United Nations | Democracy Fund

BATAS UKOL SA KARAPATAN NG MGA KATUTUBO

(INDIGENOUS PEOPLES RIGHTS ACT O IPRA) RA 8371

ILALAHAD NI ATTY.JESA FAYE E. DE LUNA

“IPRA”

BAGO ANG IPRA

REGALIAN DOCTRINE – DOKTRINA SA PAGAARI NG ESTADO

Ang mga lupa at likas na yaman sa teritoryo ng Pilipinas ay pag-aari ng gobyerno

IPRA, HINDI SAKOP SA REGALIAN DOCTRINE

Ayon sa IPRA, ang mga lupa at likas na yaman sa loob ng Lupaing Ninuno ay kolektibo at pribadong pag-aari ng katutubong komunidad

Ano ang IPRA?

isang batas na naglalayong kilalanin at protektahan ang karapatan ng mga Katutubo. Kinikilala nito ang natatanging katangian ng lupang ninuno at ang karapatan ng mga Katutubo sa sariling pamamahala at kultura.

“Katutubo”

- Binubuo ng Maliit na grupo
- Orihinal na mamamayan ng bansa
- Matatagpuan sa mga kagiliram
- Naiiba ang kultura sa karamihang bumubuo ng populasyon
- Tagapangalaga ng kalikasan (stewards)

SERTIPIKASYON NG PAGTITIBAY (Certificate of Confirmation)

isang sertipikasyon na ibinigay ng NCIP na nagpapatunay na ang isang indibidwal ay miyembro ng grupo ng ICCs/IPs. (NCIP AO 2 s 2019)

NCIP COC Form 1

Republic of the Philippines
NATIONAL COMMISSION ON INDIGENOUS PEOPLES
Cordillera Administrative Region
Province of ____________________
AD/Municipality of ____________________
AD/Barangay of ____________________

INFORMATION INDEX

Note: *Please write LEGIBLY. Write N/A if not applicable. Do not leave any space blank.*

PURPOSE/S: (Please Check)
[ ] NAPOLCOM
[ ] BJMP: Age Waiver___Height Waiver___
[ ] BuCor: Age Waiver___Height Waiver___
[ ] Scholarship
[ ] Cert. of Tribal Marriage [ ] Others: ____________
[ ] BFP: Age Waiver___Height Waiver___
[ ] AFP: Age Waiver___Height Waiver___
[ ] IPMR [ ] Land Matter
[ ] Employment

I. PERSONAL INFORMATION
Name: ____________________ IP Group: ____________
Contact No: ____________________
Permanent Address: ____________________
Sex: [ ] Male [ ] Female Civil Status: ____________
Place of Birth: ____________________ Date of Birth: ____________
If Married, Name of Spouse ____________________ IP Group: ____________

II. EDUCATIONAL BACKGROUND
Highest Educational Attainment: ____________________
Degree Obtained: ____________________

III. PARENTAL BACKGROUND

	FATHER	MOTHER (use mother's maiden name)
Name		
Address		
IP Group		
Grandfather		
IP Group		
Grandmother		
IP Group		

IV. APPLICANTS PLEDGE:
I, ____________________ do solemnly swear that all data given in the above information are true and correct to the best of my knowledge and based on authentic records. I understand that any false information is enough to cause the denial of my application and could subject me to CRIMINAL and/or ADMINISTRATIVE prosecution.

____________________ *(Date Accomplished)*
____________________ *(Applicant's Signature Over Printed Name)*
Res. Cert/ID. No. ____________
Issued on/at ____________

SUBSCRIBED AND SWORN to before me this ________ day of ____________, ________ at ____________________, Philippines.

Doc No. ________
Page No. ________
Book No. ________
Series of ________

____
Person Administering Oath
Not Valid Without Seal

NOT FOR SALE

NCIP COC Form 1

VERIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that Mr./Ms.______________________________________has fully complied and submitted the following original signed documents arranged in proper order as follows:

____Index Form with Verification (NCIP COC Form 1)
____Genealogy Form (NCIP COC Form 2)
____CERTIFICATION:

a. (with CADT issued) Certification of Provincial Officer that the applicant is included in the CADT/recognition book indicating CADT # , volume # of recognition book and page #
b. (with CADT issued but the applicant is not included in the recognition book). A certification by the IP Elder/Leader as to why the applicant is not included in the recognition book.
c. (Ancestral Domains which has not been issued CADT
   1) with Recognition Book- Certification from the Provincial Officer that the applicant is included in the list of beneficiaries indicating the volume and # of recognition book and page #..
   2) with NO Recognition Book – Certification from the IP Elder/Leader that the applicant belongs to the ethnolinguistic group and beneficiary of the domain and shall be included in the AD census of the beneficiaries.

____2 pieces 2x2 identical ID Pictures taken within 6 months from application with white background and name tag
____2 pieces Documentary Stamp (BIR)
____Investigation/Validation Report, if needed

I FURTHER CERTIFY that I have examined the above-documents and I am fully satisfied of the authenticity. I have interviewed the applicant and I declare to the best of my knowledge that the applicant belongs to the ____________________IP Group.

______________________________ ______________
(Signature Over Printed Name of Provincial COC Focal Person if received in province or CSC Focal Person if received in CSC) *Date*

CSC ENDORSEMENT

Respectfully endorsing herewith the COC application of______________________________who is securing a Certificate of Confirmation to identify that he/she belongs to a certain Indigenous Peoples (IP) Group. Verified based on the duly subscribed certification of an Elder/ leader/ IPMR______________________________of ______________Barangay,______________Municipality,______________province/city.

Forwarding herewith his/her attached documents in support to his/her application for Certificate of Confirmation as required by the__________________________________to the Provincial Officer for his/her favorable action.

______________________ ______________
CDO III Date

PO ENDORSEMENT

Respectfully endorsing herewith the COC application of______________________________who is securing a Certificate of Confirmation to identify that he/she belongs to a certain Indigenous Peoples (IP) Group pursuant to Section 2, C, Part 1, Rule IV of IPRA-IRR Administrative Order No. 1, series of 1998. Verified based on the duly subscribed certification of an Elder/leader/IPMR______________________________of ______________Barangay,______________Municipality,______________province/city.

This is also to affirm that Mr./Ms.______________________________belongs to ____________________IP group on the basis of thorough and determination of the authenticity of documents submitted as well as personal interview of the applicant.

