

## Mapping the Ancestral Lands and Waters of the Calamian Tagbanwa of Coron, Northern Palawan

*Philippine Association for Intercultural Development*

*10 March 1999*

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The year 2000 ushers a crucial challenge for local governance in the Philippines and that is the looming conflict over depleted natural resources. Faced with a post-war legacy of intensive natural resources extraction, local communities, towns and cities now grope with a scarcity of basic natural commodities such as arable land, timber, and water. There is a growing fiscal expenditure on disaster relief in the wake of a major climate shift and poor environmental management as observed in the floods in northern Mindanao, forest fires in Palawan, red tide in Manila Bay and inadequate waste disposal in the nation's major cities. The country's population now totals to 75 million Filipinos and is expected to double within the next 30 years. Local governments today contend with the crippling reality that more than half of all Filipinos live in dire poverty without access to basic services such as education, water, housing and primary health care. With scarce funds and personnel coupled with the uncertainty of political tenure, how can local governments respond to the basic conditions of the new millenium?

Palawan's northern cluster of islands is the setting for a community initiative that was shaped by such conditions. After perhaps thousands of years of settlement, eight Calamian Tagbanwa communities faced imminent disenfranchisement in the modern age because of the unabated, wholesale destruction of local marine resources. Despite coordination with barangay, municipal and law enforcement authorities, the communities' past efforts to contain illegal fishing and large-scale, commercial fishing had been hampered by a lack of legal recognition over their right to utilize, regulate and manage customary earth and marine resources.

In the search for legal measures that could address this issue, Calamian Tagbanwa communities faced a yawning gap between the Philippine legal system and indigenous notions of ownership and inheritance. Since Philippine law had been adapted from Spanish and American colonial systems, the basic law remained silent on the territories of indigenous peoples. Up until the Freedom Constitution of 1987, "Native Title" or the traditional ascription of territories to indigenous ethnolinguistic communities "since time immemorial", remained at the margins of the law.

Yet even among advocates for equity of access to natural resources, the experience and historical reality of indigenous fisherfolk such as the Calamian Tagbanwa are unfamiliar. Who are the indigenous fisherfolk? What composes their traditional territory? Where are the indigenous seas?

In a historic step, the Calamian Tagbanwa of Coron have filed the first formal legal claim in the Philippines for their "ancestral waters" or *teeb ang surublien*. Notions of customary marine resources however are not confined to the Tagbanwa: the Badjaos of Basilan and Sulu; the Molbog of Balabac, Palawan; and the Agta, Ati or Ata of northeastern Luzon, Boracay and other islands all maintain traditional lifeways anchored in the sea. In 1992 the Nunavut Inuit of Northwestern Canada signed a treaty with the Government of Canada that granted "aboriginal title" to the Nunavut Settlement Area encompassing not only the land but the waters and land-fast ice as well. And lastly, in terms of using community mapping to identify and claim traditional marine resources, the Calamian Tagbanwa have much in common with the the Miskito Reef and Caribbean peoples of Nicaragua

This paper outlines the efforts and successes of Calamian Tagbanwa communities in gaining legal recognition of their ancestral lands and waters, promote community management of coral reefs and ancestral



Calamian Group of Islands,  
northern Palawan Province

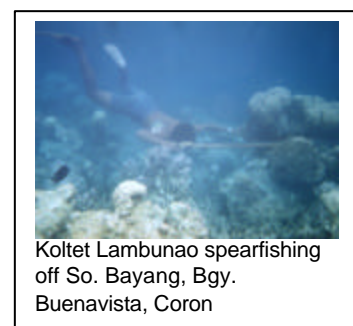
islands, and forge productive partnerships that aim to spread the cost and burden of managing and conserving a vast area of northern Palawan.

### Who are the Calamian Tagbanwa?

The Calamian Tagbanwa form a language population distinct from the Tagbanwas of mainland Palawan. Their communities are mainly found in the Calamian and Linapacan groups of islands as well as certain areas of the northern part of mainland Palawan. The Calamian Tagbanwa's ancestors practiced cave burial and were nomadic fisherfolk and foragers, periodically shifting along the shores and outlying islands of mainland Busuanga. Burial caves in Coron Island and Busuanga still contain the remains and personal possessions of their ancestors. Due to these traits, Robert Fox believed that the Tagbanwa and Pala'wan may have inhabited Palawan and the Calamianes islands for nearly 3,000 years.

