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**WORLD INTELLECTUAL PROPERTY ORGANIZATION**

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**INTERGOVERNMENTAL COMMITTEE ON  
INTELLECTUAL PROPERTY AND GENETIC RESOURCES,  
TRADITIONAL KNOWLEDGE AND FOLKLORE**

**Thirteenth Session  
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**WIPO PANEL ON, “INDIGENOUS AND LOCAL COMMUNITIES’  
CONCERNS AND EXPERIENCES IN PROMOTING, SUSTAINING  
AND SAFEGUARDING THEIR TRADITIONAL KNOWLEDGE,  
TRADITIONAL CULTURAL EXPRESSIONS AND GENETIC  
RESOURCES”**

APPLYING PRACTICAL LESSONS OF COMMUNITY EXPERIENCE

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\* This document comprises the presentation in the form received from the presenter. Any views expressed in the presentation are not necessarily those of WIPO or any of its Member States.

NATURE TRADITIONAL KNOWLEDGE/TRADITIONAL CULTURAL  
EXPRESSION/GENETIC RESOURCES

**Higaonon** believe in *Magbabaya* as the Supreme Being. We believe that *Magbabaya* and his spirit servants must be pleased all the time in order to ensure abundant harvest, good health, and protection from enemies and natural catastrophe. Specifically, this is accomplished through constant offering of food and especially blood sacrifice of animals. The eight servants of *Magbabaya* / Foundation of Traditional Knowledge and Traditional Cultural Expression:

1. IBABASOK (caretaker of agriculture/farming) - *Ibabasok* is the “agriculturist” spirit servant of *Magbabaya*. *Ibabasok* takes charge of their pangoma (farming, agriculture). Ancestral story tells of *Apo Agbangala*, the first farmer. Accordingly, it was *Ibabasok* who visited him in his dreams and “schooled” him in farming. It was through dreams that *Ibabasok* instructed him of the specific rules he must observe in planting and harvesting rice in order to avoid pestilence and ensure continuous abundant yield. He did exactly what he was told to do and shared the technique to his people. It was then they learned to farm. *Ibabasok* saw favor in the goodness of *Apo Agbangala*. As reward, he was immediately snatched up from the earth (*linibong*) and placed in the heavens to become the biggest and brightest star, which is still seen up to this day. Higaonons call this star *Bangala* from which they infer auspicious time for planting or harvesting. Thus for them, favorable time for *pamola* (planting) starts when the *bangala* appears brightly shining in the night sky.
2. TALABUGTA / KALABUGTA (caretaker of the soil/earth) - *Talabugta* is the spirit servant of *Magbabaya* who takes care of the soil and the earth. Higaonons believe that *Talabugta* makes the plants, the trees, the forest grow healthy and the farms fertile and productive.
3. TUMANOD/LALAWAG (caretaker of the forest/hunting) - *Tumanod* is the caretaker of the forest and the overseer of hunting activities. Accordingly, he revealed himself and his laws in a dream to Apo Kahiling (Ibid).
4. PALAYAG / TAMAENG (caretaker of honeybees) - He appeared in the dream of Apo Pamomolanon saying do not be afraid. I am Palayag who is the honey and the bee’s keeper. I am responsible of the tamaeng that lives in the whole of the tree, and malabusog o putyokan that lives in the branch of the tree. These are my panuos regarding your use of the things under my jurisdiction (Ibid).
5. BOLALAKAW (caretaker of the water/fishing) - This is a beautiful aqua spirit. She is tall, and has a white complexion. As seen in a dream, she was with other two beautiful women, but she was the only one talking to Apo Pamomolanon. She said, “I am Bolalakaw, who spends most of my time in the main source of water, in the fountains, in the highest peak of the mountain, which is Mt. kimangkil.” The following are my panuos for you to observe in using the water, and the thing therein, which are my domains of jurisdiction (Ibid).
6. PANLUYAO / PAMAHANDI (caretaker of treasures and daily activities) - This spirit is a treasure keeper. He said, “I am Panluyao who will help you in your needs of the things you use in your daily living. I am responsible of the things you use for your body like

manggad (cloth), bronze and others. I also hold responsible of the things you use at hoe like plates, cooking pot and the like I always see and watch all your undertakings. I have a servant of padiding/mangagpoon/alimaong whose name is Pamahandi, who will help you to get easy access of these things. He/ she will be with you always in your daily activities, and will report to me as your guard, if you have bad ways of getting them.” He said that these are the panuos that you should have to observe in acquiring the things you need in your day-to-day living (Rafal-Bongado, 2003).