Forwarding herewith his/her attached documents in support to his/her application for Certificate of Confirmation as required by the__________________________________to the NCIP-CAR Regional Director for his favorable action.

______________________ ______________
Provincial Officer Date

NOT FOR SALE

NCIP COC Form 1

Republic of the Philippines
OMMISSION ON INDIGENOUS PEOPLES
Cordillera Administrative Region

ality of ______________________
ay of ______________________

INFORMATION INDEX

Write N/A if not applicable. Do not leave any space blank.

eight Waiver____ [ ] BFP: Age Waiver____Height Waiver____
Height Waiver____ [ ] AFP: Age Waiver____Height Waiver____
[ ] IPMR [ ] Land Matter
[ ] Employment
] Others: ______________________

______________ IP Group: ______________

emale Civil Status: ______________
Date of Birth: ______________
IP Group: ______________

ent:______________________

FATHER	MOTHER (use mother's maiden name)

______do solemnly swear that all data given in the above rect to the best of my knowledge and based on authentic ny false information is enough to cause the denial of my me to CRIMINAL and/or ADMINISTRATIVE prosecution.

____
(Applicant's Signature Over Printed Name)
Res. Cert/ID. No. ______________
Issued on/at ______________

VORN to before me this________day of______________,
______________, Philippines.

____
Person Administering Oath
Not Valid Without Seal

FOR SALE

NCIP COC Form 3

Republic of the Philippines
Office of the President
NATIONAL COMMISSION ON INDIGENOUS PEOPLES
Cordillera Administrative Region
Unit 311, Lyman Ogilby Centrum, 358 Magsaysay Avenue, Baguio City
Telefax: (074) 422-4173 | www.ncipcar.ph | car@ncip.gov.ph

CERTIFICATION

This is to certify that Mr/Ms ______________________________ of ______________________________ who is personally known to me to be
(address)
the child of ______________________ and ______________________, belongs
(father) *(mother -maiden name)*
to the ______________ ethnolinguistic group of ______________________.
(IP group) *(place of origin)*

This is also to certify that his/her

1. FATHER: ______________________ belongs to the ______________ ethnolinguistic group of ______________________.
(place of origin)
2. MOTHER: ______________________ belongs to the ______________ ethnolinguistic group of ______________________.
(place of origin)

(This portion is to be filled up if the applicant is not included in the recognition book /census of the list of beneficiaries of the ancestral domain)

This is to further **CERTIFY AND ATTEST** that that the above named person and his family are beneficiaries of ______________________ ancestral domain but was not
(name of ancestral domain e.g. Happy Hallow)
included in the [ ] **RECOGNITION** BOOK (for those with recognition book)
[ ] **CENSUS** (for AD with no recognition book yet)
due to the following reasons:
____
____.

____
IP ELDER/LEADER/IPMR

Subscribed and sworn to before me this ________day of ______________, 202__
at ______________________, Philippines.

Doc. No. _____
Page No. _____
Book No. _____
Series 202___

____
Notary Public / Person Administering Oath

APAT (4) NA KARAPATAN NG MGA KATUTUBO

01	Karapatan sa Lupaing Ninuno
02	Karapatang Pamahalaan ang inyong Sarili
03	Karapatan sa Katarungang Panlipunan at Karapatang Pantao
04	Karapatan sa Kasarinlan ng Kultura

01.

KARAPATAN SA LUPAING NINUNO

“Lupaing Ninuno” = Lupa, katubigan, baybayin at likas na yaman dito

KOLEKTIBO AT PRIBADONG PAG-AARI!

