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## MEMORANDUM

**FOR/TO :** **The Administrator**  
 National Mapping Resource and Information Authority

**The Directors**  
 Legal Affairs Service  
 Biodiversity Management Bureau  
 Ecosystems Research and Development Bureau  
 Forest Management Bureau  
 Land Management Bureau  
 Mines and Geosciences Bureau

**FROM :** **The Undersecretary**  
 Policy, Planning and International Affairs  
 & Permanent Alternate DENR National Steering Committee (NSC)  
 DA-DAR-DENR-DILG National Convergence Initiative  
 for Sustainable Rural Development (NCI-SRD)

**SUBJECT :** **CONSULTATIVE MEETING REGARDING THE  
 JURISDICTIONAL AND OPERATIONAL ISSUES INVOLVING  
 DAR-DENR-LRA-NCIP**

**DATE :** **FEB 07 2022**

This has reference to the attached letter dated 27 January 2022 from Undersecretary Waldo R. Carpio, Undersecretary for Special Concerns, Department of Agriculture and Permanent Alternate Chairperson, National Steering Committee, NCI-SRD, requesting for the participation/attendance of above-mentioned offices in the Consultative Meeting to be held virtually on 01 March 2022, to discuss and solicit inputs on harmonizing our policies towards a more sustainable and IP-based climate science framework country.


In this regard, please ensure your attendance or your designated representative/s in the above meeting. Your active participation in the meeting is highly appreciated.

For confirmation of your attendance and queries, please contact Ms. Ram Bernal, NCI-SRD Secretariat at telephone numbers 8929-5683/8929-4927 or via email at [ncisrd@da.gov.ph](mailto:ncisrd@da.gov.ph).

For your appropriate action, please.

  
 ATTY. JONAS R. LEONES

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	Republic of the Philippines DA - DAR - DENR - DILG <b>National Convergence Initiative for Sustainable Rural Development (NCI-SRD)</b>	Reference Code:	NCI-SRD_FR_002_1
		Control No.:	NA-SRD - 01-020 - 22
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January 27, 2022

**ATTY. JONAS R. LEONES, CESO I**

Undersecretary for Policy, Planning, and International Affairs  
 Department of Environment and Natural Resources (DENR)  
 Visayas Avenue, Diliman, Quezon City

**Dear Undersecretary Leones:**

This has reference to the agreements made during the Policy and Advocacy Component Working Group (PA CWG) 1<sup>st</sup> Meeting held on 14 January 2022, supported by the National Steering Committee (NSC) on their 1<sup>st</sup> Meeting held on 26 January 2022 about the jurisdictional and operational issues involving DAR-DENR-LRA-NCIP.

As a backgrounder, in 2021, the NCI-SRD conducted a series of meetings and tried to resolve the jurisdictional and operational issues involving DAR-DENR-LRA-NCIP in relation to the Joint DAR-DENR-LRA-NCIP Administrative Order (JAO) No. 01-12. The said consultation was participated by NCI-SRD agencies and representatives from LRA and NCIP. As a result, the NSC instructed the NCI-SRD member agencies and offices to implement the following policy recommendations:

1. Promote an IP-based climate science framework that puts indigenous peoples at the center of climate mitigating and agriculture and environment efforts;
2. Strengthen the implementation of JAO No. 01-12 by maximizing the Joint National Committee (JNC) meetings;
3. Consolidate a list of issues and concerns gathered through the conduct of an island-wide consultation with various IP groups from different NCI-SRD convergence areas and endorse it to the JNC to serve as an empirical basis for further policy amendment and recommendation; and
4. Conduct a series of meetings with NCIP to clinch their support and participation in the NCI-SRD projects, activities, and endeavors signified through a supplemental document to the NCI-SRD DA-DAR-DENR-DILG JAO No. 01, series of 2020.

Further, it was agreed that the National Secretariat should coordinate with identified resource persons and offices, which include the following DENR offices:

1. Biodiversity Management Bureau (BMB);
2. Ecosystems Research and Development Bureau (ERDB);
3. Forest Management Bureau (FMB);
4. Land Management Bureau (LMB);
5. Mining and Geosciences Bureau (MGB);
6. National Mapping and Resource Information Authority (NAMRIA); and
7. Legal Office.


In this regard, we would like you to facilitate the attendance of the DENR offices mentioned above in the **Consultative Meeting on 01 March 2022 at 9 am via Zoom** to discuss and solicit inputs on

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 Tel: +632-8-929-5683 / +632-8-929-4927 | E-mail: ncisrd@da.gov.ph  
 Facebook: facebook.com/nationalconvergence

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harmonizing our policies towards a more sustainable and IP-based climate science framework country.