One of the earliest historical accounts of the Philippine islands, the *Chu-fan-chi* published in 1225, contains a description of the early peoples of the Calamianes who evidently conducted extensive barter trade with Chinese merchants.<sup>1</sup> In the annals of Augustinian friars written in 1663, Fray Luis de Jesus described his mission's first encounter with the Calamian Tagbanwas of Coron Island, an area that even then was deemed a "sacred place" by its inhabitants.<sup>2</sup> Prior to 1624, Fray Juan de la Concepcion also records the Calamian Tagbanwa barter trade of edible swiftlet nests or *luray* in Tagbanwa, the fragile ingredient of the Chinese delicacy known as nido or bird's nest soup.<sup>3</sup> Hence through Chinese middlemen, the Calamian Tagbanwa have been participating in global trade for at least 400 years.

Despite the influx of Tagalogs, Visayans and other Palawan groups into the Calamianes, the Tagbanwas of Coron compose more than 20% of the municipality's population. Most Tagbanwa families engage in subsistence fishing using hook-and-line, spears, and nets, and farm small *kaingin* gardens. A few cultivate *palay* in irrigated plots while several families in Coron Island and Tara harvest swiftlet nests from clan caves hidden in the sides of tall, vertical cliffs. Clan caves are cared for and harvested of swiftlet nests from generation to generation, along with newly discovered nesting caves. Currently, not a few families engage in the small-scale, commercial trade for fish and other marine products such as octopus, *balat* or sea cucumber, and *samung* or shells for export. As in subsistence fishing however, the total commercial catch for octopus and fish among the Tagbanwa is limited to how much can be sold or consumed for a day or a week since refrigeration and other electric utilities are generally absent.



Koltet Lambunao spearfishing off So. Bayang, Bgy. Buenavista, Coron

There are prescriptions for fishing and foraging among the Calamian Tagbanwa. Certain areas are protected as fish sanctuaries while others are carefully avoided or respected as taboo such as the *panyaan*, an area in the sea where the Tagbanwa believe giant, human-like octopus or *pugita* dwell. The inland lakes of Coron Island as well as deep areas in the sea that are unusually pristine are considered *panyaan*. Land is traditionally inherited through women as the men settle with their in-laws upon marriage. Moreover it is estimated that through his lifetime, a Tagbanwa male spends 10 months out of 12 in the sea.

### Current Threats and Challenges

The Calamian Tagbanwa homeland was once host to rich, diverse, unique and ecologically intact marine and terrestrial ecosystems unrivaled in Southeast Asia. Anthropologists from the National Museum,

<sup>1</sup> Chau Ju-Kua, *Chu-fan-chi*, in G. Zaide and S. Zaide (Eds.), *Documentary Sources of Philippine History* (Vol. 1, pp.3-8), Navotas: Navotas Press, 1990.

<sup>2</sup> Fray L. de Jesus, *Historia General de los Religiosos Descalzos del Orden de los Hermitaños del Gran Padre, y doctor de la Iglesia San Agustin, de la Congragacion de España, y de los Indias* (1663), in E. Blair and J. Robertson (Eds.), *The Philippine Islands 1493-1893* (Vol. 21, o. 226), Cleveland: Arthur H. Clarke Company, 1903.

<sup>3</sup> Fray J. de la Concepcion, *Historia General de Philipinas, Conquistas espirituales y temporales de estos Españoles Dominios, establecimientos Progresos, y Decadencias*, in E. Blair and J. Robertson (Eds.), *The Philippine Islands 1493-1893* (Vol. 21, o. 226), Cleveland: Arthur H. Clarke Company, 1903.

marine scientists from the University of Georgia as well as the national program for the Integrated Protected Areas (IPAS) have deemed the area one of the richest in terms of biological diversity, featuring tropical lakes that may be unique in the world. It is also one of the largest sources of economically important marine life and remains a major supplier of marine products to Hong Kong, Taiwan, Manila, Lucena, Malabon, Mindoro, Cebu and other Visayan islands.

Yet the onslaught of dynamite and cyanide fishing has changed all that. Major coral reef systems that had sustained generations of Calamian Tagbanwa communities for hundreds of years have now been reduced to rubble. Large swathes of coral reefs surrounding ancestral islands have been chemically poisoned and killed. The entry of large *duldog* or *muro-ami* boats have pounded and destroyed large reef areas. Finally, large “superlights” ventures have indiscriminately harvested fish and other marine life such as dolphins within the 15 km. zone.



