Mindanao Climate Justice
RESOURCE FACILITY, INC.

CAHR

POLICY BRIEF 02

Empowering **Indigenous Stewardship** to Improve Climate Resilience in **Mindanao**

JUNE 2025

Evidence shows that traditional Lumad and Moro practices of land stewardship, sustainable agriculture and cultural resilience mirror and, in many cases, often precede the scientific community's recommendations for sustainable land use, biodiversity conservation, and climate adaptation.

KEY OBJECTIVES

To enhance climate resilience in areas of ecological importance to the Philippines by empowering indigenous communities to continue their practices of land stewardship, and to realign state environmental policy away from practices that violate Indigenous Peoples (IPs) rights to their own land.

To realise IP land rights and to prevent land grabs through the establishment of an independent auditor with the remit to oversee free, prior and informed consent (FPIC) processes under the Indigenous Peoples Rights Act 1997 (RA 8371) (IPRA) and audit existing mining tenements under the Mining Act 1995 (RA 7942) for compliance with domestic and international law.

The adoption of a People's Mining Act to replace the Mining Act 1995 in order to achieve the full realisation of IP land rights and the prevention of further catastrophic environmental destruction in accordance with sustainable development standards, social justice and national sovereignty (see e.g. the People's Mining Bill, House bill 2715).

Executive Summary

The environmental crisis in Mindanao demands urgent and locally centred responses.

Climate change is now a visible, damaging, force across Mindanao—bringing increased floods, prolonged droughts, marine ecosystem collapse, and land degradation. However, at the same time, mining, logging and monocropping agricultural companies expand into indigenous land, displacing communities. This expansion has been characterised by well documented violence, intimidation and corruption constituting development aggression that not only violate protected rights in international and domestic law, but one that ultimately weakens local ecological systems and exposes Mindanao to escalating climate risks.

This brief presents evidence that Indigenous stewardship of ancestral lands is an effective, sustainable climate solution. Research shows that Lumad communities actively conserve biodiversity, protect watersheds and manage land in ways that align with national climate objectives. As climate change continues to have increasingly more tangible impacts on Mindanao, spurred by development aggression, the government of the Philippines must reassess the legislative frameworks that ostensibly protect IPs and govern land exploitation. Continued exploitation of Indigenous territories undermines national climate mitigation efforts and reflects a gap in government intention and action.

A Critical Moment for Mindanao

In recent years, Mindanao has experienced increasing flooding, prolonged drought, rising sea-levels, and declining marine ecosystems. These events damage infrastructure, reduce food security, and displace families. These events are not occurring in isolation, but rather they are compounded and accelerated by unsustainable land use driven by mining, agribusiness, and logging—much of which occurs on ancestral domains.

Indigenous Peoples (IPs) have long served as de facto stewards of Mindanao's ecosystems. Their traditional knowledge and practices maintain forest cover, protect watersheds, and support biodiversity. These systems are deeply rooted in cultural values that prioritize balance and long-term sustainability.

Supporting Indigenous stewardship is not just a matter of cultural recognition—it is a proven path toward environmental recovery. The government has an opportunity to strengthen national climate resilience by enabling Indigenous communities to do what they have done for generations: protect the land.

Climate Impacts, Land Pressure & Indigenous Land Usage in Mindanao

The research methodology for this data integrates fieldwork, participatory mapping, climate records and interviews across five provinces in Mindanao. It documents how climate change, land exploitation, and environmental degradation are affecting communities—particularly in Indigenous ancestral domains.

Climate Impacts

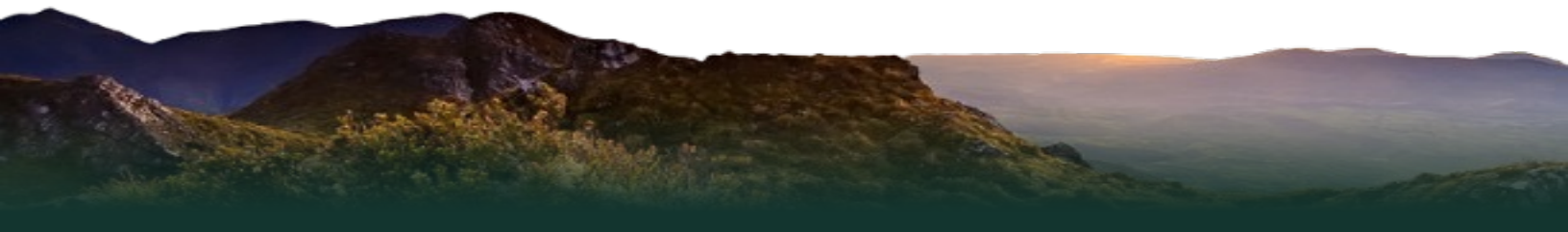
Climate change was identified as the primary factor behind local displacement accounting for 83% of displacement amongst 4.4 million individuals from 2017 to 2022 (Housset, 2023).

