDPP implementation, in dispute resolution? • Did the project proponent properly document the conduct of public consultations, the formulation and implementation of the IPP/ADSDPP? • Were the public consultations inter-generationally inclusive? • Were women and children proportionally represented? • Were representatives of the NCIP present in the public consultations? During the monitoring of IPP/ADSDPP implementation?