To confirm attendance, your staff may contact Ms. Ram Bernal of the NCI-SRD Secretariat at tel. nos. (02) 8929-5683 / (02) 8929-4927 or email us at [ncisrd@da.gov.ph](mailto:ncisrd@da.gov.ph).

Thank you for your continued support of the NCI-SRD, and we look forward to DENR's participation in the activity.

Respectfully yours,

  
**WALDO R. CARPIO**  
 Undersecretary for Special Concerns  
 Department of Agriculture and  
 Permanent Alternate Chairperson,  
 National Steering Committee (NSC), NCI-SRD



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**Policy and Advocacy Component Working Group (PA CWG)**

Consultative Meeting with NCIP

March 01, 2022, Tuesday | 09:00 am, via Zoom

**I. PRELIMINARIES**

The following documents were distributed before the meeting:

1. Provisional Agenda (**Annex A**);
2. Rationale and Meeting Objectives (**Annex B**);
3. Final Draft Policy Report on the Jurisdictional and Operational Issues among DAR-DENR-LRA-NCIP in relation to JAO No. 01-12 (**Annex C**);
4. Copy of JAO No. 01-12 (Clarifying, Restating, and Interfacing the Respective Jurisdictions, Policies, Programs and Projects of DAR, DENR, LRA and NCIP to Address Jurisdictional and Operational Issues Between and Among the Agencies) (**Annex D**); and
5. NCI-SRD JAO No. 01, series of 2020 (Revised DA-DAR-DENR-DILG Joint Administrative Order No. 01 Series of 2015 (Strengthening the Implementation Framework for the DA-DAR-DENR-DILG National Convergence Initiative for Sustainable Rural Development)) (**Annex E**).


**II. CALL TO ORDER**

Director Glenn Marcelo C. Noble, OIC-Director of DENR- Policy and Planning Service (PPS) and PA CWG Chairperson, presided over the meeting. He called the meeting to order at 9:10 am.

**III. ATTENDEES**

The meeting was attended by representatives from the DA-Kabuhayan at Kaunlaran ng Kababayang Katutubo (4Ks) program, DA-Bureau of Fisheries and Aquatic Resources (BFAR), DA-Bureau of Soils and Water Management (BSWM), DA-Office of the Undersecretary for Special Concerns (OUSC), DA-Policy and Research Service (PRS), DAR-Policy and Research Service (PRS), DAR-Office of the Undersecretary for Mindanao Affairs and Rural Development (OUMARD), DENR-Biodiversity Management Bureau (BMB), DENR-Environmental Management Bureau (EMB), DENR- Ecosystems Research and Development Bureau (ERDB), DENR-Forest Management Bureau (FMB), DENR-Legal Affairs Service (LAS), DENR-Mining and Geosciences Bureau (MGB), DENR-National Mapping and Resource Information Authority (NAMRIA), DENR- Policy and Planning Service (PPS), DILG- Bureau of Local Government Development (BLGD), National Commission on Indigenous Peoples (NCIP), and the National Secretariat. The attendance sheet is attached as **Annex A**.



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#### IV. AGENDA

The following are the provisional agenda:


- I. Declaration of Quorum and Call to Order
- II. Adoption of the Provisional Agenda
- III. New Business

Agenda	Action Requested
1. Rationale and Presentation of PA CWG Policy Briefer re DAR-DENR-LRA-NCIP JAO No. 01-12	For information.
2. Presentation of the Issue Matrix	For discussion.
3. Gantt Chart of Activities for FY 2022	For approval.


- IV. Other Matters  
None.

#### V. HIGHLIGHTS OF THE MEETING

Agenda	Points Raised/ Remarks
1. Adoption of the Provisional Agenda	<ol style="list-style-type: none"> <li>1. Chairperson Glenn Marcelo Noble, DENR-PPS, presented the provisional agenda and opened the floor for 'Other Matters.'</li> <li>2. DENR-LAS motioned to adopt the provisional agenda as presented and was seconded by DILG-BLGD.</li> </ol> <p><b>Major Agreement:</b> None.</p>
2. Rationale and Presentation of PA CWG Policy Briefer re DAR-DENR-LRA-NCIP JAO No. 01-12 ( <b>Annex B</b> )	<ol style="list-style-type: none"> <li>1. Ms. Ram Bernal, National Secretariat, presented the rationale and objectives of the meeting. She highlighted that in 2021, PA CWG drafted a policy briefer based on the DAR-DENR-LRA-NCIP Joint Administrative Order (JAO) No. 01-12 and conducted four (4) consultative meetings attended by the NCIP, LRA, RCI-TWGs, and PA CWG members to discuss the apparent conflicts that the JAO aims to solve and came out with a list of policy recommendations. She also explained that the NSC</li> </ol>


