

THE ENVIRONMENTAL STEWARDS  
OF MAGUINDANAO:

# TEDURAY AND LAMBANGIAN PEOPLES' STRUGGLE FOR ANCESTRAL DOMAIN



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**T**imuay Alim Bandara pointed towards the Upi mountain ranges. He told me, *“Nakikita mo iyang mga bundok? Dati punong puno ‘yan ng berde. Pero ngayon, marami na ang nakakalbo”*.

(Do you see those mountains? They used to be so green. But now, vast areas are depleting.)”

Silence fell upon us, with what looks like him reminiscing the time when those mountains were lush and green.



*Timuay Alim points to the mountain ranges viewed from Sitio Kiféngféng, Brgy. Darugao, Upi, Maguindanao*

The Upi mountain ranges are part of the vast watershed area in Maguindanao, a province from the Autonomous Region in Muslim Mindanao (ARMM) located in the Southern island of the Philippines. At present, Maguindanao is home to diverse communities – the Moro peoples, the migrant settlers mostly from Visayas, and the Téduray, Lambangian and Dulangan Manobo indigenous peoples.

Timuay Alim belongs to the Téduray indigenous community. He is a member of Mintéd sa Ingéd, a supreme council of Téduray and Lambangian chieftesses and chieftains that forms policies for the community through their Indigenous Political Structure, Timuay Justice and Governance (TJG). Albeit no longer a Timuay Labi, or “supreme

chieftess or chieftain” in the closest English translation, he is still called Timuay by the Téduray and Lambangian because of his ability to lead and gather community members through the might of his words and sharpness of intellect.



*Titay Bleyen Santing narrates the history of the Téduray and Lambangian peoples' struggle against illegal logging.*

*“Noong 2003 kasi, maraming pinutol na mga kahoy dahil pinayagan ang mga loggers na mag-mechanized logging dito sa Upi.*

(It was in 2003 when mechanized loggers were allowed to cut trees in Upi),” Titay Bleyen Santos Unsad answered one of many questions going through my mind.

Titay Bleyen Santing is also a member of Mintéd sa Ingéd. His duty as a Titay Bleyen is to represent and fulfill other duties of the Timuay Labi, such as speaking in public engagements and lobbying with key government officials to voice out the calls of the Téduray and Lambangian communities.

I came to understand that many of the commercial loggers, at that time, were able to get permits from the Department of Environment and Natural Resources – Autonomous Region of Muslim Mindanao (DENR-ARMM) through the Industrial Forest Management Agreement or

IFMA<sup>[ii]</sup>. This department order gives the “qualified applicant the right to develop, utilize and manage a specified area, consistent with the principle of sustainable development<sup>[iii]</sup>.” Loggers who were able to secure IFMA guaranteed DENR that they will replant tree seedlings in exchange for cutting older ones, by citing the Industrial Tree Plantation Lease Agreement. Yet such agreement proved no sustainability as the stripped forests remain and are continuously being denuded, and planted seedlings are now left to wilt.

*“Nanindigan kaming mga Téduray at Lambangian na itigil ang pagputol ng mga puno. Kinausap namin ang munisipyo at DENR- ARMM pero wala rin silang magawa dahil inapprove yung IFMA nila. Kaya gumamit kami ng ekstra-ligal na pamamaraan. Sinunog namin ang mga sasakyan at equipment ng mga loggers. Makalipas ang isang taon, natakot at tinigil ng mga loggers ang pagputol ng mga puno.*

We, the Téduray and Lambangian, stood by our campaign against massive logging of trees. We talked with the town hall officials and DENR-ARMM but they cannot take appropriate actions as they approved the IFMA applications of these loggers. That is why we resorted to extra-legal measures. We burned the loggers’ trucks and equipment. After a year, they stopped cutting trees),” Titay Bleyen Santing recounted.

## STEWARDS TO THEIR ANCESTRAL DOMAIN

The ancestors of Timuay Alim and Titay Bleyen Santing had long lived in the areas of Maguindanao. The areas are part of their ancestral domain where their lives have always been intertwined and in harmony with the environment. Because of this, the Téduray, Lambangian, as well as the Dulangan Manobo peoples, have inherited the duty of being the environmental stewards of their land.

## State of IP rights in ARMM

Based from oral history, Mamalu, the ancestor of non-Moro indigenous peoples, and his brother, Tabunaway, the ancestor of the Moro peoples, made a sacred pact of delineation in their area<sup>iii</sup>. This pact is what the Téduray, Lambangian and Dulangan Manobo peoples have been holding on to in their assertion for right to ancestral domain.

With the enactment of RA 8371 or Indigenous Peoples Rights Act (IPRA) of 1997, the recognition of indigenous rights was implemented in all regions, except ARMM. This is due to the provision under RA 9054 that the Regional Legislative Assembly of ARMM must enact its own laws for the non-Moro indigenous peoples in their region<sup>iv</sup>. Despite the passing of the MMAA 241 that recognizes the self-governance of non-Moro indigenous peoples in ARMM, no single law in the region has fully recognized the rights of the indigenous peoples, especially their right to ancestral domain.

