Second Women’s Health and Safe Motherhood Project

INDIGENOUS PEOPLE’S STRATEGY
(September 27, 2004)

I. Objective

The WHSMP 2 hopes to demonstrate in selected project sites an affordable model of delivering health services that increases access of vulnerable and disadvantaged women of reproductive age to acceptable, high quality, and cost-effective reproductive health services essential for safely attaining their desired spacing and number of children. Indigenous peoples, youth, poor women, commercial sex workers are among the vulnerable and disadvantaged groups that the project hopes to effectively reach and benefit.

Three project sites have been selected for the project – Sorsogon, Surigao Sur and Iloilo City. Assessment conducted in these sites revealed that indigenous peoples inhabit certain areas of Sorsogon and Surigao Sur. For these areas, the Department of Health (DOH) has prepared an Indigenous Peoples’ Development Plan (IPDP), in close partnership with the National Commission on Indigenous Peoples (NCIP and the concerned LGUs), to ensure that IPs in these areas are equally benefited from the planned project interventions.

For project sites that have yet to be identified and assessed, this Indigenous Peoples’ Strategy shall guide the project on measures to be taken to maximize the engagement of indigenous people in the planning and implementation of various project interventions in areas with IP population and come up with culturally-sensitive/appropriate strategies in improving the access of IPs in these areas to maternal and child care. The Strategy lays out a general workplan to ensure that indigenous peoples (IPs) are informed, meaningfully consulted and mobilized to participate in the various stages of project design and implementation as they are seen as an important stakeholder. The specific IPDP for each project site, which shall be prepared through a consultative process with the IP communities and the NCIP, shall be guided by this Strategy.

The Strategy described herein aims to ensure compliance with the Philippine Indigenous People’s Rights Act (RA 8371) and the World Bank’s OD 4.20 on Indigenous Peoples.

II. Legal Basis

The contents of this Policy Framework are based on laws and policies of the Government of the Philippines and policies of the World Bank, as follows:

a) The Philippine Constitution of 1987 recognizes the rights of the IPs to their ancestral domains and their power of dominion over their lands and resources, and provides that the rights of IPs to natural resources pertaining to their lands shall be especially safeguarded (ART. XII Section 5). These rights include the right of the IPs to participate in the use, management, and conservation of natural resources;

b) Republic Act 8371, otherwise known as the Indigenous Peoples Rights Act or IPRA, provides that the IPs have the right to an informed and intelligent participation in the formation and implementation of any project, government or private, that will impact on their ancestral domain, and that the IPs have the right to participate in decision-making, in all matters which may affect their rights, lives and destinies;
c) *World Bank Operational Directives on Indigenous Peoples* (OD 4.20) requires Bank-assisted projects to ensure that indigenous people benefit from development projects and that such interventions avoid or mitigate potentially adverse effects on indigenous peoples/cultural minorities and that measures are made to maximize project benefits on IPs. It likewise requires Bank-assisted projects in areas with IPs to guarantee the informed and meaningful participation of IPs in various stages of project development and implementation. Moreover, this directive expects that IPs receive social and economic benefits that are compatible with their cultural practices and tradition.

### III. Definition

The Philippines’ Indigenous Peoples Rights Act (IPRA) defines *Indigenous Peoples* or 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 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.” (Section 3, Article II, RA 8371).

The World Bank’s OD 4.20 supplements this definition by adding the aspect of the IPs’ distinct cultural and social identity from the majority of the population that makes them vulnerable to being disadvantaged in the development process.

For this project, the IPRA definition of IPs and IP communities shall be used as starting point for the application of this policy framework.

### IV. Guiding Principles

a) The Provincial Project Management Teams must ensure at all times that the implementation of the project fosters full respect for IPs’ dignity, human rights and cultural uniqueness.

b) Project design should include preparation of a culturally appropriate development plan based on full consideration of the options preferred by the indigenous people affected by the project. The WHSMP2 shall ensure that the IPs are engaged in the decision-making processes, especially in identifying, planning and implementing project interventions in areas within ancestral domain claims or areas where IPs depend for their livelihood.

c) The project must ensure that the IPs do not suffer adverse effects during and after project implementation and that they receive social and economic benefits that are compatible with their cultural practices and tradition.