MGA KARAPATAN SA LUPAING NINUNO

01.
KARAPATANG ANGKININ AT ARIIN ANG LUPAING NINUNO

02.
KARAPATANG PAGYAMANIN ANG LUPA AT IBA PANG LIKAS YAMAN

03.
KARAPATANG MANATILI O MANUMBALIK SA LUPAING NINUNO O SA LUPANG PINAGLIPATAN

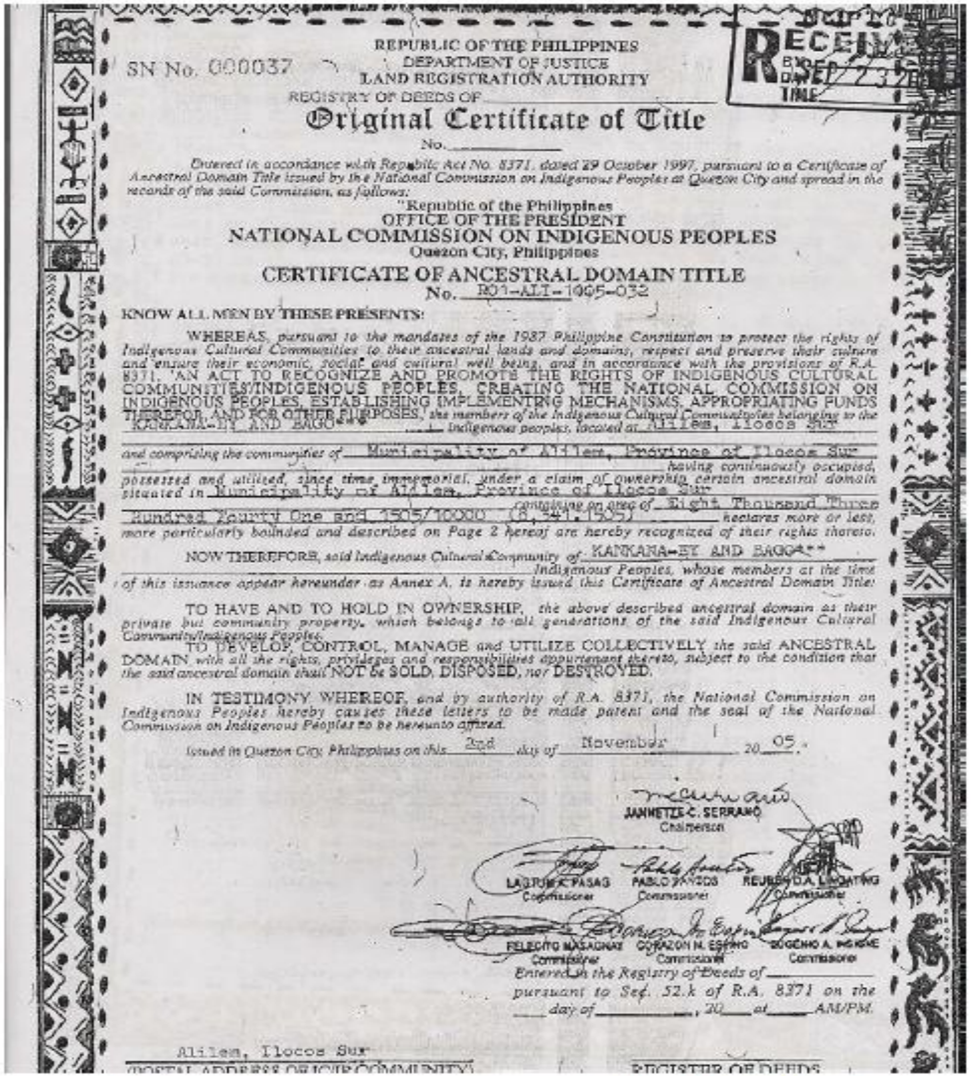
04.
KARAPATANG KONTROLAHIN AT PAMAHALAAN ANG PAGPASOK NG MGA TAGA-LABAS

05.
KARAPATAN SA MALINIS NA HANGIN AT TUBIG AT ANGKININ ANG ILANG BAHAGI NG MGA RESERBASYON

06.
KARAPATANG LUTASIN ANG MGA ALITAN UKOL SA LUPAIN

CERTIFICATE OF ANCESTRAL DOMAIN TITLE (CADT)

Isang titulo na pormal na kumikilala sa karapatan ninyo sa inyong mga lupaing ninuno.



SN No. 000037

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF JUSTICE
LAND REGISTRATION AUTHORITY
REGISTRY OF DEEDS OF ____

RECEIVED
BY: ____
DATE: SEP 23 ____
TIME: ____

Original Certificate of Title

No. ____

Entered in accordance with Republic Act No. 8371, dated 29 October 1997, pursuant to a Certificate of Ancestral Domain Title issued by the National Commission on Indigenous Peoples at Quezon City and spread in the records of the said Commission, as follows:

"Republic of the Philippines
OFFICE OF THE PRESIDENT
NATIONAL COMMISSION ON INDIGENOUS PEOPLES
Quezon City, Philippines

CERTIFICATE OF ANCESTRAL DOMAIN TITLE
No. R01-ALI-1005-032

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, *pursuant to the mandates of the 1987 Philippine Constitution to protect the rights of Indigenous Cultural Communities to their ancestral lands and domains, respect and preserve their culture and ensure their economic, social and cultural well being, and in accordance with the provisions of R.A. 8371,* 'AN ACT TO RECOGNIZE AND PROMOTE THE RIGHTS OF INDIGENOUS CULTURAL COMMUNITIES/INDIGENOUS PEOPLES, CREATING THE NATIONAL COMMISSION ON INDIGENOUS PEOPLES, ESTABLISHING IMPLEMENTING MECHANISMS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES,' *the members of the Indigenous Cultural Communities belonging to the* KANKANA-EY AND BAGO*** *Indigenous peoples, located at* Alilem, Ilocos Sur *and comprising the communities of* Municipality of Alilem, Province of Ilocos Sur *having continuously occupied, possessed and utilized, since time immemorial, under a claim of ownership certain ancestral domain situated in* Municipality of Alilem, Province of Ilocos Sur *containing an area of* Eight Thousand Three Hundred Fourty One and 1505/10000 (8,341.1505) *hectares more or less, more particularly bounded and described on Page 2 hereof are hereby recognized of their rights thereto.*

NOW THEREFORE, *said Indigenous Cultural Community of* KANKANA-EY AND BAGGA** *Indigenous Peoples, whose members at the time of this issuance appear hereunder as Annex A, is hereby issued this Certificate of Ancestral Domain Title:*

TO HAVE AND TO HOLD IN OWNERSHIP, *the above described ancestral domain as their private but community property, which belongs to all generations of the said Indigenous Cultural Community/Indigenous Peoples.*

TO DEVELOP, CONTROL, MANAGE *and* UTILIZE COLLECTIVELY *the said* ANCESTRAL DOMAIN *with all the rights, privileges and responsibilities appurtenant thereto, subject to the condition that the said ancestral domain shall* NOT *be* SOLD, DISPOSED, *nor* DESTROYED.

IN TESTIMONY WHEREOF, *and by authority of R.A. 8371, the National Commission on Indigenous Peoples hereby causes these letters to be made patent and the seal of the National Commission on Indigenous Peoples to be hereunto affixed.*

Issued in Quezon City, Philippines on this 2nd *day of* November *20*05.

JANNETTE C. SERRANO
Chairperson

LAGTUM A. PASAG
Commissioner

PABLO SANTOS
Commissioner

REUBEN D.A. LINGATING
Commissioner

FELECITO MASAGNAY
Commissioner

CORAZON M. ESPINO
Commissioner

EUGENIO A. INSIGNE
Commissioner

Entered in the Registry of Deeds of ____ pursuant to Sec. 52.k of R.A. 8371 on the ____ day of ____, 20__ at ____ AM/PM.

Alilem, Ilocos Sur
(POSTAL ADDRESS OF ICC/IP COMMUNITY)

REGISTER OF DEEDS

1. PETISYON SA ANCESTRAL DOMAINS OFFICE (ADO) PARA SA PAGTUKOY AT PAGSUKAT

Mag-sumite ng MGA SALAYSAY NG MGA MATATANDANG KASAMA SA PAGTUTUKOY NG MGA HANGGANAN AT KASAYSAYAN

GAWI AT KAUGALIAN

PAMPULITIKONG KATAYUAN NSTITUSYONAT IS

MGA LARAWANG NAGTUTURO NG MATAGAL NA PAGSAKOP

MGA PANGKASAYSAYANG ULAT

MGA DATOS/PANANALIKSIK NA PANG-AGHAM TAO

MGA TALAAN NG KARUKTUNGAN NG KAPANGANAKAN

2. PAGSUSURI

Paghahanda at pag-apruba ng project proposal at Work and Financial Plan (WFP)