7. TINOOWAN (caretaker of health and medicine) - *Tinoowan* is the spirit servant of *Magbabaya* who is in charge of the overall health of the community and the environment. He dispenses of medicinal herbs through the *Baylan* (shaman). Conversely, the *Baylan* draws power from *Tinoowan* through a prayerful ritual (*singampo*) when curing a sick person. Nevertheless, *Tinoowan* can also punish someone with sickness when his laws are transgressed.
8. DUMALONGDONG (caretaker of wisdom/knowledge) - According to them, this spirit has the highest rank among the eight spirit servants of *Magbabaya*. He could be considered the lawyer spirit, as he guides the *Datus* to solve problems, apply the laws, and resolve conflicts (Ibid).

#### Indigenous Knowledge System and Practices

1. Pagbala (foretelling)
2. Magbagto (Soil preparation for farming)
3. Pamola (Planting)
4. Langkay (betel chew)
5. Talabusaw (guardian of warriors)
6. Kaliga (traditional prayer)
7. Agkod (traditional wine)
8. Death and burial
9. Traditional wedding
10. Dasang/limbay Dugso (Chanting/traditional song and Dances)
11. Traditional healing

#### Customary Laws and Practices

- The *Bongkatol ha Bulawan daw Nangkatadyaw ha Lana* literally means a bowl of gold and a jar of oil is the foundation of customary laws, norms, and values of Higaonon that passes through generations.
- The existence of the customary laws is connected/attached to the forest and its abundance resources.
- The forest is our life for it is our church, hospitals, market and shelter.
- It is where the spirits of our ancestors settled after death.

- This is sacred and very much respected for the Higaonon community.

History of customary laws and cultural significant of traditional knowledge that passes to young children and adults during rituals of Dumalongdong;

*The name Higaonon comes from the root word gaun, which means mountain. Hence, Higaonon literally means mountain dwellers or forest dwellers. Higaonon communities in the Kimangkil, Kalanawan, Sumagaya, and Pamalihi mountains originated from a common great ancestor, Apo Agbibilin. Legend has it that Apo Agbibilin was born with a twin – a flying baksan (python). During the great deluge, he rode his twin and together they surveyed the whole area. Only the tips of Kalanawan, Kimangkil, Sumagaya, and Pamalihi stuck out from the flood. Apo Agbibilin his twin baksan landed on each of the mountain tips. There were other people who also sought refuge on the mountain tips. They were people whom Apo Agbibilin had offspring, who became many and became the Higaonon who populated and lived in this area since time immemorial. For a long time they were the only humans who lived in that part of what is now known as Northern Mindanao Region. Their communities lived in abundance and happiness, as food was readily available in the surrounding forest. There were lots of wild animals, which made hunting such a satisfying undertaking. Wild fruits and root crops grew all over the forest. There was no incidence of famine or disease. Sickness, which was uncommon in those days, was immediately cured by the Baylan (Shaman) who had enough materials to cure people's maladies. It was a time of peace and prosperity, until an intense drought subjected the community into extreme crisis. Rain did not come for a long time. The forest and rivers did not anymore provide food for the villagers. Gradually, many of the inhabitants died due to severe hunger and diseases. Eventually, all people died except the three chieftains who incidentally were brothers. They were Dalogdog, Kabilog, Balaoy. But they too were on the verge of dying. Suddenly, each of them heard a resounding thunder all over the area. They took it as an ominous signal for the arrival of the much awaited rain. They decided to proceed to the area from where they heard the thunder came. However, they did not hear it came from a single direction. One brother heard the thunder came from the south. So he went to the south. The second brother believed he heard the thunder in the west. So, he proceeded to live in the west. The third brother was convinced he heard it from the north. So he settled in the north. Incidentally, there was one woman also survived and married to Apo Balaoy. Overtime all their families prospered in their chosen area of abode. After the three brothers died, their descendants increased in number which created the many villages in the contiguous area surrounding the mountains, the forest, and the big rivers. There had been much intermarriage between and among them. Succeeding generations gave birth to all the clans who now claim the entire mountain range as their Ancestral Domain. Their genealogical data trace back to the three original brothers who survived the long drought. Overtime, they have established and consistently embodied an indigenous belief system, political structure, general way of life, and a unique scheme of reality, which became the foundation of the “Bungkatol ha bulawan daw nangka tadyaw ha lana” (a bowl of gold and a jar of oil). Specifically, it is a metaphoric expression of the embodied “Batasan” (law and norms), and “gagaw” (values). In general, it refers to the Higaonon law. Specifically, it refers to the repository of legal standards of the traditional way of life that defines the Higaonon communities in the Kimangkil-Kalanawan-Sumagaya-Pamalihi*

