**Input for the Report of the Special Rapporteur on the rights of indigenous peoples to the General Assembly - Impact of COVID-19 on Indigenous Peoples**

**Introduction**

Indigenous peoples in Asia are among the most discriminated against, socially and economically marginalized, and politically subordinated parts of the society in the countries where they live. The COVID-19 pandemic has generally exacerbated existing inequalities and current forms of discrimination faced by many Indigenous Peoples. This report presents a general overview of the situation of the rights of indigenous peoples specifically in Philippines (Negros Occidental and Cebu City), based on the information gathered by the International Presentation Association – a Non-Governmental Organization accredited with special consultative status to the UN ECOSOC since 2000 – in relation to the impact of COVID-19 on these people. This report does not attempt to provide a full picture of the situation. These considerations can, rather, serve as a first input to the Report of the Special Rapporteur on the rights of indigenous peoples to the General Assembly - Impact of COVID-19 on Indigenous Peoples. Most of the data presented here were taken from the records of Nano Nagle Center-Cebu, a center run by the Sisters of the Presentation of the Blessed Virgin Mary. Part of the data was also gathered through local networks and partners of the International Presentation Association.

**COVID-19 and Indigenous Peoples in Philippines.**

**i.** The majority of Indigenous Peoples is located in geographically isolated and disadvantaged areas (GIDA). The lockdowns imposed as a response to the COVID-19 caused additional hardships for **access to basic economic, cultural and social rights**. States of emergency, like this pandemic, contributed to threats or aggravated ongoing human rights violations against indigenous peoples.

With regard to the protection of their traditional land and resources, the Badjao tribe in Cebu City cannot claim an ancestral land because they are not originally from Cebu. This was the statement from the government in one of the consultation meetings initiated by the Sisters of the Presentation of the Blessed Virgin Mary. The small piece of land that they occupy for over 60 years now is partly leased to the Presentation Sisters and the other part is owned by the government. The government is currently running a project for the city reconstruction and some of the houses need to be demolished or relocated, without any prior consent of the Indigenous Peoples affected. This happens even during the pandemic. Indigenous Peoples have nowhere else to go, they do not have savings to use for emergencies and on top of that they have the fear of not being accepted and treated accordingly when accessing basic social services. The tribe always lives in fear; Fear of not being accepted by the society resulting to constant bullying and discrimination. “It is like being afraid of the dark, afraid of the unknown”. None of the teachers in the government schools speaks the Badjao language. This is the reason why most of the students that go there are misunderstood. Their parents too cannot understand the direct instructions given by the teachers. The immediate action taken is remedial classes for the children in the Nano Nagle Center, where licensed Badjao teachers work, and constant parental meetings and conferences are taking place to let the parents understand what is happening in the schools. The continued education and community development program of the Presentation Sisters significantly helps in strengthening the capacity of the community leaders and youth leaders to exercise their rights.

Indigenous Peoples are also excluded from full participation in the decision-making for matters that affect their rights. No consultation and no invitation of the community representatives for decision-making especially at the time of the pandemic.

In Cebu City, during lockdown, most of the elderly people in Badjaos tribe complained about being “imprisoned” in their homes when they wanted to go out to be with the other elders for ritual purposes. However, the government had forbidden them to have rituals. Most families could not stay inside their homes though due to the very limited space they have. With the moving restrictions, they were also forbidden to go out fishing and sell fish and pearls. The tribe was worried where to get food, how to buy water and other necessities. The government provided rice for the tribe and few canned goods. The Badjaos, especially the elderly, do not eat processed food, do not eat rice always, because their staple food is cassava (a root crop). Again, with travel restrictions, they did not have the chance to buy cassava. Had the government considered the needs of the tribe, it would have been good if fish and cassava were delivered to the community. Vegetables said to be delivered together with the rice, but the vegetables vanished before it arrived to the tribal community. The discrimination against the Badjaos was evident as the community was put under hard lockdown due to the high rate of COVID cases. The Badjaos were always the last group to receive whatever was given to the community. Most of the time, they came home empty handed.