d) Whenever necessary, consensus of all IP members who are affected by the project must be obtained in accordance with their respective laws and practices, free from external manipulation, interference and coercion, and obtained after fully disclosing the intent and scope of the subproject activity, in a language and process understandable to the community.
e) The conduct of field-based investigation (FBI) and the process of obtaining the Free and Prior Informed Consent (FPIC) shall take into consideration the primary and customary practices of consensus-building, and shall conform to Section 14 (Mandatory Activities for FPIC) of NCIP Administrative Order No. 3, series of 2002 and in a manner consistent with the World Bank’s OD 4.20.

f) The Provincial Project Implementation Teams shall ensure that project implementation will not result in damage to non-replicable cultural property. In cases where infrastructure improvements shall affect sites considered as cultural properties of the IPs, project Implementation Teams must exert best efforts to relocate or redesign the planned renovations so that these sites can be preserved and remain intact in situ.

g) Infrastructure designs must at all times be consistent with the traditional and cultural practices of the IPs in the area.

V. The Project

WHSMP2 has the following objectives: (i) increase the access (in selected sites) of disadvantaged women (including indigenous people) of reproductive age to high quality and cost-effective reproductive health services; and (ii) develop and implement sustainable and replicable systems, within the framework of the Health Sector Reform Agenda, for the financing and delivery of reproductive health services. The project consists of two parts: a Local Delivery of the Integrated WHSM Service Package (Part A) and a National Capacity to Sustain WHSM Services (Part B).

VI. Indigenous Peoples in the Project Sites

Indigenous peoples in the Philippines (estimated at 11.8 million) still remain among the poorest and most vulnerable sectors in the country. There are 110 known ethnolinguistic groups in the country concentrated mainly in the Northern and Southern parts of the Philippines. Many IP communities face continued threat of eviction/displacement, have poor access to basic services and economic opportunities, are unable to participate meaningfully in local decision making and suffer from a continued deterioration of their quality of life. This situation is partly due to the absence of appropriate and culturally feasible mechanisms and institutions to protect IP rights and interests and promote IP participation in development.

Some 223,000 IP inhabitants were noted in two of the three pilot project sites selected for the Project (Sorsogon and Surigao Sur). For these areas, an IPDP has been prepared to ensure that IPs are able to equally participate and benefit from project interventions in a manner that is culturally appropriate. However, for the subsequent batches of project sites, an assessment would still be needed to determine the presence of IP communities and prepare corresponding IPDPs.

VII. The Plan

Project design and its implementation strategy try to ensure that IP concerns are sufficiently addressed. This approach is manifested in the following:
• The IPs in project areas shall be encouraged and given the opportunity to participate in all stages of implementation and project monitoring. The IPs shall be included in the discussions, workshops and survey interviews. Efforts shall be exerted to solicit their views and suggestions. As much as possible, separate sessions shall be held with them so that the discussion could be focused on their views and concerns;

• In barangays where IPs are not dominant or where non-IP communities are located within IP ancestral domains, the project shall ensure that assistance is provided to enable the IPs to participate meaningfully in the process. This may mean deployment of competent and committed staff to work in IP communities and ensure that IP issues and concerns are addressed;

• The design of facilities serving IPs shall be sensitive to culture and beliefs;

• Service delivery protocols (together with the associated training modules) for IP communities shall likewise be sensitive to culture and beliefs;

• Efforts shall be made to train IPs to serve as members of Women’s Health Teams in their respective communities;

• BCC for IP populations shall take into account belief and cultural norms;

• IP community involvement in implementation shall be actively sought.

VIII. Structure of the IPDP

The IPDP for any indigenous group identified as likely to be affected and/or benefited by the project shall include the following sections:

• Legal Framework
• Baseline Data
• Strategy for Local Participation
• Identification of Development or Mitigation Activities
• Institutional Capacity
• Implementation Schedule
• Monitoring and Evaluation
• Cost Estimates and Financing Plan

IX. Monitoring

Monitoring of project impact on IPs shall be carried out through the following:

• Population and facility based surveys that will be carried out at various stages of the project to track implementation progress and effectiveness shall have IP categories to ensure that responses of IPs caught in the survey are properly reflected in the results;

• Special studies to provide further insight into have influenced health outcomes for IPs.
X. Grievance Redress

During initial project implementation, Women’s Health Teams in IP areas shall inform IP communities of the system for the submission of complaints. The NICP shall likewise disseminate this information through its staff to IP groups, local NGOs and the press. IP complaints that are bypassed or marginalized shall be registered by the NICP and included in their quarterly reporting.

The project will maintain a grievance register, which provides information on the number and type of grievances and complaints from IPs at the municipal and provincial levels. This information shall be reported quarterly by the Provincial Management Teams to the DOH Unified Project Management Office.