3. IEC SA KOMUNIDAD

Pagpapaskil ng mga Abiso, Konsultasyon

4. PAGPUNTA

Pagtitipon, Dokumentasyon at Ocular Inspection

5. PAGSUSURI NG ULAT

May mabubuong ulat o report, Susuriin ng NCIP ang mga ulat

6. PAGPUPULONG

Maglalabas ang Chairperson ng Sertipiko ng Pagkilala Ancestral Domain

7. PAGSUSUKAT

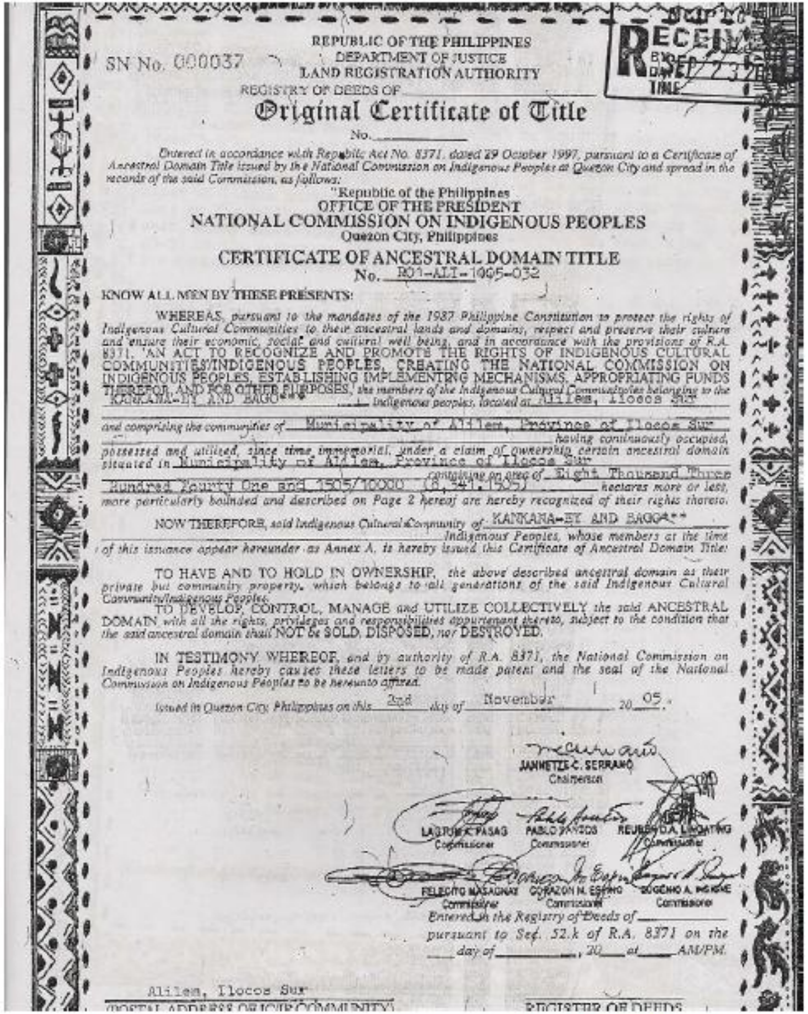
Masyadong mahaba at teknikal na proseso pero magkakaroon ulit ng pagsusuri at paguulat

8. PAGHAHANDA NG RECOGNITION BOOK

9. HULING DELIBERASYON

10. PAGHAHANDA NG CADT

Ipaparehistro sa registry of deeds at pormal na igagawad!



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FELECITO MASAGNAY, Commissioner — CORAZON M. ESPINO, Commissioner — EUGENIO A. INSIGNE, Commissioner

Entered in the Registry of Deeds of ____ pursuant to Sec. 52.k of R.A. 8371 on the ____ day of ____, 20__ at ____ AM/PM.

Alilem, Ilocos Sur
(POSTAL ADDRESS OF ICC/IP COMMUNITY)

REGISTER OF DEEDS

Photo copy of the Certificate of Ancestral Domains Title of Alilem, Ilocos Sur

“Ang Lupaing Ninuno ay pribado ngunit pagmamamay-aring komunal ng lahat ng salinlahi at kung gayon ay HINDI MAAARING IPAGBILI, IPAMIGAY O SIRAIN.”

—Seksyon 5 ng Batas IPRA (RA 8371)

ANCESTRAL DOMAIN SUSTAINABLE DEVELOPMENT AND PROTECTION PLAN

ADSDPP

Kankanaey and Bago Indigenous Peoples of Alilem, Ilocos Sur
Organized under Alilem Municipal Tribal Council thru the assistance of the OFFICE FOR NORTHERN CULTURAL COMMUNITIES (now NCIP)Regional Office, City of San Fernando, La Union

ONCC Accreditation No.02-90-026

BACKGROUND:

A portion of the Alilem AD as viewed from Sitio Abatan, Daddaay.

Ancestral Domain Sustainable Development and Protection Plan (ADSDPP)

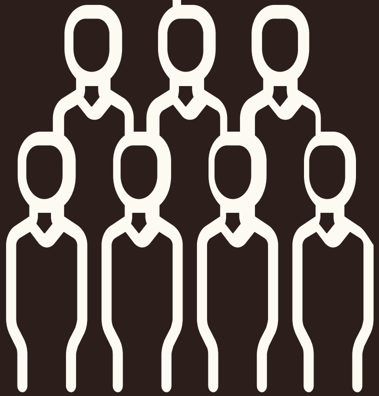
plano ukol sa pangangasiwa at pagpapayaman o pagpapaunlad ng kanilang lupain at ang mga likas yamang napapaloob dito.

NILALAMAN NG ADSDPP

SITWASYON NG LUPAING NINUNO AT KOMUNIDAD	PLANO AT PROGRAMA NG PAGPAPAUNLAD AT PANGANGALAGA	PATAKARAN AT MEKANISMO NG PAGPAPATUPAD
Kondisyon ng kapaligiran	Pamamahala at Proteksyon ng Lupaing Ninuno at Likas Yaman	Instrumentong pangregulasyon (Ano ang mga bawal?)
Sitwasyon ng komunidad	Pagpapaunlad ng Kabuhayan at Ekonomiya	Paraan ng pagpapatupad
Potensyal na aktibidad o oportunidad pangekonomiya	Pagpapaunlad ng Kaalaman at Kultura	Paraan ng pagbabahagi ng benepisyo at Pananagutan
Katutubong sistema at kasanayan ng kaalaman	Pagpapalakas ng Pamamahala at Institusyon	Pagbabalot at pagbebenta
Pangangailangan sa pagpapaunlad	Pagpapaunlad ng Tao at Serbisyo	Pagsubaybay at pagsusuri

1. Pagpapasiya at Pagbubuo ng Lupon

Gagawa ba ng ADSDPP?

