

INDIGENOUS PEOPLES PARTICIPATION FRAMEWORK

I. BACKGROUND/RATIONALE

The Millennium Declaration, adopted by all UN member states in 2000, aims to eradicate poverty through eight Millennium Development Goals. However, based on the review result of the various Indigenous Cultural Communities (ICCs) funded by the United Nations Development Programme (UNDP) and the MDG Achievement Fund (MDGIF), there is a challenge to include the Indigenous People in the MDG. Thus, based on the review and study entitled Indigenous Peoples and the MDGs, there are five proposed new MDGs focusing on the Indigenous People, as follows:

1. Protection and defense of indigenous territory.
2. Auto determination, autonomy and self-governance of indigenous people.
3. Self-development – equilibrium and harmony.
4. Free prior and informed consent.
5. Institutional redesign of the state.

In the Philippines, the rights and welfare of indigenous peoples are protected through the Indigenous Peoples' Rights Act (IPRA) which was signed into law on October 29, 1997. The IPRA also created the National Commission on Indigenous People as the primary government agency that formulates and implements policies, plans and programs for the recognition, promotion and protection of the rights and well-being of IPs with due regard to their ancestral domains and lands, self-governance and empowerment, social justice and human rights, and cultural integrity.

Based on the 2007 IP Population estimates of NCIP, it showed that around 17% or 14,184,645 million of the total population of 88.5 million are Indigenous Peoples. Various reports show, that the IP are the poorest of the poor sector and with limited access to basic services.

The Department of Social Welfare and Development, in implementing poverty alleviation and developmental programs and being true to its mission of providing social protection and promoting rights and welfare to the vulnerable and disadvantaged communities, is committed to ensure the promotion and protection of rights of all indigenous peoples in the Philippines towards poverty alleviation and empowerment. The DSWD's program for IPs include the Conditional Cash Transfers (CCTs) called the Pantawid Pamilyang Pilipino Program (Pantawid Pamilya for short) through which the IPs are provided with basic services specifically cash grants on health and education.

Towards this end, the DSWD developed an Indigenous Peoples Policy Framework (IPPF) which serves as a declaration of policies and standard procedures in developing and implementing the PH Pantawid Pamilya. While the IPPF is initially developed for the implementation of the World Bank – assisted Social Welfare & Development Reform Project (SWDRP), the Department has used the framework as reference in the development of other projects. For purposes of developing the National Program Support for Social Protection Project (NPSSPP), which is the successor project to SWDRP, the DSWD enhanced the IPPF based on lessons learned during the implementation of the SWDRP.

II. POLICY CONTEXT

A. The Indigenous Peoples Rights Act (IPRA Law)

The IPRA Law safeguards against negative or adverse project impacts on ancestral domains. It also ensures that IPs have the right to participate in decision-making, in all matters that may affect their lives. The law stipulates that IPs have the right to an informed and intelligent participation in the formation of any projects be initiated by government or private entities.

B. UN Declaration on the Rights of the Indigenous Peoples

The declaration explicitly defines the right of the Indigenous Peoples to participate in decision-making in matters which would affect their rights and the responsibility of the state to consult with the indigenous peoples concerned to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

C. World Bank Policy on Indigenous Peoples (OP 4 10)

The World Bank Policy on Indigenous Peoples (OP. 410) provides that all World Bank-assisted ~~projects shall be designed and implemented “in such a way that Indigenous Peoples do not suffer~~ adverse effect during the development process, or when avoidance is not feasible, minimize, mitigate or compensate for such effects (paragraph 1)”. Moreover, Bank-financed projects are also ‘designed to ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate and gender and inter-generational inclusive (paragraph 1)’.

D. International Convention on the Elimination on All Forms of Racial Discrimination

The International Convention on the Elimination on All Forms of Racial Discrimination defines racial discrimination not only pertaining to the outright acts of racial discrimination but also the laws and policies that unintentionally instigate them. It prohibits states from committing racial discrimination and instead provide measures in preventing them.

III. THE NATIONAL PROGRAM SUPPORT FOR SOCIAL PROTECTION (NPSSP)

The NPSSP aims to **strengthen the effectiveness of social protection**. Its specific objectives are:

- (i) Increase prospects of Pantawid children to graduate high school,
- (ii) Increase employability prospects of Pantawid youth beneficiaries through SLP and
- (iii) Enhance institutional capacity to respond effectively to disasters.