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Agenda	Points Raised/ Remarks
	<p>approved the policy briefer and instructed the NCI-SRD member agencies and National Secretariat to invite the NCIP in a consultation.</p> <p>2. Ms. Bernal emphasized that the goal of the consultative meeting was to identify the direction and critical areas of collaboration among NCI-SRD agencies and NCIP and to seal the commitment of these agencies through a document, preferably a supplemental JAO.</p> <p><b>Major Agreement:</b> None.</p>
3. Presentation of the Issue Matrix ( <i>Annex C</i> )	<p>1. Chairperson Noble requested the different agencies to present the contentious issues they listed in the issue matrix, starting from DA, then DAR, then DENR. It was noted that DILG would only be attending the consultations and would assist in drafting the supplemental JAO since it does not have any existing partnership with NCIP.</p> <p>2. The National Secretariat drafted the issue matrix based on the agreements from the PA CWG 1<sup>st</sup> Meeting held on 14 January 2022 that the National Secretariat must solicit initial concerns from the PA CWG members as points of discussion. The matrix has four columns labeled as Contentious Issues/Apparent Conflict, Actions Taken to Address the Conflict/Issue, Possible Areas of Collaboration, and Remarks. The matrix shall be filled in per agency. As of 28 February 2022, only DA and DENR listed issues in the matrix.</p> <p>3. The following issues have been raised under Free and Prior Informed Consent (FPIC):</p> <ol style="list-style-type: none"> <li>About the release timeline of FPIC, DA-BSWM and DEN-FMB inquired if the NCIP could stick on policies such as the Ease of Doing Business Law which requires government offices to process highly technical transactions within 20 working days;</li> <li>DENR-BMB also raised concerns about the standard cost of FPIC</li> <li>DENR-BMB also clarified the required fee of FPIC for Peoples Organizations (POs);</li> </ol>


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	<p>d. DENR-MGB discussed the list of <i>Minahang Bayan</i> approved by the DENR Secretary; and</p> <p>e. DENR-LAS questioned the validity/revocation of FPIC issued.</p> <p>4. Ms. Katherine Gullunan, NCIP-ADO, responded to the issues relating to FPIC:</p> <p>a. On the FPIC process with government agencies such as DENR, DPWH, DSWD, and DA, the NCIP Commission en Banc (CEB) has already approved a streamlined government process and is already at the ONAR for publication.</p> <p>b. On the cost of FPIC, the NCIP said that the costing is based on the different geographic locations of the IP communities in the country. Ms. Gullunan reiterated that the validation process for government projects is much more straightforward than a privately-owned company.</p> <p>c. In relation to the timeline of the FPIC release, Ms. Gullunan informed the group that NCIP is already streamlining its process to follow RA 11032 or the Ease of Doing Business Law being promulgated by ARTA. She mentioned that for simple validation, it would only take 30-36 calendar days before FPIC issuance; 92 days for small-scale projects; 145 days for large-scale projects; 36 days for community-solicited and government projects; and 22 days for Certificate of Non-Overlap (CNOs). The CEB only issues the FPIC of large-scale projects, while the small-scale projects may be approved through the Ethnographic Commissioner.</p> <p>d. For the required cost of FPIC for POs to be prohibitive, Ms. Gullunan said that the validation could be done through focus group discussions and consultation with community elders so the process would not be as costly for the POs. She also said that the Commission had submitted a new PREXC to DBM to request additional validation funding.</p> <p>5. Mr. Rogelio Gibe, DENR-FMB, clarified if individuals applying for any tenurial instruments through DENR can be considered under "government projects." Ms. Gullunan</p>




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	<p>replied that the said application would fall under small-scale projects.</p> <p>6. A prior meeting attended by NCIP and DENR-FMB in relation to implementing the National Greening Program was raised by Ms. Gullunan. She said that the NCIP was alarmed that some regions bypassed the FPIC process to implement the NGP. She also noted that the Commission is open to discussing the issue further with DENR-FMB.</p> <p>7. Ms. Rosalie Imperial, DENR-FMB, responded to Ms. Gullunan by stating that the NGP may be implemented on tenured and untenured lands.</p> <p>8. Ms. Gullunan reiterated that the issuance of FPIC for government projects may be shortened from 36 days to 10 days, depending on the level of collaboration with the community and the completeness of the submitted documents. If the community members and NCIP were integrated with the activity conceptualization, the regional field offices might submit the activity report and documentation for review.</p> <p>9. Engr. Diosdado Manalus, DA-BSWM, deduced from the NCIP's explanation that the NCI-SRD PAPs fall under small-scale projects.</p> <p>10. Ms. Gullunan agreed to the point raised by DA-BSWM, but she added that PAPs might also be community-solicited or initiated. In this case, the validating process would be skipped, and the proponents may submit the documentation to the NCIP Regional Field Offices (RFOs).</p> <p>11. Chairperson Noble interpreted Ms. Gullunan's point as a possible area of collaboration. He said that the rural development agencies should include the IP communities and NCIP RFOs in the meetings and plan for a shortened timeline. He added that in the proposed supplemental document, it could be stated that the NCI-SRD and NCIP sit down for a joint planning session and project proposal preparation.</p> <p>12. If the result of the consultation is an adversary to the IP community, Ms. Gullunan said that the PAP should undergo the validation process for up to 36 days to get the consent</p>