In Negros Occidental, Indigenous Peoples from the uplands used to bring their products such as vegetables, honey, forest foods, livestock, etc. to the market in order to buy other household commodities. However, lockdowns prevented them from marketing their products; which meant “no income” for the needs of their families. Indigenous children and youth stopped schooling; Public utility vehicles also stopped traveling or stopped the conduct of their usual activities thus prohibiting Indigenous Peoples to travel because of 50% to 150% increase of the fair due to physical or social distancing policy. Bukignons cultural practices like “Pangalap”, which is a gathering of medicinal plants and preparing medicinal concoctions, gathering of forest food and transferring of Indigenous Cultural Heritage to the children and families, also stopped or slowed down. “Panghuman” which is their family, clans, community celebrations performed by the babaylans also stopped and slowed down because of restrictions to travel and transfer from one town or province to the other. School of Living Traditions (SLTs) also stopped its operations.

**ii.** The indigenous communities also face **increased risks and disproportionate health impact** during this pandemic.

For those of them that live far from urban areas, the distribution of relief goods and services by the government could not be immediate. Even the Indigenous Peoples that live in urban areas, they are not allowed to travel to their farms or to the forests to gather food due to the lockdown. Scarcity of food would eventually affect the health condition of the children, as well as the elderlies, driving them to malnutrition. The Indigenous Peoples are also discriminated against and victimized for their origin and identities while enjoying their basic rights, such as health services.

In Cebu City, if the medical professionals see that the patient is a member of an indigenous tribe, they will be given less priority and will be sent home even without administering necessary laboratory tests. This happened prior to the pandemic and continues now. The tribe speaks very little of the City’s dialect, as they prefer to use their own, and the medical professionals do not speak the tribe’s dialect. In April, when the pandemic was at its peak, two young mothers accidentally gave birth to their babies on the very rickety bridge of the community, consecutively. This happened because these women refused to go the hospitals due to fear of contracting the coronavirus. A young man had severe stomach pain. He was rushed to the hospital. When questioned by the doctor, he said the pain was tolerable due to his fear of being confined during the pandemic. He was sent home by the doctor and died the next day.

**iii.** The **collection of information** by the government **on the impact of COVID-19 on Indigenous Peoples** happens in various ways. In the case of the Island of Negros Occidental, the National Commission on Indigenous Peoples (NCIP) gathers data utilizing their regional, provincial and service centers. The National Commission for Culture and the Arts (NCCA) gathers data through the Sub-Commission on Cultural Communities and Traditional Arts (SCCTA)’s National Committees on Cultural Communities cluster heads around the country. The Commission on Human Rights (CHR) also gathers data through its network focus on the 4 – bundles of rights in IPRA (R.A. 8371). The Department of Health, NCIP and other Agencies, including Indigenous Peoples Organizations in Negros Occidental, established the Indigenous Peoples – Provincial Inter-Agency Committee (IP-PIAC) to respond to the health care needs of Indigenous Peoples.

**iv.** The establishment of the Indigenous Peoples – Provincial Inter-Agency Committee considered a **good practice** example to redress the disproportionate impacts of the pandemic on indigenous peoples’ health. Also, the NCCA through its Sub-Commission on Cultural communities and Traditional Arts programs basically recognized the Indigenous Peoples’ traditional knowledge and practices on health care. Many of these traditional health practices were included or integrated in the School of Living Traditions (SLTs) classes. In transferring the Indigenous Cultural Heritage element on language for example, the children learned the different local plants used as medicine by the ancestors and by the elders. The SLTs were then encouraged to integrate biocultural diversity in their schools especially in this time of the pandemic in order to respond to the needs of the students/learners in terms of health and food security.

The Confederation of Indigenous Peoples Organizations in Southern Negros Occidental encouraged their indigenous members to immediately support houselots/farmlots and ancestral domain/lands gardening and establishments of BioCultural Diversity Learning Sites (BCDLS) to provide immediate and sustainable food security to Indigenous Peoples in anticipation of scarcity of food supply due to prolonged lockdown.

The Badjao Tribal leaders in Cebu City, youth leaders and Nano Nagle Teachers worked hand in hand to address some of the problems and forms of discrimination in the area. Through teleconference, these groups had constant communication to address the problem at hand. When the State announced the mandatory measure of wearing masks and implemented curfew hours, a representative of the State went to the Badjao area to deliver the message. In order to let the community understand the message and impacts of the mandate, the teachers of the Nano Nagle Center, who are also members of the tribe, translated the information in their own language and explained further to the tribe the reasons of wearing face masks and why they were not free to go out anytime they wanted to.

**v.** This latter example is strongly related to how the **information about COVID-19 was disseminated in Indigenous Peoples**.