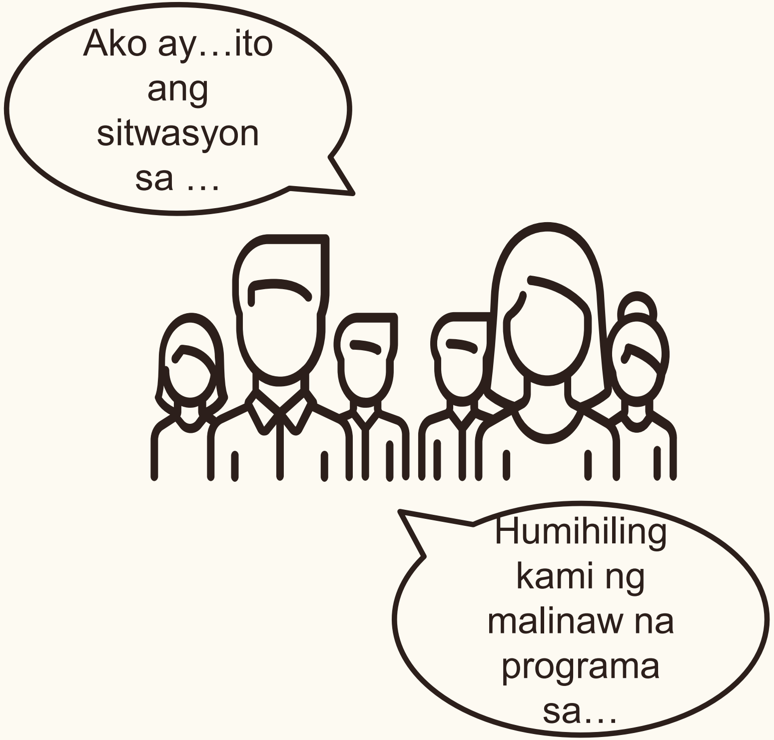


Kung bubuo ng ADSDPP, paano natin ito gagawin?

Paalala: Ang lupon na mabubuo ay binubuo ng mga kinatawan mula sa iba't ibang sektor ng komunidad.

2. PAGTITIPON NG IMPORMASYON AT PAGAARAL

Lupaing Ninuno



3. KONSULTASYON AT PAGLAHOK NG KOMUNIDAD

4. PAGBALANGKAS AT PAGBUO NG ADSDPP

ANCESTRAL DOMAIN SUSTAINABLE DEVELOPMENT AND PROTECTION PLAN

ADSDPP

Kankanaey and Bago Indigenous Peoples of Alilem, Ilocos Sur
Organized under Alilem Municipal Tribal Council
thru the assistance of the
OFFICE FOR NORTHERN CULTURAL COMMUNITIES
(now NCIP)Regional Office, City of San Fernando, La Union

ONCC Accreditation No.02-90-026

BACKGROUND:

A portion of the Alilem AD as viewed from Sitio Abatan, Daddaay.

1

5. PAGKILALA AT PAGSUPORTA NG NCIP

PAALALA SA ADSDPP

Seksyon 9. Pagsasama ng ADSDPP sa mga Plano ng Lokal na Pamahalaan

Seksyon 12. Pagpapahusay/Pag-update ng ADSDPP.- dapat pahusayin/i-update sa kabuuan o bahagi man lamang sa pagtatapos ng bawat limang (5) taong panahon

Seksyon 14. Salungatan ng ADSDPP sa Iba Pang mga Plano.

- ang orihinal na ADSDPP na inaprubahan ng komunidad ang dapat manaig.

MALAYA, NAUNA, NAUUNAWAANG KAPAHINTULUTAN o Free, Prior and Informed Consent (FPIC)

FPIC	Malaya, nauna at nauunawaang pagpayag ng mga katutubo ayon sa kanilang gabay
MALAYA	Hindi pinilit, binayaran o inimpluwensyahan
NAUNA	bago pa magsimula ang anumang pagpaplano o pagpapatupad ng isang proyekto
NAUUNAWAAN	Kumpleto ang impormasyon at naiintindihan
MALAKIHANG FPIC = CCA1 + CCA2	
MALIITANG FPIC = FIRST MEETING + DECISION MEETING	

KELAN KAILANGAN NG FPIC = CCA1 + CCA2?

01.

Paggamit ng likas na yaman na nangangailangan ng mga permit, lisensya, lease, kontrata, konsesyon, o mga kasunduan

02.

Yaong maaaring humantong sa pagpapalikas at/o paglilipat ng mga ICCs/IPs

03.

programa o proyekto sa muling pagtatatag ng pamahalaan o alinman sa mga instrumentalidad nito na maaaring magpakilala ng mga migrante

04.

pangunahing imprastraktura at iba pang mga proyekto sa pagpapaunlad na maaaring magdulot ng malaking epekto sa kapaligiran, panlipunan at kultura ng mga apektadong ICCs/IPs

KELAN KAILANGAN NG FPIC = CCA1 + CCA2?

05.

Paglalagay ng mga pasilidad na nuklear

06.

aktibidad na may kaugnayan sa mga biological at genetic na mapagkukunan

07.

Pagmimina, pagtotroso, pagtatayo ng mga dam, pagtatayo ng mga kalsada

08.

proyektong may kaugnayan sa turismo

09.

plantasyon ng tubo, tubo, saging, pinya, at iba pang katulad na malalaking plantasyon

10.

Iba pang mga plano, programa, proyekto at aktibidad na may katulad na laki o epekto

KELAN KAILANGAN NG FPIC = 1ST MEETING + DECISION MEETING?

01.
Mga aktibidad na hindi sakop kanina

02.
Mga pag-aaral sa pagiging posible na hindi kasama kanina

03.
Hindi pagkuha ng paggamit at paggamit ng lupa, tubig at likas na yaman

04.
Mga programa o proyekto o aktibidad na hindi nangangailangan ng mga permit

05.
Maliit na quarrying

06.
Iba pang mga aktibidad na katulad ng mga nabanggit

Malakihang Pagmimina

Malakihang FPIC = CCA1 + CCA2

Maliitang FPIC = First Meeting + Decision Meeting

Quarrying na di kinakailangan ng permit

Pananaliksik o Research ng Almaciga

Maliitang FPIC = First Meeting + Decision Meeting

ANO ANG MGA HINDI TALAGA PWEDENG GALAWIN?