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	<p>of the IP community. This was in response to the query of Ms. Nilda Baling of DENR-BMB.</p> <p>13. Ms. Imperial requested the NCIP invite stakeholders and government agencies to comment on the Enhanced FPIC Streamlining Guidelines. NCIP responded that they would present the guidelines to the stakeholders once the TWG finished drafting them.</p> <p>14. DENR-LAS suggested submitting its list of projects to the NCIP for classification as small-scale, large-scale projects, etc. Aside from the list of projects, NCIP said that the agencies should also include the project description and profiles to validate its classification.</p> <p>15. On the issue raised by DENR-MGB re <i>Minahang Bayan</i>, Chairperson Noble explained that it is not yet a type of permit. Instead, <i>Minahang Bayan</i> is considered segregation of small parcels of land for small-scale mining, and a certification from the IP community is still needed to pursue it. Ms. Gullunan said that she would raise this concern in a meeting with their TWG to include it in the Enhanced FPIC Streamlining Guidelines.</p> <p>16. On the revocation of the issued FPIC, Ms. Gullunan explained that projects were not implemented in the IP communities, so the cancellation of FPIC was in place. She added that the revocation will also discuss the TWG and is part of the enhanced guidelines.</p> <p>17. Mr. Justine Devela, National Secretariat, that a Memorandum of Agreement (MOA) per region may be forged between NCI-SRD and the NCIP since not all convergence areas have IPs as stakeholders.</p> <p>18. On the issue of Final Boundaries of Ancestral Domain (AD), Ms. Shelley Joy Ruth S. Calata explained that NCIP only possessed data on approved CADTs and CALTs. She said that NCIP had identified ADs, but the Commission has to survey these areas, and they could not provide the technical description or polygons to the group.</p> <p>19. Chairperson Noble requested the NCIP to share data on the approved CADTs/CALTs and surveyed ancestral domain areas. While the NCIP agreed on this, the participants asked</p>

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	<p>that DAR and DENR share their data on existing tenurial instruments and a list of issued CLOAs.</p> <p>20. Mr. Gino Paje, DENR-LAS, said that the JAOs only covered ancestral lands (AL) and not ancestral domain (AD). He explained that AL and AD are two different concepts and should not be used interchangeably. Chairperson Noble responded that the concerned agencies should discuss this concern on a separate meeting.</p> <p>21. On the issue of ancestral lands that were covered by CLOAs, Mr. Eduardo Calbitaza explained that the ongoing SPLIT project is finalizing the boundaries of ancestral lands. NCIP confirmed that there is an ongoing collaboration between their office and DAR through the SPLIT project.</p> <p>22. Mr. Gibe, DENR-FMB, mentioned that they hope the NCIP would respect the CBFMA the POs developed over areas with overlapped CBFMA and CADT/CALT. NCIP responded that CBFMA issued before 1997 are respected by the Commission. However, it would be a different issue if the CBFMA is given after 1997.</p> <p>23. Chairperson Noble instructed the National Secretariat to add a “Discussion Points” column in the issue matrix to be updated based on the discussion that transpired.</p> <p><b>Major Agreements:</b></p> <ol style="list-style-type: none"> <li>1. NCIP to invite stakeholders to a consultation re Enhanced FPIC Streamlining Guidelines</li> <li>2. NCIP to share available information re approved CADTs/CALTs and surveyed ancestral domain areas.</li> <li>3. DAR and DENR agreed to share existing tenurial instruments, a list of issued CLOAs, etc., with NCIP.</li> <li>4. Clarification on the use of the AL vs. AD term in the JAO No. 01-12 to be parked and shall be discussed between DENR LAS and NCIP.</li> </ol>
4. Gantt Chart of Activities for FY 2022 ( <b>Annex D</b> )	<ol style="list-style-type: none"> <li>1. Ms. Bernal presented a draft Gantt chart of activities which includes an initial and final drafting, finalization by PA CWG members and the tentative date of submission to the NTWG and NSC.</li> <li>2. Chairperson Noble asked the National Secretariat to revise the Gantt chart and include all the PA CWG activities for FY</li> </ol>



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	2022. The revised Gantt chart will be circulated for the reference of the participants.  <b>Major Agreements:</b> 1. The meeting approved the revised Gantt chart of activities.