The project has two components as follows:

Component 1: Supporting The Continued Implementation of Pantawid – This component supports the continued implementation of the Pantawid to all poor beneficiary households nationwide with children aged 0-18 years.

Component 2: Supporting Institutional Capacity Development – This component will support strengthening of DSWD’s institutional and service delivery capacity. The following activities will be supported: (a) implementation of DSWD ISSP for an integrated data management system through information system/application development/enhancement and management, underpinning efficient and effective delivery of DSWD programs and services such as Pantawid (including Listahanan), NCDDP, SLP, and disaster risk reduction and management and emergency response;

(b) assessment of the operationalization of social protection at the local government level, and the development of an action plan; (c) building capacity for and carrying out social marketing activities; and d) supporting the operationalization of DSWD Convergence Strategy of its core development programs (Pantawid, NCDDP, SLP) through training to maximize resources, reduce duplication of efforts, strategies and activities, and harmonize, synchronize and unify mechanisms at all level (central, provincial, local).

IV. INDIGENOUS PEOPLES PARTICIPATION STRATEGIES

The Pantawid Pamilyang Pilipino Program adopted the following updated strategies which are anchored in the full and meaningful indigenous people participation /empowerment; promotion of the IP rights; and protection from any adverse results during the whole cycle of the development process. These strategies shall be undertaken in coordination with the National Commission on Indigenous Peoples (NCIP) at the national and local levels.

A. Screening of IP for Pantawid Pamilya Participation

The National Household Targeting System for Poverty Reduction (NHTS-PR), which is popularly called “Listahanan”, will continue to be used for identifying the eligible households for the Pantawid Pamilyang Pilipino Program. As designed, the household assessment of the NHTS-PR is able to capture if a household is IP or not. The NHTS-PR is conducting a second round of household enumeration nationwide which is expected to be completed by December 2015. Field reports, however, revealed that the first round of enumeration a number of the IPs were not included in the NHTS-PR household assessment due to difficult geographic conditions and their being itinerant. To address this concern, the DSWD conducted supplemental household enumeration of IP communities with assistance from local IP guides and community-based validations were conducted to ensure the accuracy of IP data.

Based on the aforementioned experiences, the second round of NHTS-PR enumeration provided more guidance on interviewing IP households and includes local IPs serving as guides and/or translators to guarantee that all IP households are covered and the questions are well understood. Listahanan will also give a 3-month grace period for appeals & inclusion of households that were not enumerated in the second round of household assessment. In the course of implementation, the Pantawid Pamilya team will continuously gather, validate and disseminate data/information on IP communities. Field validations and regular monitoring in partnership with the National Commission on Indigenous Peoples (NCIP), Office for Southern Cultural Communities (OSCC), tribal leaders and the communities will guarantee that IP data in the program are up to date.

B. Ensuring IP-Responsive Project Design and Strategy Implementation

In the past years of implementations, Pantawid Pamilya adopted several innovations or program adjustments to ensure responsiveness to IP situation and concerns. Major IP-responsive initiatives included the adoption of the Alternative Learning System (ALS) as part of the education conditionalities, development of IP-related modules for the Family Development Session (FDS); popularization of information materials; regular focused group discussions with IP grantees and adoption of alternative payment scheme to improve accessibility of IP grantees to cash transfer.

Under the NPSSP, the Pantawid Pamilyang will ensure that IP-responsive mechanisms and support services are continually developed and adopted in partnership with the NCIP, OSCC, other government agencies, IP communities and other stakeholders.

IP-appropriate systems and services in health, education and other prerequisites for human development developed by stakeholders will continue to be explored in partnership with the Department of Education and Department of Health, both of which have strong IP institutional policies. The program shall also provide considerations on the appropriate set of interventions and support services in areas with Certificate of Ancestral Domain Title (CADT) that can contribute to the achievement of the Ancestral Domain Sustainable Development & Protection Plan (ADSDPP) of the ICCs.

All program components shall continue to ensure that an IP dimension is embedded in all the systems and sub-systems of Pantawid Pamilya to include mechanisms for compliance verification, payment; updating; FDS, supply side assessment and grievance redress. This will facilitate the identification of emerging concerns on IP. In addition, IP issues and concerns, directly and/or indirectly affecting IP's performance in the program, have been and will continue to be documented through the conduct of regular consultations, thematic focused group discussions and other monitoring activities.