- Mga sagradong lugar at libingan ng mga katutubong komunidad;
- Mga natukoy na internasyonal at lokal na lugar ng kultura at pamana:
- Mga kritikal na lugar na tinukoy o itinalaga ng mga ICCS/IP para sa mga espesyal na layunin; at
- Iba pang mga lugar na partikular na tinukoy ng mga ICC/IP sa kanilang ADSDPP.

BAGO ANG FPIC PROCESS

Field-Based Investigation (FBI)

Makipatulungan.
Ipakita ang lupain.
Ipaalam ang sagrado.
Ibahagi ang kaalaman sa posibleng epekto ng proyekto sa inyong kabuhayan, kultura at kapaligiran

Kung kailangan ng FPIC, magsusubmit si proponent ng Plano ng Operasyon at iba pa!

Alamin kung: rehistrado, kumpleto ng dokumento

Ano ang plano sa Lupaing Ninuno?

Work and Financial Plan (WFP)
Ano.Paano.Sino. Kailan. Magkano

→ Pagpapaskil ng abiso sa pampublikong lugar

FPIC PROCESS (unang pahina)

COMMUNITY ASSEMBLY 1 (CCA1)

Pumili ng magiging bahagi ng FPIC Team. patotohanan ang ulat ng FBI.
Paguusapan ang tradisyonal na proseso ng pagdedesisyon o PAGBUO NG CONSENSUS.

COMMUNITY ASSEMBLY 2 (CCA2)

Suriin ang plano ng operasyon.
Magtanong at ihayag ang alalahanin.

ang FIRST MEETING o unang pagkikita ay binubuo na ng CCA1 at CCA 2

CONSENSUS BUILDING

Magbubuo ng consensus ayon sa CCA1

Ito na ang DECISION MEETING sa maliit na FPIC

FPIC PROCESS (pangalawang pahina)

MEMORANDUM OF AGREEMENT (MOA) O KASUNDUAN

Siguraduhin na nakasulat sa MOA lahat, mula benepisyo, proteksiyon sa kultura at kapaligiran, pananagutan. Basahin muna ng mabuti bago pumirma.

CERTIFICATION PRECONDITION (CP)

Ang CP ay isang mahalagang dokumento na nagpapatunay na kayo ay nagbigay ng inyong FPIC.

MONITORING O PAGSUBAYBAY

02.

KARAPATANG PAMAHALAAN ANG INYONG SARILI

IPS. IPO. IPMR.

MGA KARAPATAN SA SARILING PAMAMAHALA

magpatotoo ng mga titulo ng katutubong pamunuan at pagkakasapi.

mabigyan ng representatibo

makilahok sa pagsasagawa, pagpapatupad at pagkikilatis ng mga programa, plano at patakaran

gamitin ang sariling pamamaraan ng paglilitis at pagpapataw ng kaparusahan o paggawad ng katarungan, at pag-ayos ng mga alitan

Para sa mga katutubong naninirahan sa mga magkakaratig na lugar kung saan sila ay bumubuo sa nakakaraming mamamayan ngunit napapaloob sa bayan, lalawigan o lungsod kung saan hindi sila ang nakararami, may karapatan silang bumuo ng sariling barangay

INDIGENOUS POLITICAL STRUCTURE (IPS)

Ang IPS ay nag-ugat sa inyong kultura, kaugalian, at tradisyonal na batas. Kayo mismo ang nagpapanatili at nagpapasya kung paano ito gumagana.

Republic of the Philippines
OFFICE OF THE PRESIDENT
NATIONAL COMMISSION ON INDIGENOUS PEOPLES
Quezon City

The National Commission on Indigenous Peoples hereby confers to the **IBATAN TRIBE INDIGENOUS POLITICAL STRUCTURE OF BABUYAN CLARO, CALAYAN, CAGAYAN COVERED BY CERTIFICATE OF ANCESTRAL DOMAIN TITLE (CADT) NO. RO2-CAL-1206-056**

CERTIFICATE OF CONFIRMATION

CO-R2-03-2015-01-006

Mission

The NCIP is the primary government agency that formulates and implements policies, plans and programs for the recognition, promotion and protection of the rights and well-being of ICCs/IPs with due regard to their ancestral domains and lands, self-governance and empowerment, social justice and human rights and cultural integrity.

This certification is being issued this **6th day of November 2015** to confirm the Indigenous Political Structure of the Ibatan ICCs/IPs of the Province of Cagayan, in accordance with their rights to: a) Self-governance and empowerment; b) Ancestral Domains/Lands; c) Social justice and Human Rights; and d) Cultural Integrity; collectively recognized, protected, conserved and restored in pursuit of culturally-inclined and sustainable development.

The NCIP further affirms that the IBATAN IPS within the Ancestral Domain Title # RO2-CAL-1206-0561 shall exercise the powers, duties and functions under Section 7 of NCIP Administrative Order No. 2 Series of 2012.

Vision

As enabling partner and lead advocate, the NCIP envisions genuinely empowered ICCs/IPs whose rights and multi-dimensional well-being are fully recognized, respected and promoted towards the attainment of national unity and development.

Quezon City, Philippines.

Hon. ZENAIDA BRIGIDA H. PAWID
Commissioner

Hon. DIONESIA O. BANUA
Commissioner

Hon. BAYANI D. SUMAOANG
Commissioner

Hon. PERCY A. BRAWNER
Commissioner

Hon. COSME M. LAMBAYON
Commissioner

Hon. ERA C. ESPAÑA
Commissioner

Atty. LEONOR T. ORALDE-QUINTAYO
Chairperson

PAGPAPAKUMPIRA NG IPS

- Geneological Survey
- Salaysay ng kaugalian at tradisyon
- Nakasulat at napatunayang oral na salaysay ng Sistema ng pamamahala
- Antropolohikal/makasaysayang datos

0 APLIKASYON

1 PAGSUSURI

2 FIELD-BASED VERIFICATION
Gagawin sa loob ng labinlimang (15) araw

3 ULAT AT REKOMENDASYON

4 PAGKUMPIRMA AT PAGISSUE NG EN BANC RESOLUTION AT COC

INDIGENOUS PEOPLES' ORGANIZATIONS (IPO)

organisasyon na binuo at pinamumunuan ng mga Katutubong Pamayanan/Katutubong Mamamayan (ICCs/IPs) para sa kapakanan at pagtatanggol ng kanilang mga Karapatan.