1. Fish stocks and marine ecosystems are threatened by rises in sea surface temperatures between 0.77°C and 1.4°C under medium and high emissions scenarios, respectively (Chaudhary et al., 2021). Fisheries are predicted to suffer a decline of up to 50% in catches and revenue by 2050 in an unchanged climate scenario (Lam et al., 2016).

2. Communities in Davao Occidental, Surigao del Sur and Maguindanao are facing increasingly more frequent floods and droughts, driven by climate variability and El Niño events - which have significantly impacted crop yields in recent years (World Bank, 2019).

3. For example, Typhoon Frank (2008) displaced 90,000 and caused agricultural losses worth ₱225 million in BARMM (NDCC 2008), while Super Typhoon Pablo (2012) displaced over 100,000 people in Lanao del Sur (NDRRMC, 2012).

4. International case law highlights that a failure to protect IPs from the impacts of climate change constitutes violations of articles 17 (the right to be free from arbitrary interference with privacy, family and home) and 27 (the right to one's own culture) of the International Covenant on Civil and Political Rights (ICCPR) - particularly with reference to the dependency of a culture on the health of their ecosystems and their spiritual connections to their land (Torres Straits Islander Case 2022).



Indigenous Land Management

1. Mapping shows that areas managed by IPs retain higher forest cover and greater biodiversity compared to lands under plantation, logging and mining concessions (Global Witness, 2024).

2. Communities continue to employ traditional agroecological techniques such as intercropping, rotational farming and wild foraging that maintain local ecosystems.

3. Indigenous governance systems preserve sacred environmental sites, including no-harvest zones and ritual forests in all five provinces studied.

4. In drought-affected regions, Indigenous food and seed storage systems have been actively used to mitigate the impacts of agricultural loss brought about by local climate events.

Overall, resilience against the acute effects of climate change on Mindanao is consistent with realising indigenous land rights.

Mitigations to the frequency and severity of landslides and flooding, increased soil fertility, improved carbon sequestration, and increases in species richness and overall biodiversity are all associated with sustainable forms of land management as practiced by IP.

Land Exploitation

1. A total of 97 mining tenements and 34 exploration permits currently impact around 178,038 hectares of Lumad ancestral land. Presently, the number of titles of Ancestral Domain that have been provided represent less than 50% of estimated Indigenous Land (Global Witness, 2024), enabling development aggression on unrecognised land.

2. Inland water systems near mine sites, especially in Monkayo and T'boli, show elevated turbidity and sedimentation. Water quality assessments have identified elevated Total Suspended Solids (TSS) levels in sections of the Agusan River, with measurements significantly surpassing the DENR's acceptable limit of 80 mg/L for Class C waters. These findings indicate considerable turbidity issues, likely stemming from upstream land-use activities such as mining and deforestation. Similar sedimentation concerns are present in the Pulangi River Basin, impacting water quality (Environmental Management Bureau Region XI, 2023; Benilda E Domingo and Czarina Saloma, 2021).

3. Several of these operations on indigenous land have been documented as proceeding without FPIC from IPs. These circumstances constitute a violation of International Law that the Philippines government has ratified and domestic law it has enacted. In particular, the exploitation of Indigenous land without FPIC represents violations of:

   - **Article 1 of the International Covenant on Economic, Social and Cultural Rights (ICESCR)** - The Right to Self-Determination;
   - **Article 27 of the ICCPR** - The right to enjoy one's own culture, and;
   - **Article 30 of the Convention of the Rights of the Child (CRC)** - The right of a child to enjoy their own culture.
   - **Section 59, as defined in section 3 subsection G of IPRA** - the guarantee of FPIC

Key Findings

The implications of the climate impacts are worrying. Mindanao accounts for 40% of the Philippines agricultural production (World Bank, 2017), and the continued droughts, floods, and loss of marine life on the island risks impacting food security nationally. The displacement this drives will also have negative effects locally, as urban population centres become increasingly strained by influxes of people from rural areas that have historically supported them through the production of agricultural supplies.