In Cebu City, information dissemination was conducted by the Nano Nagle Center together with the Badjao Youth Council. There were stages of conducting information dissemination:

* + Parents’ orientation by group-even before the quarantine period;
	+ Community information dissemination by the Youth council and
	+ Putting up posters and signage in the community on what to do and what not to do during the pandemic. All posters were in the indigenous people’s language.

In Negros Occidental, information about COVID-19 and prevention measures was disseminated through the radio and health workers. However, in the case of the Confederation of Indigenous Peoples Organizations in Southern Negros Occidental, they disseminated information through the Indigenous Peoples leaders. When COVID-19 pandemic started, there were printed posters and reading materials distributed to the Indigenous Peoples leaders in Tagalog, a national language that could be understood by many.

**vi.** Certain **measures have been taken to provide health care** and other forms of urgent assistance for indigenous communities during COVID-19 crisis. The NCCA provided Cash Assistance to the cultural communities through its National Committees on Cultural Communities and even in the School for Living Traditions. The NCIP provided a legal framework to encourage government agencies to give priority to Indigenous Peoples during the pandemic. NGOs, church, religious groups/faith-based organizations, and even private individuals also provided relief goods/food packs and cash assistance to Indigenous Peoples.

In practice, however, there were instances where Indigenous Peoples were less taken into account in the development of assistance and relief programs. For example, in the Cash Assistance Program many Indigenous Peoples were not marked as Indigenous Peoples thus in the prioritization many of them did not receive assistance. The gaps in this situation lied on the ignorance of the surveyor or those conducting census. The existence of Indigenous Peoples was not explained well to them nor did they understand the “Indigenous Peoples box” to be checked for the Indigenous Peoples respondents. Political maneuvering is another factor we should consider in these situations.

**vii.** The **lessons that can be learnt from indigenous traditional practices** and initiatives are significantly important in an effort to protect health and provide assistance during this pandemic. The sense of solidarity was increasingly demonstrated in the indigenous communities. In Badjaos tribe, when food at some point did run out for some families, they always shared their resources. When they had the first patient in their community, they conducted a community ritual right away. Their relatives from other communities shared their traditional way of fighting against the pandemic and the members of the tribe followed and performed the ritual too. The head of the community (panglima/chieftain) constantly reminded them not to go out unless it was an emergency. Some indigenous leaders in Negros Occidental assisted in the check-in points to prevent other people from entering their territories.

Indigenous Peoples in Negros Occidental used their own Indigenous Knowledge, Systems, Practices and Spirituality (IKSPS) in the preparation and production of a medicine to prevent or kill any viruses that might attack individuals, members of their families, as well as the leaders themselves. They had their own way of prevention such as:

* + - * Preparing a traditional antidote for the possible health impact of COVID-19 to indigenous families or communities done through a ritual,
			* Seeking the guidance of their Kagikans on how to prevent viruses or pandemic if enter their territories,
			* Isolating seek individuals or groups in a house and preventing others to come near the area where the sick indigenous members stay,
			* Gathering forest food for the family, clans and communities in case there is scarcity of food caused by a pandemic,
			* Giving birth in the community using their IKSPS,
			* Rituals to drive out bad spirits that may cause pandemic in their communities.

The NTFP-EP Philippines and NTFP-EP Asia gave the opportunity to the Confederation of Indigenous Peoples Organizations in Southern Negros Occidental to share its experiences, responses to COVID-19 crisis and plans to post crisis during its recent Regional Conference of Indigenous Communities Conserved Areas (ICCA). This activity demonstrates the recognition and respect for the Indigenous Peoples local initiatives in responding to the COVID-19 pandemic.

**CONCLUSIONS**

Indigenous Peoples in the Philippines face, even during the COVID-19 health crisis, various patterns of discrimination, marginalization and human rights violations similar to indigenous peoples in other parts of the world. Much remains to be done in order to mainstream indigenous rights into national policies. Insensitive and abusive official policies need to be overthrown by responsible and inclusive ones.

Culture is a pillar of sustainable development. There is no genuine sustainable development without respect for the cultural diversity. Indigenous Peoples should participate in the design and implementation of all policies that may affect them directly or indirectly. They should be involved in decision-making processes at all levels in the countries in which they live. The protection, recognition and appreciation of Indigenous Peoples rights is a human rights imperative at all times, including in emergency situations like the COVID-19 pandemic.

Respectfully,

Dr. Despoina Afroditi Milaki

NGO Representative at the UN for the International Presentation Association (IPA)

June 15, 2020