



Policy Brief

PHILIPPINES

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RIGHT TO CULTURAL INTEGRITY

Institutionalizing Indigenous Knowledge Systems and Practices for the Realization of the Right to Cultural Integrity



Introduction

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) assures the “right to the dignity and diversity of their cultures, traditions, histories and aspirations.”¹ “Indigenous peoples have the right to freely determine their path of cultural development.”²

The UNESCO Declaration on Cultural Diversity states that “heritage in all its forms must be preserved, enhanced and handed on to future generations as a record of human experience and aspirations, so as to foster creativity in all its diversity and to inspire genuine dialogue among cultures.”³

The Convention on the Rights of the Child (CRC) states that Indigenous children “shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language.”⁴

This policy brief summarizes key findings and recommendations on the right to culture and cultural integrity from a study done by Tebtebba, “*Pagsasalinhah: Asserting and Safeguarding Indigenous Peoples’ Rights for the Next Generation.*”

¹ Art. 15.1.

² Art 3.

³ Art 7.

⁴ Art 30.

Awareness of the right to culture

In the sites of the study, the children and youth have indicated a strong interest to be educated on their rights not just as children but as Indigenous peoples. They also desire to be educated on the deeper aspects of their culture. These desires are acknowledged by the elders and in appropriate cases, are addressed.

The influence of media, interaction with other people, in migration and discrimination has diluted the interest to continue speaking their own native language. Parents in Miarrayon, Bukidnon and Guinaang, Pasil, Kalinga acknowledged this negative impact.

The children are familiar with their native songs, musical instruments, dances and narratives. When it comes to sacred sites, not all children are aware of these.

Decision making is done by the adults, though the

children have expressed interest to be involved in decision making to prepare them to be future leaders.

All the children wish to know about the extent of their ancestral domain. Alex Lingbawan of Guinaang has expressed that knowledge of ancestral domain should be taught aside from traditions and customary laws.

There is a low level of awareness among Indigenous children as to their right to culture and cultural integrity. Despite the interest of the children to be educated and the interest of the elders to educate them, the research reveals the following indigenous knowledge systems and practices (IKSPs) domains that need to be transmitted to the next generation.

Indigenous socio-political institutions and governance

The sociopolitical institutions are context specific relative to their unique historical development. They are crucial elements of indigenous peoples' identity which needs to be passed on to the children.

Customary laws governing natural resource management

In terms of natural resource management, following a customary process is vital for indigenous peoples survival. The access to resources provides overall wellbeing and the proper management of these resources are highly specialized. Collective decision making is a major part of their system; as such the children need to continue these practices since it means the survival of their entire community.

Customary laws and practices governing conflict resolution

Considering the collective system of governance and resource management, conflict resolution and the avoidance of conflict ensures the unity of the communities. There are different indigenous mechanisms in place that have been in practice for many generations.



Community solidarity and practices that promote well being

Community solidarity needs to be strengthened as this is the bed-rock of the collective spirit of the Indigenous peoples necessary for their survival. The children benefit from practices that strengthen them during the period of their growth and development. The rituals in the different sites reveal the mechanisms that exist in the promotion of solidarity. These practices need to be continued unfettered and passed on to the future generations.



Cultural forms, material and intangible culture as manifestations of indigenous identity

Indigenous identities are celebrated within the different sites of the study. Dances and songs and their indigenous instruments highlight the unique culture of the different tribes. The government recognizes this vibrant culture and yet in some cases this is exploited when their cultural activities are used for tourism purposes. This poses as a threat to their cultural integrity.

Challenges in the practice of IKSPs

The challenges to the practice of IKSPs include development policies and programs that alienate portions of the ancestral domain. The ban on rotational agriculture by the Department of Environment and Natural Resources (DENR) does not take into consideration indigenous knowledge and practices that make it sustainable while enhancing biodiversity. The government programs of settling migrants, declaring national parks, granting leases and rights for mining, ranching and fishing and tourism resorts and other private industries are major issues

confronting Indigenous peoples in their ancestral domain. The National Greening Program (NGP), does not respect IKSPs or even exploits them. Negligence in seeking the Free Prior and Informed Consent (FPIC) of Indigenous peoples deprives them of making decisions relevant to their sustainable development and well-being based on their traditional customary practices. And finally, failure of the National Commission on Indigenous Peoples (NCIP) to fulfill its mandate has undermined the traditional decision making process of Indigenous peoples.

Policy Recommendations

Awareness of rights to culture and cultural integrity

Programs need to be initiated so as to strengthen and revitalize indigenous knowledge systems, practices and languages. The Department of Education should integrate indigenous culture in the education curriculum at all levels; support should be given to IP teachers specifically for the LET review. A monitoring and support team should be created to ensure the growth in the awareness related to culture including erroneous use of indigenous culture in teaching/educational materials. Accountability measures should be established to ensure that any aspect of indigenous culture are not inappropriately used in educational institutions/materials.

IKSPs for transmission to the next generation

The state should recognize the cultures, traditions, histories and aspirations of Indigenous peoples. This is stated in the Indigenous Peoples' Rights Act (IPRA) but lacks the necessary institutionalization that will ensure respect for IKSPs.

The gap in the intergenerational transmission of IKSPs needs to be addressed with a systematic plan including capacity building for future leaders.

The implementation of use of mother tongue for kindergarten and primary grades and the Indigenous Peoples Education (IPEd) program which provides education to Indigenous children in their own language can be further enhanced by supporting efforts by the Indigenous peoples to recover and revitalize their languages. Indigenous literacy programs and documentation of the language in the form of dictionaries will be advantageous.

Responding to the challenges in the practice of IKSPs

A program for the transmission of knowledge systems and practices needs to be developed. Existing programs on the other hand needs to be enhanced. In terms of protection, a mechanism to address cul-

tural misappropriation should be addressed not just by NCIP but by National Commission on Culture and Arts (NCCA) and Intellectual Property Office Philippines (IPOPHIL) as well.

It is essential to highlight IKSP in mainstream curricula. This will correct misinformation about Indigenous peoples.

In terms of teaching licenses issued by the Professional Regulation Commission (PRC), special consideration should be given to Indigenous teachers with the context of their culture and the spread of the same. Likewise, the inclusion of indigenous traditional knowledge holders with mainstream education will serve to augment the lack of knowledge about Indigenous peoples which leads to discrimination.

IPEd and School for Living Traditions (SLT) initiatives should be strengthened and undertaken with community leaders. Community initiatives towards this end should be recognized, supported and accredited with the formal education system.

Since sports cannot be separated from culture, there is a need to revitalize Indigenous sports and for activities like such to be included in the activities of the Local Government Units. These sports should also be included in the mainstream curriculum.

This policy brief is developed and based on the findings of the 2017 study entitled "Pagsasalinhahi: Asserting and Safeguarding Indigenous Peoples' Rights for the Next Generation," a research led by Wilfredo Vidal Alangui with component reports from Leah Enkiwe-Abayao, Corazon L. Abansi, Maria Victoria P. De Guzman, Bernice A. See, Maria Teresa Guia-Padilla with James Israel Alim and Abigail Kitma and commissioned by Tebtebba, with support from UNICEF and OHCHR. The statements in this publication are the views of the author(s) and do not necessarily reflect the policies or the views of UNICEF and OHCHR.

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