Kayangan Lake, one of the inland lakes of Coron Island. A National Geographic Magazine photograph taken in the 1930's shows that the same area has remained undisturbed.

Efforts to stop illegal fishing were undertaken by municipal authorities and the Palawan Council for Sustainable Development (PCSD) through Bantay Dagat, a multi-sectoral task force that involved law enforcement, political executives, people's organizations and NGO's. Implementation was critically challenged at the local level due to the vast area that had to be policed, the limited resources for law enforcement, and the fact that in not a few instances, the perpetrators spent only a day or two in jail and were later released with no charges filed. After facing grave threats and personal hardship in arresting violators, many local officials from Tagbanwa barangays were soon discouraged by Bantay Dagat's uneven enforcement within ancestral waters. Tagbanwa elders and community leaders faced the very real possibility of being forced to abandon their ancestral islands as the marine environment which had served as their life support system was evidencing signs of severe stress. Between 1989 and 1995, the average fish catch around Tagbanwa islands had been reduced to less than half the former capacity. The diversity of fish and other marine species was also noticeably dwindling. Meanwhile, waves of migrant fisherfolk as well as large fish contractors from Lucena, Mindoro, Cebu and other Visayan islands began to overwhelm the area.

Yet graver issues were threatening the viability of their ancestral islands to support their families and communities. In the early '70's, the municipal government of Coron announced that it was seizing all the clan caves in Coron Island and declaring them as its property. As such, all the clan caves were to be auctioned off (*subasta*) to raise revenue for the municipal treasury, and the winning bidder assumed ownership of the swiftlet nests harvested within. In an instant, the Tagbanwas of Coron Island were reduced from being owners and sellers to gatherers paid for their labor.

In yet another campaign to raise the tax effort of the treasury, the municipal government auctioned off tax declarations which had lapsed with their payments. Titled areas are a rarity in Coron since nearly all lands are unclassified areas of the public domain. Instead, tax declarations are issued as receipt of improvements on government land. However, certain political executives had taken the view that tax declarations were proofs of ownership of the land itself. Since most of the Tagbanwas could not afford the annual payments dictated by the municipal treasury, many of their tax declarations were auctioned off to tourist resort developers, real estate agents, and the like. The buyers, convinced that they had gained rights over the land, attempt to evict Tagbanwa families from holdings which had been occupied or used by communities since time immemorial, for example white sand beach properties.

Yet in other Calamian Tagbanwa communities, tourist resort developers simply grabbed lands and evicted entire Tagbanwa sitios after securing contracts from local DENR units. Pasture lease agreements issued on ancestral islands had been granted by the CENRO to local political leaders such as mayors and municipal councilors. A pattern of political patronage in exchange for contracts and permits for the extraction and use of natural resources was emerging.

From the early '90's, the pressure on the Tagbanwa to leave their islands and give way to tourist resort owners and developers began to intensify. The entry of tourists into their homelands also caused grave concern for the safety of their children who remain free to roam the islands and forage for food without fear.

### **Saragpunta: the Gathering of Tagbanwa Foundations**

As an immediate response to the auction of the clan caves, barangays Banwang Daan and Cabugao organized themselves into the Tagbanwa Foundation of Coron Island (TFCI). In 1985 the TFCI began to apply for a Community Forest Stewardship Agreement (CFSA) with the DENR covering the islands of Coron and Delian. After years of persistence the application was granted in 1990 and following the conditions set forth in the agreement, the DENR returned the clan caves to the TFCI and rescinded all the tax declarations issued on both islands.

The success of TFCI's CFSA reached many Calamian Tagbanwa clans in the outlying islands. Elders and community leaders from the Coron barangays of Bulalacao, Turda, Buenavista, Malawig and Tara began to exchange information with TFCI board members and barangay leaders. Each barangay began the process of building community organizations focused on securing tenure over their ancestral domain.