It was only in 2014 that the National Commission on Indigenous Peoples (NCIP) En Banc passed a resolution approving the processing of delineation and survey of the Téduray, Lambangian and Dulangan Manobo communities’ unified ancestral domain. In the middle of the process, however, the Dulangan Manobo community withdrew the inclusion of their ancestral domain from the unified claim.

The Téduray and Lambangian communities continued processing the Certificate of Ancestral Domain Title (CADT) and is now nearing its completion.



*The map of their ancestral domain area in Maguindanao. It covers the whole municipalities of Datu Blah Sinsuat, Upi, South Upi, the upland portions of Datu Odin Sinsuat, Talayan, Datu Saudi Ampatuan, Datu Unsay Ampatuan, Datu Hoffer Ampatuan, Datu Sangki Ampatuan, Guindulungan and Ampatuan, and six northern barangays of Lebak and Sultan Kudarat.*

Staying true to their duty as environmental stewards, the Téduray and Lambangian communities organized a caravan called “Lakbay Tribu para sa Gubat at Lupaing Ninuno (Indigenous Peoples’ Caravan for the Forests and Ancestral Domain)” from April 7 to 14, 2006. For seven days, 1,000 participants, including the women and the youth, trekked across the municipalities of Upi and South Upi, passing by five important landmarks within their ancestral domain. The aim of the caravan was to



*Timuay Alim and Titay Bleyen Santing explain the color legends on their 3D map that shows forested areas, settlements, commercial farms and sacred places.*

register their calls to stop illegal cutting of trees in the forested areas of Maguindanao. Their struggle to protect the forests and ancestral domain continues up to this day.

## THREATS TO THEIR ANCESTRAL DOMAIN

Currently, there are three major protected areas in Maguindanao: Mt. Ketulungan, Mt. Blit and Fakal Range. These are all watershed areas and are sources of drinking water and agricultural water supply for South-Central Mindanao. But the protected areas have become very much exposed to the furtive practice of illegal carabao-logging, now that massive logging is banned in

## DENR *gives go signal* To SAPA

However, on May 4, 2018, Environment Secretary Roy A. Cimatú lifted the suspension to the Special Use Agreement of Protected Areas (SAPA) <sup>v</sup> – a move that further opens the use of protected areas to any private or public entity apart from the indigenous communities and tenured migrants living near or within the area.

The new order provides an addendum on collecting development fees from SAPA applicants. According to Biodiversity Management Bureau Director Theresa Mundita S. Lim, the fees will increase DENR’s revenues up to P500 billion annually<sup>vi</sup> making the lift of suspension reasonable for the environment secretary.

This can be an added obstacle for communities like Téduray and Lambangian wherein they are still in the process of securing a CADT for their ancestral domain that also cover most of the protected areas in Maguindanao.

Maguindanao after the impact of Typhoon Sendong in 2011.

Despite the numerous violations and threats against their rights as indigenous peoples in Maguindanao, Timuay Alim and Titay Bleyen Santing still believe that unity and self-determination are important elements to the continued recognition and protection of the rights of their peoples, and of all indigenous communities. There is no mistaking in their will to continue fighting for indigenous peoples' rights until their full realization.

## ASSERTION OF THEIR RIGHT TO ANCESTRAL DOMAIN

After we trekked down the hill, Timuay Alim, Titay Bleyen Santing and I continued our conversation down the bamboo hut, while eating boiled rootcrops from the Timuay Alim's farm.

*"Kahit sabihin nating walang NCIP sa ARMM na magsisigurado ng implementasyon ng IPRA, hindi kami maghihintay para sa gobyerno na i-implement ang aming mga karapatan. Kinikilala at pina-practice na namin ngayon ang aming mga karapatan bilang mga katutubo ng Maguindanao."*

(Even though there is no NCIP in ARMM that would ensure the full implementation of IPRA, we will not wait for the government to implement our fundamental rights. We have always recognized and exercised our rights as indigenous peoples in Maguindanao)," Titay Bleyen Santing said after finishing the cassava harvested from the land their peoples have been defending since time immemorial.



*Photo of the participants from different parts of the Philippines in a cross-visit to Upi, Maguindanao hosted by Ugnayang Pambansa para sa Katutubong Kaalaman at Talino (UPAKAT), a nationwide indigenous community's organization that promotes and protects Indigenous Knowledge Systems and Practices. Titay Bleyen Santing is the current chairperson of UPAKAT.*

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*Some members of Timuay Justice and Governance (TJG) with Legal Rights and Natural Resources Center - Kasama sa Kalikasan (LRC-KsK) paralegal, Arjay Barrios*