Land exploitation and development aggression drive increasing climate vulnerability in Mindanao. The continued expansion of land development projects from monocrop farming to transitional mineral mining represents a failure of the Government of the Philippines to fulfil its obligations under both domestic and international law, owing to the fact that indigenous land belongs to IPs and not the state. This includes IPRA, the International Covenant on Civil and Political Rights (art 27), the International Covenant on Economic Social and Cultural Rights (art 1) and the Convention on the Rights of the Child (Art 29).

Whilst legislation such as IPRA and NIPAS exists to protect IPs rights and ecologically fragile areas respectively, both are insufficient in their implementation to fully realise this. The Department of Environment and Natural Resources (DENR) has the dual mandate to recognise environmentally protected areas under NIPAS and to grant mining tenements under the Mining Act 1995. This represents a set of powers that conflict in interest with one another. The process of awarding certificates of ancestral domain title (CADTs) established under IPRA is also happening at a glacial pace, with indigenous land being stolen by development aggression at a rate that outpaces any formal protections IPs hope to attain for their land. Impunity from the state towards the obligations it makes for itself has the risk of eroding public faith, particularly when this impunity has allowed large swathes of indigenous land in Mindanao to be stolen and developed on. Areas with CADTs see lower levels of conflict so long as the process is not delayed (World Bank, 2024), and the timely recognition of Indigenous land would have a deescalating effect on the tensions present in Mindanao.

Internationally, institutions such as the Intergovernmental Panel on Climate Change (IPCC 2019), the United Nations Development Programme (UNDP 2024), and UN Special Rapporteurs have also acknowledged that Indigenous-managed territories outperform in key climate metrics: lower deforestation, increased carbon storage, better biodiversity outcomes, and stronger food security (Nitah 2021). Reforestation, biodiversity, and sustainable land management techniques all serve to protect against the impacts of climate change. For these reasons it is imperative that both government and policy makers work towards bolstering existing protections for indigenous communities while curtailing abuses that serve short-term profiteering.

Our Recommendations

FOR THE GOVERNMENT

Formally Recognise the role of IPs' practices, governance and knowledge systems in the ecological preservation of their own land.

Ending the well documented land grabbing, displacement and violence associated with development aggression of indigenous land.

Ensure oversight of development through independent auditors with the remit of reviewing FPIC processes, impact reports and compliance with human rights principles.

To repeal the Mining Act 1995, replacing its provisions with those outlined in the Peoples Mining Bill. Further to this, the objectivity of recognising environmentally protected areas under NIPAS must be preserved and the process of awarding mining tenements must be decoupled from the DENR under this new framework.

FOR POLICYMAKERS

Push to legislate a clear resolution on the ambiguity in the wording between IPRA and NIPAS regarding who manages the land of ancestral domains that are also protected areas. It is clear that IPs are best suited for stewardship of these areas on account of their ancestral familiarity with the land and the performance of land under their stewardship in key climate metrics.

Further to this, advocate for the DENR to acknowledge areas of ancestral domain that should also fall under the protection of the NIPAS as protected areas, including areas with already existing development agreements.

To visit Mindanao in their official capacity on fact finding missions, so they can speak on these issues afterwards both officially, and through civil society discourse. The legitimacy of a role in government can be a potent tool to defend the rights of IPs and the land that belongs to them.

About the Organizations

Mindanao Climate Justice
RESOURCE FACILITY, INC.

The Mindanao Climate Justice Resource Facility, Inc. (MCJ), based in Manila, supports marginalized and Indigenous communities in Mindanao, Philippines.

Through partnerships and advocacy, MCJ works to advance climate justice, human rights, and community resilience, especially for the Lumad and Bangsamoro—linking environmental protection with equity, dignity, and social transformation.

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CAHR

The Centre for Applied Human Rights (CAHR), based at the University of York, is a friendly research, teaching and protective community.

Our research and professional support staff, masters and doctoral students, and human rights defenders in residence share a focus on the real-world challenges and potentialities of putting human rights into practice and achieving change from the local to the global level.

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Acknowledgement

This policy brief was prepared by University of York interns Harry Rance and Joe Catto, with research guidance and support from the Mindanao Climate Justice Resource Facility, Inc. (MCJ).