From meetings and exchanges held to discuss the limits of the claim, it was clear from the outset that the Tagbanwa's home ranges included not only the ancestral islands but also the traditional fishing grounds, fish sanctuaries, diving areas for *balat* and *samung* and other submerged areas that were threatened with destruction. It was realized that the CFSA was not equipped to protect these vital areas since the tenure instrument was limited to lands in the public domain. After studying the land tenure options open to them, discussions groups formed among the sitios, barangays, the elders or *mepet*, and leaders of the different foundations. A consensus was reached to take advantage of PCSD's founding charter, Republic Act 7611 passed on June 19, 1992, that expanded the definition of ancestral domains in Palawan to include coastal zones and other submerged areas. On February 19, 1993, seven Coron barangays filed an application for a Certificate of Ancestral Domain Claim (CADC) with the CENRO, seeking support from the PCSD, the mayor and other municipal executives.

After 4 years of working together and advocating for their CADC application in different government agencies and fora, the 7 Tagbanwa foundations federated into the Saragpunta, a name that was hewn from the word *saragpun*, which means "let us gather". Beyond close kinship ties among its leaders, the strength of Saragpunta's unity is rooted in its member organizations' common interests, common identity, a shared past and a shared future. Presently, the Tagbanwa Foundation in Biong, Culion has joined the federation, and the Balik Calauit Movement (BCM) has signified their intention to affiliate with Saragpunta. Today Saragpunta consists of several community organizations based in the following areas: Coron Island, Delian Island, Bulalacao Island, Camanga Islands, Napaskud Island, Tara Islands, Turda, Buenavista, and Malawig in the municipality of Coron; Biong in the municipality of Culion; and Calauit in the municipality of Busuanga.



Saragpunta Board Members at prayer prior to a meeting in Camanga Gesye, 1998.

### **The Mapping Initiative**

Department Administrative Order No. (DAO 2), the DENR program for delineating ancestral domain claims, required the Saragpunta to collect affidavits, sketch maps, historical accounts and other proofs to support their CADC application. As part of collating evidences to support the Calamian Tagbanwa's role as the first group of settlers in the area and to prove their continued occupation and use of their homelands since time immemorial, the histories of place names throughout Coron and the adjoining coral reef systems were documented.

#### **1. Community Meetings & Informal Exchanges**

In time, community meetings and informal exchanges were organized among the elders to determine what the traditional home ranges of the Calamian Tagbanwa were. After a long process of exchanging oral histories in the sitios and barangay meetings, a picture of the components of the ancestral domain claim began to emerge. Additionally, a formal barangay meeting for each community organization was organized to explain the prescriptions and requirements of DAO 2.

## 2. *Bases for the Boundaries of the Ancestral Domain*

Despite the variety of marine resources in their homelands, the Calamian Tagbanwa's singular criteria for the setting of marine boundaries was the sea territory passed on to them by their ancestors and used continuously to the present day. In general, coral reefs formed the backbone of their traditional fishing grounds. The outer limits of the boundaries were the diving areas for marine species that have been traditionally important to the Calamian Tagbanwa's livelihood, such as *balat* and *samung*. The ancestral waters included the *panyaan*, the fishing grounds of their ancestors, fish sanctuaries and other reserved areas, diving areas, inter-tidal flats where shells and other crustaceans were foraged, sandy and muddy shoals, atolls hosting cave swiftlets, deep sea areas and other collection areas for marine species other than fish such as oysters

The ancestral lands included the islands and settlements that composed the home ranges of Calamian Tagbanwa's ancestors when the clans were still nomadic fisherfolk and foragers. Natural features such as mountain ranges, peaks or the roosting area of the snake-like iraw balidbiran bound off ancestral lands on Busuanga Island.

## 3. *Community Sketch Maps*

After discussions in homes, sitios and barangays, meetings among the elders and adults were facilitated to produce the community sketch maps. The community sketch maps set the limits of the boundaries, document the place names, the location of camps, sitios and larger villages, the resources found in the ancestral waters, clan caves, forests, mountain ranges, inland lakes and rivers. Using these community sketch maps, the boundary corners for land areas and the survey path for marine boundaries were set. Further meetings finalized the survey plans for each claim and the foundations set the preparations needed for the on-ground survey, such as gasoline, *bancas*, boat captains, the composition of the survey party, rice and other supplies. There were no contiguous boundaries among the 7 foundations since the 4 adjacent barangays in the north, namely Turda, Buenavista, Malawig and the Tara islands, agreed to be covered by a single ancestral domain claim.