#### V. OTHER MATTERS

None.

#### VII. SUMMARY OF MAJOR AGREEMENTS


1. NCIP to invite stakeholders to a consultation re Enhanced FPIC Streamlining Guidelines
2. NCIP to share available information re approved CADTs/CALTs and surveyed ancestral domain areas.
3. DAR and DENR agreed to share existing tenurial instruments, a list of issued CLOAs, etc., with NCIP.
4. Clarification on the use of the AL vs. AD term in the JAO No. 01-12 to be parked and shall be discussed between DENR LAS and NCIP.
5. The meeting approved the revised Gantt chart of activities.

#### VI. WAYS FORWARD

Date	Activity	Venue
April 05, 2022	PA CWG 2 <sup>nd</sup> Consultative Meeting with NCIP	Zoom

#### VIII. ADJOURNMENT

The meeting was adjourned at 12:40 pm.

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Prepared by:


**RAMIDETTE G. BERNAL**

Project Development Officer III

Noted by:

**GLENN MARCELO C. NOBLE**

OIC-Director, DENR Policy and Planning Service (PPS)


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**ANNEX A**  
**PA CWG 1<sup>st</sup> Consultative Meeting with NCIP | March 01, 2022, via Zoom**


**ATTENDANCE SHEET**

NAME	OFFICE	DESIGNATION
1. Glenn Marcelo Noble	DENR-PPS	OIC-Director
2. Llarina Mojica	DENR-PPS-PSD	Chief, PSD
3. Febrielyn Tumines	DENR-PPS-PSD	Economist II
4. Ervannie Jay Belarmino	DA-4K	Director
5. Leila Garland Cuarteros	DAR-PRS	OIC-Director
6. Lonnaflor Germo	DA-BFAR	Senior Administrative Assistant II
7. Diosdado Manalus	DA-BSWM	Engineer IV
8. Julius Montereal	DA-OUISC	AO II
9. Elaine Gener	DA-OUISC	PDO III




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NAME	OFFICE	DESIGNATION
10. Marlito Cabunos	DA-PRS	Development Management Officer III
11. Eduardo Calbitaza	DAR-PRS	OIC-Chief
12. Fraulien Villa-Venancio	DAR-PRS	SARPO
13. Nilda Baling	DENR-BMB	Supervising Ecosystems Management Specialist
14. Joseph Ryan Davalos	DENR-BMB	Environmental Management Specialist
15. Winnievir Balilia	DENR-BMB	Senior Ecosystems Management Specialist
16. Reneo Vicente	DENR-BMB	Sr. EMS
17. Rowena Bolinas	DENR-BMB	Supervising EMS
18. Ariel L. Erasga	BMB - BD Corridor Project	NRM Officer


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NAME	OFFICE	DESIGNATION
19. Dulcie S. Rivera	BD Corridor Project	Planning and M&E Officer
20. Mitchel Confesor	BD Corridor Project	Communications Officer
21. Tanya Conlu	Biodiversity Corridor Project - Eastern Mindanao	Corridor Project Manager
22. Ariel L. Erasga	BMB - BD Corridor Project	NRM Officer
23. Juan Eborá	DENR-ERDB	Information Officer V
24. Rosalie Imperial	DENR-FMB	Supervising Forest Management Specialist
25. Rogelio Gibe	DENR-FMB	Senior Forest Management Specialist
26. Dianne Lanugan	DENR-FMB	Senior Forest Management Specialist


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NAME	OFFICE	DESIGNATION
27. Illac G. Bohol	DENR- LAS- Legal Crisis Prevention and Management Division	Attorney IV / OIC-Chief
28. Bianca G. Pagalilauan	DENR-LAS	Attorney III
29. Gino Paje	DENR-LAS	Special Investigator III
30. Joseph Pangilinan	DENR-LSD	Attorney III
31. John Peter Miraña	DENR-MGB	Engineer II
32. Ibarra Janamnam Sereño	DENR-MGB	Engineer II
33. Jan Jeremiah Villaroman	DENR-MGB	Engineer III
34. Teodorico A. Sandoval	DENR-MGB	Planning Officer V
35. Gilbert L. Aquino	DENR-MGB	Supervising SRS
36. Gilbert L. Aquino	DENR-MGB	Supv. SRS




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NAME	OFFICE	DESIGNATION
37. Calvin Perez	DENR-MGB	Community Development Officer III
38. Beata Batadlan	DENR-NAMRIA	Division Chief
39. Estela Gumabon	DENR-NAMRIA	Supervising RS
40. Katherine Gullunan	NCIP- Resource Management Division (RMD)	Chief, RMD ADO
41. Shelley Joy Ruth S. Calata	NCIP- Ancestral Domains Office/Recognition Division	DMO V/ OIC-Chief, Recognition Division
42. Lucita dela Pena	DILG-BLGD	LG00 V
43. Dominic Roges Castillo	DILG-BLGD	PO I
44. Ram Bernal	NCI-SRD	PDO III
45. Justine Devela	NCI-SRD	EA III
46. Louie Lanugan	NCI-SRD	AA II

