



Republic of the Philippines
Department of Social Welfare and Development

IBP Road, Batasan Pambansa Complex, Constitution Hills, Quezon City 1126

Telephone Nos. (632) 931-8101 to 07; Telefax (632) 931-8191

e-mail: ossec@dswd.gov.ph

Website: <http://www.dswd.gov.ph/>

MEMORANDUM CIRCULAR NO. 01
Series of 2009

SUBJECT: Indigenous Peoples Participation Framework

I. BACKGROUND/RATIONALE

The 2007 Census of Population and Housing showed that around 17% or 14.9 million of the total population of 88.5 million is from 110 ethnolinguistic groups. Historically, the IP communities have been resistant to assimilation and thus they have been driven to remote rural areas, mostly mountainous communities with no or inadequate access to basic services. Thus, most IP communities represent the poorest sector in the country. Even if some opportunities reach the IP communities, the IP concerns tend to be “invisible” in these programs/services which were developed in accordance with the norms of the majority. Thus, majority of the services are not sensitive to IP cultures which members are committed to preserve.

To respond to these issues, the Indigenous Peoples Rights Act (IPRA) was signed into law on October 29, 1997 by then President Ramos, which seeks to recognize, promote and protect the rights of the IPs. These include the Right to Ancestral Domain and Lands; Right to Self-Governance and Empowerment; Social Justice and Human Rights; and the Right to Cultural Integrity.

The DSWD in implementing poverty alleviation and developmental programs and being true to its mission of providing social protection and promoting rights and welfare of vulnerable and disadvantaged communities, is committed to ensure the promotion and protection of the rights of all indigenous people in the Philippines towards poverty alleviation and empowerment. Towards this end, the DSWD developed this Indigenous Peoples Participation Framework (IPPF) which serves as a declaration of policies and standard procedures in developing, funding and implementing programs, projects and services for indigenous people as part of the social welfare and development reform. While the IPPF is initially developed for the implementation of the World-Bank assisted Social Welfare and Development Reform Project (SWDRP), the Department intends to use this Framework in the development of future projects.

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 and implementation of any projects be it 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 4.10) provides that all World Bank-assisted projects shall be designed and implemented “in such a way that Indigenous People do not suffer adverse effects 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)’.

III. THE SOCIAL WELFARE AND DEVELOPMENT REFORM PROJECT (SWDRP)

The Social Welfare and Development Reform Project aims to **advance the social protection reform agenda of the Government of the Philippines** by strengthening the effectiveness of DSWD as a social protection agency to: (i) efficiently implement the new CCT program (Pantawid Pamilyang Pilipino Program or 4Ps) and (ii) expanding/establishing an efficient and functional National Household Targeting System of social protection programs in selected areas.

Specifically, the project has three components, as follows:

Component 1: Implementation of the National Household Targeting System for Poverty Reduction (NHTSPR) – this component would support the DSWD in developing and implementing the National Household Targeting System for Poverty Reduction (NHTSPR) which will be used to better target key social assistance and social protection programs of DSWD and other government agencies.

Component 2: Pantawid Pamilyang Pilipino Program (4Ps) - this component is to cover 360,000 households during 2009-2013. This is a poverty reduction strategy that provides cash grants to extremely poor households aimed at breaking the cycle of intergenerational poverty to improve health, nutrition and education outcomes of poor children and pregnant women.

Component 3: Building Institutional Capacity to Lead in Social Protection - this component would support the strengthening of basic institutional capacity of DSWD to assume a leadership role in social protection by (i) developing the enabling policy environment for sustained implementation of the Philippines CCT program and broad adoption of the national targeting system; (ii) installing technically sound monitoring and evaluation system.

IV. INDIGENOUS PEOPLES' PARTICIPATION STRATEGIES

The following are the strategies to be adopted by the Department in all aspects of the social welfare and reform agenda to ensure full and meaningful IP participation/empowerment; promotion of their rights and protection from any adverse results during the whole cycle of the development processes. All these strategies shall be undertaken in close coordination with the National Commission on Indigenous Peoples (NCIP) at the national and local levels.