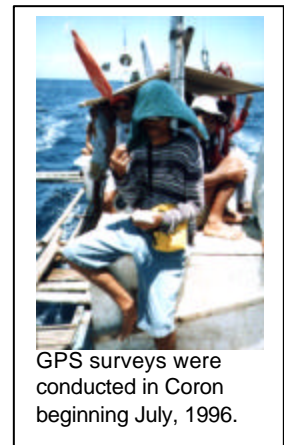
## 4. *GPS Surveys*

A series of surveys were conducted beginning July of 1996 using GPS or global positioning system receivers. GPS is a satellite positioning system that, coupled with differential correction and post-processing software, produced resource-grade boundary surveys with an accuracy of at least 5 meters. The data gathered from the surveys supplied the technical description of the boundaries. The boundary surveys were transposed on to digitized 1:50,000 maps from the National Mapping and Resource Information Authority (NAMRIA). Finally, the information contained in the sketch maps, namely the natural resources traditionally used by the Tagbanwa clans, the location of sitios and villages, burial caves, the *panyaan* and other taboo areas, and the contents of the ancestral waters tagged with the correct Tagbanwa names, were added onto to the community-generated map.

## 5. *Map Validation*

The maps were validated in the area and among Saragpunta's leaders through a lengthy process of consultations and revisions. Not a few elders and leaders were particular about the symbols used on the maps. During foundation meetings, several features on the maps and other sensitive information were excluded to protect them from poachers and other pirates. The technical descriptions were re-translated from Tagbanwa to Tagalog as a concession to DENR personnel. Finally, unlike the boundary corners for ancestral lands, the DENR had yet to prescribe the format for technical descriptions for marine boundaries.

After the series of meetings to validate the community-generated maps, the final maps of the 3 ancestral domain claims covering Coron Island, Bgy. Bulalacao and the northern region of Turda, Buenavista, Malawig and the Tara islands, were endorsed to the Palawan Provincial Special Task Force on



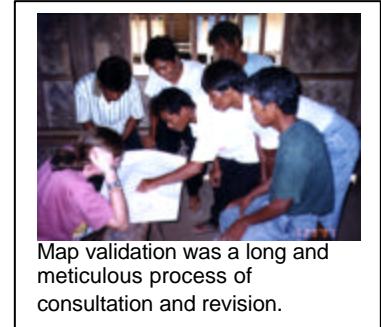
GPS surveys were conducted in Coron beginning July, 1996.



Ancestral Domains (PSTFAD), a multi-sectoral task force charged with processing, reviewing and validating ancestral domain claims.

#### 6. *Advocacy to PCSD, CENRO, PSTFAD, and the DENR*

The maps became important tools to introduce, locate, explain and convince government authorities and policy makers of the vital importance of the ancestral waters to the continued survival of Calamian Tagbanwa communities. The maps and their technical description were validated by the PSTFAD and were presented to the PCSD and the Coron Municipal Council. The maps and other basic documents of the CADC application were forwarded to the Regional Office for Region 4, and consequently endorsed to the Office of the DENR Secretary. In all the hearings where the maps and other documents were presented, not a single opposition disputed the veracity of the evidence, that is, the historical accounts, place names, and the claim of the Calamian Tagbanwa that their communities have been occupying and using their homelands since time immemorial, was accepted without opposition.



Map validation was a long and meticulous process of consultation and revision.

In response to the Saragpunta's application, the Coron Sangguniang Bayan filed more than 14 municipal resolutions opposing the ancestral domain claim. The council cited the interest of the burgeoning tourism industry, large-scale commercial fishing, as well as the entry of the European Union funded conservation program for the Integrated Protected Areas. The municipal council however did not dispute the evidence that the Calamian Tagbanwa have held time immemorial possession, occupation and utilization over these areas.

Addressing the counter-claims filed to reduce the Coron Island application, Undersecretary Antonio La Viña used the maps as bases for his decision to recommend the recognition of the Coron Island CADC, stating:

"... After carefully sifting through all the evidence presented by TFCI in support of their claim, we find that they have not only established their time immemorial possession over the two islands being claimed, but also over the waters indicated in their community map.

First, the claimant-group of indigenous peoples have been dependent heavily on their surrounding waters for the source of their livelihood, as the majority of them are traditional fisherfolk by profession. They still use the traditional methods of subsistence fishing using traditional tools, the practice of which dates back since time immemorial ...