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NAME	OFFICE	DESIGNATION
47. Ermalyn Cruz	NCI-SRD	SAA II

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**Policy and Advocacy Component Working Group (PA CWG)**

Consultative Meeting with NCIP

01 March 2022, Tuesday| 09:00 am, via Zoom

**AGENDA**

- I. Adoption of the Provisional Agenda
- II. New Business

<b>Agenda</b>	<b>Action Requested</b>
1. Rationale and Presentation of PA CWG Policy Briefer re DAR-DENR-LRA-NCIP JAO No. 01-12	For information.
2. Presentation of the Issue Matrix	For discussion.
3. Gantt Chart of Activities for FY 2022	For approval.

- III. Other Matters
- IV. Summary of Major Agreements
- V. Ways Forward

**GLENN MARCELO C. NOBLE**

OIC-Director, DENR Policy and Planning Service (PPS)  
and PA CWG Chairperson



# ANNEX "D"



## PA CWG Policy Review and Audit Consultative Meeting re NCIP's Possible Collaboration with the NCI-SRD



Ridge - to - Reef

DA-DAR-DENR-DILG National Convergence Initiative for Sustainable Rural Development (NCI-SRD)

## Rationale/Background

January-  
November 2021

### Policy Review of DAR-DENR-LRA-NCIP JAO No. 01-12

In 2021, the Policy and Advocacy Component Working Group of the NCI-SRD conducted four (4) consultative meetings attended by the NCIP, LRA, RCI-TWGs, and PA CWG to discuss the apparent conflicts that the JAO aim to solve and came out with a list of policy recommendation.

PA CWG

PA CWG Consultation with NCIP

2

## Rationale/Background

December 15,  
2021

### PA CWG Special Meeting

One of the major agreements from the PA CWG Special Meeting attended by DAR Usec. Dilangalen, DENR-PPS Dir. Capistrano of DENR and DAR-PRS Dir. Leila Cuarteros included the suggestion to draft a supplemental JAO to involve the NCIP in the NCI-SRD PAPs.

PA CWG

PA CWG Consultation with NCIP

3

## Rationale/Background

January 14,  
2022

### PA CWG 1<sup>st</sup> Regular Meeting for FY 2022

PA CWG agreed to adopt the suggestion during the PA CWG Special Meeting to look into the possibility of involving the NCIP in the NCI-SRD PAPs.

Further, PA CWG members also agreed to include the following offices in the list of institutions to be consulted:

- For DA: possible inclusion of 4Ks
- For DAR: PRS and the possible inclusion of BLTI
- For DENR: PPS, BMB, ERDB, FMB, LMB, MGB and the Legal Office

PA CWG

PA CWG Consultation with NCIP

4

## Rationale/Background

January 26, 2022

### NSC 1<sup>st</sup> Regular Meeting for FY 2022

The NSC approved the PA CWG Policy Review Report of the Joint DAR-DENR-LRA-NCIP Administrative Order (JAO) No. 01-12. The NSC also ordered the NCI-SRD to execute the policy recommendations listed in the report.

The NSC instructed the NCI-SRD National Secretariat to arrange a meeting with the NCIP for a possible collaboration and involvement in the NCI-SRD events and activities and vice-versa. Moreover, the NSC would like to gauge NCIP's level of interest to be part of the NCI-SRD.

## Meeting Objectives



1. Identify the direction and key areas of collaboration among NCI-SRD agencies and NCIP by discussing the Issue Matrix; and
2. Approve the Gantt Chart of Activities as a means forward.

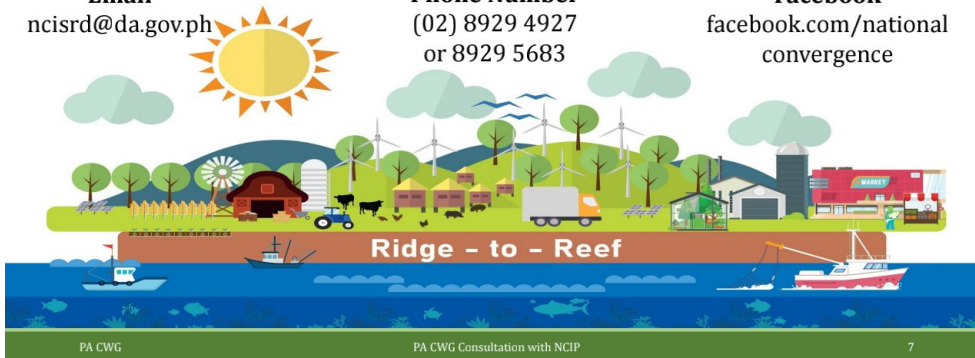
## Thank You!