*Mountain Range. The different clans were able to establish big communities along the eight big rivers in the area. The rivers were given the following original Higaonon names: Agusan, Balatukan, Cabolig, Bagyangon (later became Cagayan), Gingoog, Pulangi, Tagoloan, Udyungan. Generations of Datus (chieftain) led these Higaonon communities to live and survive a particular socio-cultural and geo-physical context obtaining what was to them then all requisites of prosperity and peace. Later on, these became the reference point of the different “Talugan” (territories), delineating the political boundaries between Higaonon communities.*

### Misappropriation and Misuse

- Many Higaonon could no longer practice their traditional knowledge because of different influences from church/religion, migrant settlers or strangers, Arm conflict and deforestation.
- Some other church or religion considered the traditional practices and beliefs of Higaonon as evil.
- Even our mother tongue dialect is gradually losing because some other community members ashamed to speak to it.
- Some other communities evacuated at the city because of Arm conflict and forget their traditional practices.
- Losing of forests was one of the reason of forgetting cultures and traditional practices of Higaonon.
- Traditional knowledge of higaonon community is connected to forest resources. Diminishing of forest due to logging, mining, and poachers is also killing of traditional knowledge and cultural expression.
- There are some migrant adopted by the community that they were pirating the TK/TCEs for their personal interest as a result the real images of TKs /TCEs of higaonon became dirty in views of others.
- Because of these scenarios, many of the community members have lack of understanding and appreciation of significant of customary laws and practices.
- Traditional dances and customs had been showed in the public without prior consent from the custodian.
- Many researchers went to the forest and collected herbal medicine and let the elders named and explained the uses of a certain plants
- Some other members of the community preferred to buy medicine at the pharmacy because they don't know the name and uses of herbal plants and if they do, the forest is very far.

- Cultural arts like songs, poem and dances are gradually replaced by the western and modern songs, dances and poem, in fact only few elders can still dances and sing.
- Traditional wedding system is gradually change to the church system because traditional wedding system not recognized by the school and other institution.

### Community Responses

- The MAMACILA tribal federation is continuing its campaign on forest protection together with the assisting NGO (Green Mindanao) in such a way that traditional knowledge/Traditional cultural expression/genetic resources shall be safeguarded.
- Transmitting traditional knowledge to young children and adults on the historical account and cultural significant of TK/TCEs/GR during dumalongdong/ritual gathering;
- Delineation of sacred ground and worshipping places as restricted zones (free from any human activities) and Declaring Deer Sanctuary or Flora and Fauna Sanctuary – a community initiatives on safeguarding TK/TCEs and GR
- Made lobby to the government agencies to stop issuing of permits to logging, mining and selling of forest resources within the our ancestral domain because the community has nothing to do to hold individuals carrying permits to enter and extract trees and forest resources within the ancestral domain because it is legal
- Made lobby to all government agencies to strictly implement the national laws, treaties, conventions and UNDRIP that recognizes the rights of indigenous peoples.
- Established allies, contacts and networks that can help us in forest protection and conservation

### Needs and Expectation

- Higaonon community through MAMACILA tribal federation needs support to continue its work in safeguarding and documenting TK/TCEs/GR. We are afraid that sooner or later our elders that can still narrate our customary law, oral tradition and practices will pass away and our TK/TCEs/GR also will be eliminated in the history.
- We are expecting WIPO to help and support our effort for our campaign in protecting our ancestral forest, rehabilitates denuded forest and transmission of TK/TCEs/GR to our young generation.

Lessons for the Intergovernmental Committee

- Based on the case of Higaonon tribe in Mindanao Philippines, I would like to suggest to WIPO-IGC to pay most attention if you could help us in any ways on the protection and rehabilitation of our ancestral forest.
- We believed that if we protect our forest we also protect our TK/TCEs/GR.
- If we rehabilitate and reforest some deforested areas of our ancestral domain, we also rehabilitate and retrieved our TKs/TCEs/GR.
- Recognition of customary approach and mechanism is an effective ways in forest protection.

Lastly, I would like to thank the voluntary fund through the WIPO-IGC to provide me support to participate in this 13<sup>th</sup> session.

I thank you for your kind attention.... Madagway ha Adaw...Good Day!!!

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