A. Situational Analysis/Project Identification

Ensuring that IPs' concerns are considered in the process of searching for promising investment opportunities for disadvantaged communities especially in using the various analytical tools (e.g. Stakeholders Analysis) so that projects to be identified would be acceptable and inclusive/responsive to their current and emerging needs. Consultation with IP communities should be done to ensure their participation in the project identification, and that their concerns are considered. All database of the Department, starting with the National Targeting System shall be designed to include updated data/information on IPs in the Philippines to allow more informed analysis of social welfare programs and policies.

B. Project Planning

There should be a deliberate effort to include the specific responses to IP concerns in the formulation of objectives; processes/activities that will facilitate their participation in the implementation of planned/enumerated project components and activities; ways on how IPs could contribute/utilize their own resources (human, material and equipment); and their roles in the structuring the project organization

Various analyses (feasibility study tools) geared towards determining the viability and feasibility of the project should be undertaken to ensure that projects would not have adverse effects to them. Social acceptability especially of the IPs to the projects should be determined through actual consultation with them, where results of impact analysis and environmental study, among others are presented to serve as their basis in deciding on whether or not the project can and should be undertaken.

When adverse effects cannot be avoided, there should be plans to minimize said effects as well as appropriate compensation for those who will be affected. These should also be clearly presented to IP communities.

Specific to the SWDRP, the Pantawid Pamilyang Pilipino Program (4Ps) ensures that special focus is given to IP-grantees. Data on the ethnic grouping is captured in the grantee booklets that allow the program to identify the IPs. The DSWD shall undertake periodic consolidation and analysis of the profile of the IP grantees as basis for ensuring the responsiveness of the program to the specific needs of the IPs.

C. Project Appraisal

Ensure that one of the bases for the approval of proposals submitted by partner national/regional agencies, LGUs and other entities is its potential contribution to the attainment of poverty alleviation and empowerment of IPs.

D. Project Implementation, Operation and Management

IP communities should be given equal opportunity to become beneficiaries and become part of the community welfare structure management team who will manage the project implementation and operation. Appropriate technical assistance/capability building activities should be given to them to enhance their project and organizational management skills. Project management stage marks the full transfer of the operation of the project to the beneficiaries, thus, technical readiness of IPs on this should be ensured. An IP friendly system/mechanism of addressing complaints/grievances and carrying out redress should be established to immediately respond, among others to violation in IP human rights.

The 4Ps shall give attention to ensuring that all aspects of the program are culturally-sensitive and responsive. Among others, this will involve consideration of IP concerns in relation to the conditionalities, mobilization of grantees, system of cash transfer and establishment of grievance redress system. Efforts shall be deliberately taken to ensure optimum IP participation and representation in all activities of the Project at all levels. Moreover, the National Advisory Committee, composed of other government Departments has committed to develop and adopt strategic adjustments to allow full participation of IPs in the Program.

E. Progress Monitoring and Project Evaluation

Level of IP participation in terms of decision making, management, and sharing of resources should be one of major considerations in the regular monitoring and evaluation, aside from determining whether the project is still relevant to their needs, effective and beneficial. IP participation in these processes should be ensured.

Monitoring and evaluation of policies and programs (including 4Ps) shall include special analysis on IPs, the results of which shall be used for emerging initiatives. The results of the monitoring and evaluation on IP concerns shall be feedback to the IP groups and National Commission on Indigenous Peoples (NCIP).

F. Program Documentation

Special focus should be given to the outcome/effects/impact of the project to the IPs in terms of participation, empowerment and quality of life, among others.

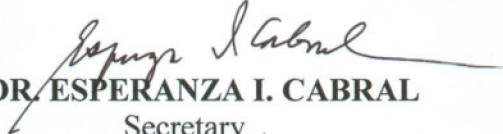
G. Project Localization/Sustainability

At the outset (as early as project planning stage), activities to enhance and utilize the financial, technical and managerial skills of the IPs should be planned and implemented to ensure that they have the capability to continue and sustain the project and its effects, and provide technical/managerial inputs to the project/members.

V. EFFECTIVITY

This Memorandum Circular shall take effect immediately.

Issued in Quezon City, this 27th day of Jan 2009.


DR. ESPERANZA I. CABRAL
Secretary
AMS