GET IN TOUCH

**Email**  
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or 8929 5683

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**JURISDICTIONAL AND OPERATIONAL ISSUES AMONG DAR-DENR-LRA-NCIP:  
A POLICY REVIEW OF JOINT DAR-DENR-LRA-NCIP ADMINISTRATIVE ORDER (JAO) NO. 01-12**

**1. History and Background**

The concept of ancestral domain is the single most powerful tool used by the Indigenous Peoples (IPs) to advance their rights to self-determination. An ancestral domain is central to the IPs struggle to be recognized and to have their rights respected. Moreover, it also connotes relations and continuity. By underscoring the element of ancestry, this concept is powerful in its ability to connect the past, present, and future.

States all over the world protect IPs and IP lands, not just to preserve their indigenous practices and knowledge, but also to shelter the environment. Since at least a quarter of the world's land area is owned, managed, used or occupied by indigenous peoples and local communities, it is the primary task of the governments to safeguard the sentinels of nature.

In the Philippines, an estimated 85% of the country's key biodiversity areas are within ancestral domains. The Department of Environment and Natural Resources (DENR) is mandated by the state to conserve, protect, and develop biodiversity and has the sole authority to issue resource access permits and development instruments over natural resources. However, DENR's authority over natural resources has caused confusion on the side of the IPs.

The Department of Agrarian Reform (DAR), on the other hand, issues Certificate of Land Ownership Awards (CLOAs) to implement comprehensive and genuine agrarian reform in the country. However, there are titled lands with registered CLOAs and Emancipation Patents (EPs) within lands with applied Certificate of Ancestral Domain Title (CADT)/ Certificate of Land Domain Title (CALT).


In 2011, a joint task force was established to resolve the overlapping jurisdictional and operational concerns among DAR, DENR, and NCIP. The Land Registration Authority was involved as the government office that administers land titling. In 2012, the DAR-DENR-NCIP-LRA Joint Administrative Order (JAO) No. 01-12 was crafted and signed to prevent any contentious issues in relation to conflicting claims in the future.

**2. Challenges in the Implementation of the JAO No. 01-12**

The JAO, which aimed to facilitate and coordinate the registration of the ancestral domains and land title processing among agencies, was not smoothly implemented. At the national level, the lack of a lead convenor has caused ambiguity on which department should take the first step. The JAO may have outlined the jurisdiction of each agency but this caused them to speak in different languages, prioritizing their mandates over the other. For the NCIP, the indigenous peoples and local communities should have total authority over AD/AL. On the other hand, DENR and DAR have their own mandates to exercise and fulfill. This caused NCIP to consider withdrawing its participation from the JAO in 2019.

A Joint National Committee (JNC) led by the Office of the Cabinet Secretary Karlo Nograles was convened due to the problem of NCIP to register approved Certificates of Ancestral Land Title (CADT) in the Register of Deeds (ROD) and Land Registration Authority (LRA) because ROD and LRA were asking for Certification of No Overlap as one of the requirements stipulated in DAR-DENR-LRA-NCIP No. 01-12. In one of PA CWG's consultations, the NCIP expressed that one of the reasons why they wanted to withdraw from JAO No. 01-12 was because "they felt they were losing the end of the



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bargain.” However, the Support to Parcelization of Land for Individual Titling (SPLIT) Project, funded by World Bank and implemented by DAR, encouraged the NCIP to not withdraw from the JAO since it provided avenues for them to negotiate their terms. He added that they are happily joining the discussion to pursue better engagements for the indigenous cultural communities/indigenous peoples (ICCs/IPs).

The Policy and Advocacy Component Working Group of the NCI-SRD conducted four (4) consultative meetings attended by the NCIP, LRA, RCI-TWGs, and PA CWG to discuss the apparent conflicts that the JAO aim to solve. The following contentious issues were raised by the stakeholders and attendees:

1. Untitled lands being claimed by the ICCs/IPs to be parts of their AD/AL which are covered by approved survey plans and also being claimed by DAR and/or DENR;
2. Titled lands with registered CLOAs, EPs, and Patents within CADT/CALT/CADC/CALC;
3. Resource access/development instruments issued by the DENR over lands within Ancestral Land/Domain Claims;
4. Exploration Permit (EP), Financial or Technical Assistance Agreement (FTAA); Mineral Agreement (either Production Sharing, Co-Production or Joint Venture) issued within CARP covered areas;
5. Reservations, proclamations, and other special law-declared areas a portion or the entirety of which is subsequently issued a CADT/CALT; and
6. Areas with existing and/or vested rights after the registration of the CADTs/CALTs but for any reason not segregated/excluded.

