

Claims and Counterclaims in the Mt. Halcon and Mt. Calavite Ranges: The Iraya Peoples' Assertion of Rights to Their Ancestral Domains

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The Article details the Iraya Mangyan's fight for the protection of their rights to their ancestral domains. A background on the history, economic life, political system and culture of the Irayas is provided. Then, the relationship of the Irayas to their ancestral domains is tackled. The Article next presents the different laws and government projects that have affected this relationship and analyzes the resulting conflicts from the failure of these laws and projects to address the problem of the Irayas. These conflicts include unlawful intrusion or encroachment; non-recognition of ancestral domain rights arising from the misinterpretation of laws, the implementation of programs and projects contrary to the Irayas' customary beliefs, and the dealings transacted without the Irayas' consent; and unclear community roles and responsibilities.

It then posits the different strategies on harmonizing and reconciling the laws and projects with the needs and concerns of the Irayas. It suggests that endeavors which recognize their rights to their ancestral domain, preserve their culture and benefit the environment will be more socially acceptable to the Irayas.

The Article concludes that in order to strengthen the relationship of the Irayas to their lands and resources, their systems and practices must be documented, sustainable development and protection planning of the ancestral domain must be implemented, a non-formal technology transfer must be designed, and conflicting laws and policies must be harmonized.