MGA REKISITO PARA SA IPO REGISTRATION

1. Resolusyon ng Indigenous Political Structure (IPS)
2. NCIP Application Form
3. Profile ng Pinuno/Tagapangulo ng IPO
4. Panloob na mga Panuntunan
5. Dahilan ng Boluntaryong Pagbuwag ng IPO
6. Mekanismo ng Reklamo at Grievance Procedure
7. Listahan ng mga Opisyal/Pinuno at Miyembro
8. Pinakabagong Audited Financial Statement
9. Iba pang mga kinakailangan ayon sa diskresyon ng NCIP.

18. Total Number of Manpower Complement:

Name of Manpower Complement	Job Description	Address	Income (PhP) Preceding Year Prior to Appointment

19. Total Number of Members: ______________________________

(List of members and addresses (attached as Annex D)

20. What is the Complaints Mechanism and/or Grievance Procedure (attached as Annex E)

21. Latest Audited Financial Statement (attached as Annex F)

22. State frequency of submission of Notarized Audited Financial Statement to IP and IPO

23. Accreditation by other government agencies, if any:

Name of Government Agency	Accreditation Number	Date Issued

WE, (IP Elders/Leaders – Managers of the IPO) DECLARE UNDER THE PENALTY OF PERJURY, THAT ALL MATTERS SET FORTH IN THIS APPLICATION FORM WHICH CONSISTS OF (_____) PAGES HAVE BEEN MADEIN GOOD FAITH, DULY VERIFIED BY US AND WE UNDERSTAND THAT THE FAILURE OF THE IPO TO COMPLY WITH REQUIREMENTS PROVIDED IN NAO 2, SERIES OF 2012 AND ITS INTERNAL RULES, SHALL BE CONSTRUED AS NON-OPERATION OF THE IPO AND A GROUND FOR REVOCATION OF THE IPOs CERTIFICATE OF RECOGNITION. IN THIS EVENTUALITY, THE IPO HEREBY WAIVES ITS RIGHTS TO A HEARING FOR THE SAID REVOCATION. TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE HEREWITH STATEMENTS ARE TRUE AND CORRECT.

SUBSCRIBED AND SWORN TO BEFORE ME IN PHILIPPINES, AFFIANT PERSONALLY APPEARED BEFORE ME THIS ________ AND EXHIBITED TO ME THEIR COMMUNITY TAX CERTIFICATE NO. (SIGNATURE) ISSUED ON ________________.

DONE THIS _____ DAY OF ______________ IN THE CITY/PROVINCE OF ____________________.

NOTARY PUBLIC FOR

DOC. NO: Notarial Commission No.
PAGE NO. Commission expires on December 31
BOOK NO. Roll of Attorney No.
SERIES OF PTR No.
IBP No.
Office Address:

PAGKATAPOS NG IPO APPLICATION

PAGSUSURI

FIELD-BASED VERIFICATION AT PAGUULAT

PAGISYU NG CERTIFICATION OF REGISTRATION (COR)

INDIGENOUS PEOPLES MANDATORY REPRESENTATIVE (IPMR)

BOSES sa mga konseho ng bayan, lungsod, at probinsya.

Ayon sa IPRA, at sa DILG Memorandum Circular 2010-110, sila ay dapat maging TULAY sa pagitan ng inyong komunidad at ng lokal na pamahalaan

Republic of the Philippines
OFFICE OF THE PRESIDENT
NATIONAL COMMISSION ON INDIGENOUS PEOPLES
REGION 6 & 7
3F CPBC-Centennial Bldg, Fajardo Street, Jaro, Iloilo City

NCIP RECORDS RELEASED DATE: MAR 03 2021

COA NO. R6-CPZ-039-2021

CERTIFICATE OF AFFIRMATION

This is to certify and affirm that:

RAFE D. LALUMA

is the duly recognized Indigenous Peoples Mandatory Representative (IPMR) for the Sangguniang Panlalawigan of Capiz, Province of Capiz, Philippines, pursuant to Section 16 of Republic Act RA 8371, otherwise known as *"The Indigenous Peoples Rights Act of 1997."*

This is to further certify that **Mr. LALUMA** is a bona fide member of the **PANAY BUKIDNON** *Indigenous Peoples/Indigenous Cultural Community* of Brgy. Rizal Sur, Municipality of Tapaz, Province of Capiz and was selected in accordance with their custom and tradition and as per NCIP Administrative Order No. 003, Series of 2018, otherwise known as the *"Revised National Guidelines for the Mandatory Representation of the Indigenous Peoples in Local Legislative Councils and Policy Making Bodies"* and *"Pagsurundan (Local Guidelines) Nahanungod sa Pagpili kang Tiglawas (IPMR) kang mga Pan-ayanon Bukidnon/Panay Bukidnon kag Ati ICCs/IPs sa Sangguniang Panlalawigan sa Probinsia kang Capiz,"* per documents endorsed and certified by Ms. Rubie A. Capada, NCIP Capiz Community Service Center.

This **Certificate of Affirmation** is hereby endorsed to the Department of Interior and Local Government (DILG) Region 6, Department of Budget and Management (DBM) Region 6, Office of the Governor, Province of Capiz and NCIP Central Office through the Office of the Empowerment and Human Rights (OEHR), in compliance with the said Administrative Order.

Given this 26th day of February 2021 in Iloilo City, Philippines.

AGOSTO B. MAGLUNSOD
Regional Director

MGA REKISITO UPANG MAGING IPMR

01 Isang bona fide na miyembro (COC)

02 marunong bumasa at sumulat

03 May pisikal, mental at moral na kaayusan

04 Natural born na mamamayang Pilipino

05 Hindi bababa sa 18 taong gulang sa petsa ng pag-upo

06 Iba pang kwalipikasyon na maaaring isama ng komunidad

IPMR sa mga lokal na lehislatibong lupon:

- Babad sa kultura ng kanilang inirerepresenta na komunidad;
- Tuloy-tuloy na naninirahan sa kanilang komunidad ng mahigit sampong (10) sampong taon; at
- Botante sa barangay, munisipyo, lungsod o probinsya ng magiging opisina.

