

Introducing the Indigenous Peoples Rights Act

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The Article explores the Indigenous Peoples Rights Act of 1997 (IPRA) or Republic Act No. 8371 by looking at how its passage has recognized the place of indigenous cultural communities/indigenous peoples (ICCs/IPs) as a distinct sector in the Philippine society. It outlines the framework of IPRA through a historical, international law, and constitutional perspective. It also presents the comprehensive definition given by the IPRA of indigenous peoples based on three contexts: on account of descent; on account of social, economic, and cultural conditions; and on account of self-ascription.

The Article then highlights one of the more problematic areas in IPRA, namely, the concept of ancestral domain and ancestral land. It tackles the concept of ownership vis-à-vis the Regalian doctrine, vested rights and priority rights, land disposition, formal recognition of native title, and other rights. It also raises some concerns regarding the identification and delineation process of the ancestral domain. It likewise discusses the provisions of the IPRA affecting the ICCs/IPs' right to self-governance and empowerment, social justice and human rights, and cultural integrity. It concludes that the significant implications of the IPRA not only for the ICCs/IPs but also for the Filipino people as a whole mandate a thorough understanding and effective application of its provisions.