Relevant researches are regularly conducted and analyzed providing additional insight and basis for improvements in the program as well for the services of other stakeholders. Similar to the previous developments, IP modules for the FDS will be developed/enhanced and other FDS modules as well as other program materials will be reviewed for IP-sensitivity.

Due consideration are given to IPs and their culture where appropriate schemes and other adjustments will be developed to increase program participation in the course of the project. The program will continue to ensure that capability-building activities and technical assistance are relevant and sensitive for IPs through training needs assessment. Appropriate training modules are developed and IP-sensitive materials and methodologies are used for IP beneficiaries, parent and tribal leaders and other stakeholders that will increase their competence and capacity to perform their roles in the program and their community. Provision of relevant capability-building activities for program staffs and partner stakeholders also ensures continuous improvement in the delivery of services and managing the concerns of IPs.

C. Representation of IP in Pantawid Pamilya Institutional Arrangements

The program has already established a system of network/partnership with other support groups and stakeholders at various levels in order to ensure convergence and coordination of services for IP grantees. A network of IP leaders, for instance was organized and will be maintained and updated, since they are local partners of the program and can be tapped to provide assistance in conducting activities in the community. This network will additionally be expanded, improved and validated in collaboration with NCIP & OSCC ensuring that their indigenous political structures is duly recognized and promoted. In addition, an inventory of services provided by other stakeholders is being maintained per region to coordinate activities, focus resources and efforts on common target families to produce synergy; avoid duplication, competition, and wastage of services; and therefore create greater impact among IP children, mothers, and the whole family. The convergence effort within and outside Pantawid Pamilya will allow the program to continue linking IP beneficiaries with service providers who can provide the needs of the communities.

Within the Pantawid Pamilya implementation mechanism, emerging IP concerns that are gathered through the regular conduct of national and regional consultations are raised and given appropriate action in the national & regional advisory committees with representation from the NCIP.

At the municipal level the IPs are represented in the program Municipal Advisory Committee through the membership of the Mandatory IP Representative, which is a duly elected representative of the IP communities as provided for in the IPRA and authorized by the NCIP. Proper and adequate feedback is ensured through the grievance redress mechanisms, during CFDS and regular monitoring.

D. Implementation and Monitoring Compliance to IPPF

In the operationalization of the IP Participation Framework, Pantawid Pamilya has been using and will continue to use the Monitoring & Evaluation Systems of the program. These systems serve as the management tool used for planning, monitoring and evaluation and reporting by implementing responsible units in the National and Regional Program Management Offices including the frontline workers at provincial, city, municipal and community levels. These systems use various monitoring tools that are designed to capture significant IP data and are continuously improved as necessary to be more appropriate with the situation of IPs. A specific sub-system was developed to capture data/information regarding IP grantees and other disadvantaged groups. This sub-system was developed in consultation with IP leaders and beneficiaries ensuring IP-sensitive implementation of the system.

Within the National Program Management Office (NPMO), a dedicated staff under the division of the Modified CCT is assigned to manage all concerns on IPs, including the IPPF implementation and monitoring. In addition, a technical working group for IP is created and consists of representatives from the various components of the program that shall monitor the operationalization of the IP participation framework strategies. The group is tasked to gather & monitor IP-related activities and data from all program components as well as collectively providing actions to IP concerns raised. The creation of the technical working group ensures that the IP dimension is present and is highly considered in each of the program components. The group is also responsible for the submission of required updates and reports on IP to partner organizations and stakeholders. Consequently, an annual summative report shall be submitted to the World Bank and NCIP on the operationalization of these strategies. NCIP, in particular, shall also be provided with data on IPs regularly through quarterly reports.

At the regional level, the Regional IP focal persons have been hired to coordinate the implementation and monitoring of all IP-related dimensions of Pantawid. Monitoring activities are and will continue to be regularly conducted through consultations, field visits and spot-checks as well as community profiling. Identification of issues and concerns during the conduct of monitoring activities provide basis for implementers and other stakeholders in providing relevant intervention.

E. Program Budget Allocation

The financial requirement of the activities and materials needed to operationalize these strategies will be allocated and will form part of the overall Pantawid Pamilya budget.

V. EFFECTIVITY

This Memorandum Circular shall take effect immediately.

Issued in Quezon City, this 14 day of September 2015.


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Secretary