The boundaries of their ancestral waters were not arbitrarily chosen, but were identified by reefs and were premised on their indispensable role in maintaining their indigenous concept of ecological balance ... Lastly, they have also designated areas open to small scale and traditional fishing. The subject Tagbanwa group considers each particular area as being intertwined with each other, and as a whole, forms part of their ancestral domain.

Given the foregoing premises, it is our opinion that the claimant Tagbanwas have sufficiently established that they have been using the two islands and the waters between and around them, as indicated in their community sketch map, since time immemorial, the same areas are part of their ancestral domain ... "

#### **Outcome of the Initiative**

In June 12, 1998, the Tagbanwa struggle for recognition of their Ancestral Domain (Land and Water) finally came into fruition. In the last days of the Ramos Administration, the CADC of Coron island consisting of 22,400 hectares of land and waters was signed and approved by the then DENR Secretary Victor O. Ramos after an exhaustive review of the claim.

The claim had been denied by the Provincial Special Task Force on Ancestral Domain (PSTFAD) in the earlier stages of the initiative to regain control over the traditional lands and waters of the Tagbanwa peoples. The PSTFAD cited the lack of existing policies regarding the inclusion of “ancestral waters” and “coastal areas” in the definition of Ancestral Domains. However, it was evident that the lack of understanding and familiarity of the Tagbanwa Peoples coupled with vague governmental policies and regulations played a major role in the PSTFAD’s adoption of an adversarial position.

The Tagbanwa initiative has put the Philippines on the world map, being the first “Ancestral Waters Claim” recognized by a Government. Its impact locally is just starting to be felt in various fields. Internationally, the Tagbanwa claim is seen as an inspiration to the Indigenous Communities such as the Indigenous Peoples of Maluku in Indonesia and the Aborigines of Torres Straits in Australia. Representative from these groups have gotten in touch with the Tagbanwa and have asked for information regarding the details of the ancestral domain claim.

Although only the Coron Island claim was approved, the Tagbanwa still consider it a success since it signals Government’s slow acceptance and understanding of the Indigenous Peoples traditional rights over the country’s natural resources. More importantly, the Coron Island claim has a more significant value as it lies in the heart of Tagbanwa culture. As mentioned earlier the Island is seen as the central locus of activities and initiative both past and current. Thus the approval of the Coron CADC will have strong ramifications in the current and future management of the natural resources in the Calamianes group of islands.

As soon as Government formally recognized the Coron Island claim, two Indigenous Communities went through the process of filing a claim for their ancestral land and waters. The Agta of Aurora Province and the Molbog of Southern Palawan have since completed their evidences and proofs as well as the conduct of a perimeter survey of their domain. Unfortunately, their application coincided with the turnover of Government and the subsequent row with the implementation of the Indigenous peoples Rights Act.

The impact of the Coron claim shall also seen on the way how Government will craft and implement administrative policies, including the rules and regulations regarding coastal resource management in areas where there are Indigenous Communities. Its effects on legal jurisprudence has yet to be seen although there is talk that certain affected quarters are mulling on the idea of challenging the CADC in court.

It has also been acknowledged that the success of Coron claim has finally given substance to the definition of “ancestral waters” as embodied in the new Indigenous Peoples Rights Act (IPRA). The framers of the Law have had difficulty in concretely explaining the parameters of “ancestral waters”, as there were no existing models of such a claim. The Coron claim has provided a concrete example and a precedent for such a claim; not only on what it has resulted into but even to the extent of how it was started and undertaken.

The Tagbanwa initiative has also done its share in influencing civil society on the way it defines the various stakeholders in coastal areas. Whereas before, civil society commonly identified fisherfolk into two categories; Small Fisherfolk and Commercial Fishing ventures. In several for a where the Tagbanwa have been invited, they have clearly elucidated the importance of recognizing the uniqueness of the Indigenous Fisherfolk and their “ancestral waters”. Their arguments have further gained substance with the approval of the 1st ancestral water claim.

For the Tagbanwa of Coron, the approval of the claim meant more than having legal documents. The filing of the claim itself was a statement that the Tagbanwa wanted justice to be done. Years of socio-economic and political marginalization have a direct correlation with their lack of access and control over their traditional land waters. Thus the “approval of the claim albeit from the Government is seen by he peoples of Coron Island as a momentous step towards the long-awaited realization of social justice and equity for all stakeholders in Coron.