MGA KAPANGYARIHAN AT TUNGKULIN NG IPMR

- Bumuo ng AGENDA PARA SA MGA KATUTUBO kasama ang kanilang komunidad at isumite sa NCIP
- Magsagawa ng REGULAR NA PAGTITIPON ng lahat ng katutubo sa loob ng pangkat (makipagugnay sa IPS)
- Magsulong ng mga PROBISYON para sa tulong-pinansyal na kinakailangan
- Magpanukala ng mga ORDINANSA AT RESOLUSYON, AT MAGTAWAG NG MGA PAGDINIG sa mga kinauukulang komite
- MAKIPAG-UGNAY sa NCIP
- Magsumite ng ACCOMPLISHMENT REPORT BAWAT BUWAN ukol sa kanyang mga inisyatiba at mga nagawa na aktibidad (ipapatunay ng kakatubo sa pamamagitan ng IPS)
- Suportahan ang pagsagawa ng IP CENSUS
- Magsagawa ng REPORT O ULAT AT IKONSULTA SA MGA KATUTUBO na kanyang sakop bawat buwan
- Magsagawa ng Annual IP Address (AIPA) na imumungkahi sa IPRA Month Celebration

03.

KARAPATAN SA KATARUNGANG PANLIPUNAN AT KARAPATANG PANTAO

Dapat…

Pantay-Pantay
Lahat mayroong ganitong Karapatan
Hindi naiiba sa mga karapatang pinanghahawakan ng lahat

Pandaigdigang Pahayag ng mga Karapatan ng Tao (UDHR)

Karapatan sa buhay
Karapatang kilalanin bilang tao sa harap ng batas
Karapatan sa pagkakapantay-pantay sa harap ng batas
Karapatan sa mabisang lunas
Kalayaan mula sa di-makatwirang pag-aresto
Karapatan sa makatarungang paglilitis
Karapatan sa pagiging pribado
Kalayaan ng pag-iisip, konsensya, at relihiyon
Kalayaan ng opinyon at pagpapahayag
Karapatan sa mapayapang pagtitipon at pagsasamahan
Karapatan sa pakikilahok sa pamahalaan
Karapatan sa trabaho
Karapatan sa makatarungan at kanais-nais na mga kondisyon sa paggawa
Karapatan sa seguridad sosyal
Karapatan sa sapat na pamantayan ng pamumuhay
Karapatan sa kalusugan
Karapatan sa edukasyon

04.

KARAPATAN SA KASARINLAN NG KULTURA

IKSP.

Ritwal: Pahayag o Pasalamat ng mga Pala'wan

Whang-Od, Isang katutubong Kalinga at mambabatok

IKSP: Indigenous Knowledge Systems and Practices

natatanging sistema, institusyon, mekanismo, at teknolohiya na nabuo sa paglipas ng panahon ng ating mga katutubo

kolektibong pag-aari ng buong komunidad ng mga ICCs/IPs

Maliitang FPIC = Unang Pagpupulong + Pulong para sa pagdesisyon

MGA OBLIGASYON

MGA KATUNGKULAN AT OBLIGASYON NG MGA KATUTUBO

Pagpapahalaga at Pagprotekta sa Lupang Ninuno

Pagpapanatili at Pagpapayaman ng Kultura

Pakikilahok sa Pagpapasya

Paggalang sa Katutubong Pamamahala

Pakikipagtulungan at Pagkakaisa

Paggalang sa Batas

OBLIGASYON NG MGA KABABAIHAN

1. Pagpapanatili at pagpapasa ng Indigenous Knowledge Systems and Practices (IKSPs) – lalo na ang mga tradisyonal na sining, musika, paghabi, at pagluluto.

2. Aktibong pakikilahok sa mga proseso ng paggawa ng desisyon sa komunidad.

3. Pagiging tagapangalaga ng pamilya at kulturang Katutubo.

4. Pagpapanatili ng katutubong kasuotan at kaugalian.

OBLIGASYON NG MGA KABATAAN

1. Pag-aaral at pagpapahalaga sa sariling kultura, wika, kasaysayan, at IKSPs.
2. Pagsunod at pagrespeto sa mga tradisyonal na batas at pamamahala ng komunidad.
3. Pagiging aktibo sa mga gawaing pangkomunidad at pagpapanatili ng kalikasan.
4. Paghahanda para sa pagiging susunod na pinuno at tagapangalaga ng Lupaing Ninuno.

OBLIGASYON NG MGA MAGSASAKA/MANGINGISDA

1. Pagsasanay ng sustainable at environmentally-friendly na mga pamamaraan ng pagsasaka at pangingisda.

2. Pagprotekta sa mga likas na yaman (lupa, tubig, kagubatan, yamang-dagat) sa loob ng Lupaing Ninuno.

3. Pagpapanatili ng Indigenous Knowledge Systems and Practices (IKSPs) sa agrikultura at pangisdaan.

4. Paggalang sa mga sagradong lugar at tradisyonal na batas sa paggamit ng likas na yaman.

OBLIGASYON NG MGA LGU

1. Pagkilala at paggalang sa mga karapatan ng ICCs/IPs sa ilalim ng IPRA.

2. Pagtitiyak na naisasagawa ang Free, Prior and Informed Consent (FPIC) sa anumang proyektong makakaapekto sa Lupaing Ninuno.

3. Pakikipagtulungan sa NCIP at sa mga Katutubong Komunidad sa pagpapatupad ng IPRA.

4. Pagsasama ng mga programa at serbisyong sensitibo sa kultura ng Katutubo sa kanilang mga plano.

5. Pagsuporta sa pagpapanatili ng kultura at tradisyon ng mga Katutubo.

"Ang **karapatan** ay **ilaw** sa dilim ng kawalan, ngunit ang **limitasyon** at **kaakibat na obligasyon** ang magpapanatili nitong **maningas**. Alalahanin, ang tunay na lakas ay nasa pagkakaisa at pagtupad sa ating **tungkulin** para sa Lupaing Ninuno at sa bawat isa.."

United Nations | Democracy Fund

BATAS UKOL SA KARAPATAN NG MGA KATUTUBO

MARAMING SALAMAT PO!