The group did its best to reconcile the concerns and come up with the best solution to resolve the bottleneck for the good of the people despite the limitation of virtual meetings and online communication. The group recognized that there is still a need to flesh out the apparent conflicts through continuous discussion and meetings.

### 3. **Jurisdictional and Operational Mandates of DAR, DENR, LRA, and NCIP Offices in Relation Potentially Contentious Lands and Conflicting Claims**

To guide the harmonization of institutional policies and guidelines, mandates of relevant DA, DENR, and DILG offices in relation to mangroves and fishpond development must be considered.

1. **DAR - Bureau of Agrarian Legal Assistance (BALA)**- handles the resolution of agrarian cases, representation of beneficiaries before judicial and quasi-judicial bodies, and mediation and consultation
2. **DAR - Bureau of Land Tenure Improvement (BLTI)**- primary office that secures farmers' tenure, promotes social equity, and provides them with necessary productive resources needed to ensure their economic viability and productivity.
3. **DENR –Ecosystems Research and Development Bureau (ERDB)**– As the principal research development unit of DENR, the DENR-ERDB is focused on the formulation and recommendation of an integrated research program relating to Philippine ecosystems and natural resources such as minerals, lands, forests, as holistic and interdisciplinary fields of inquiry (Sec. 13, Executive Order 192 series of 1987).
4. **DENR – Forest Management Bureau (FMB)** – The DENR-FMB is the primary government agency in charge of recommending and spearheading policies and/or programs for the effective protection, development, occupancy, management, and conservation of forest lands and watersheds including grazing and mangrove areas (Sec. 13, Executive Order 192 series of 1987). Relative thereto, together with concerned Agencies and Bureaus of the DENR, the FMB also

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provides technical assistance to the DENR Regional Offices on the determination of the status of Land Classifications particularly Forestlands.

5. **DENR- Land Management Bureau (LMB)**- The LMB recommends policies and programs for the efficient and effective administration, surveys, management, and disposition of alienable and disposable lands of the public domain and other lands outside the responsibilities of other government agencies; such as reclaimed areas and other areas not needed for or are not being utilized for the purposes for which they have been established.
6. **DENR – Mines and Geosciences Bureau (MGB)**- take direct charge in the administration and disposition of mineral lands and mineral resources and promulgate rules and regulations, policies, and programs relating to mineral resources management and geosciences developments.
7. **DENR-National Mapping and Resource Information Authority (NAMRIA)**– NAMRIA conducts nationwide environment and natural resource assessment and mapping of various thematic geospatial information such as land cover, coastal resources, low-lying areas vulnerable to sea-level rise, tenurial instruments, and upland/forestland population, among others. These fundamental datasets serve as vital inputs in policy formulation, physical and developmental planning, provision of social services, disaster risk reduction and management, and climate change mitigation and adaptation studies at various levels (Sec. 22, Executive Order 192 series of 1987).
8. **Land Registration Authority (LRA)**–responsible for issuing decrees of registration and certificates of title and register documents, patents, and other land transactions for the benefit of landowners, agrarian-reform beneficiaries, and the registering public, in general.
9. **National Commission on Indigenous Peoples (NCIP)**– The NCIP is mandated to protect and promote the interest and well-being of the ICCs/IPs with due regard to their beliefs, customs, traditions, and institutions, which includes formal recognition, control, and management of ancestral domains.

#### 4. Relevant Legislations and Policies


##### 4.1 Laws

1. **RA 6657** or the Comprehensive Agrarian Reform Law (CARL) of 1988
2. **RA 8371** or the Indigenous Peoples Rights Act (IPRA) of 1997
3. Commonwealth Act No. 141 or the Public Land Act
4. **RA 496** or the Land Registration Act
5. **PD 1529** or the Property Registration Decree

##### 4.2 Joint Issuances

1. **DAR-DENR JMC No. 9 series of 1995** (Clarifying and Restating the Jurisdiction and Authority of DAR and DENR over Certain Types of Lands of the Public Domain Covered by the CARP)
2. **DAR-DENR JMC No. 14 series of 1997** (Clarifying the Jurisdiction and Authority of DAR and DENR on the Disposition of Untitled Privately Claimed Agricultural Lands)
3. **DAR-DENR JMC No. 19 series of 1997** (Guidelines to Implement the Joint DAR-DENR Memorandum Circular No. 14, series of 1997 Regarding Untitled Private Agricultural Lands)
4. **DENR-NCIP JMC No. 2003-1** (Harmonization of the Implementation on the Indigenous Peoples Rights Act (IPRA) and Environment and Natural Resources (ENR) Laws and Policies)



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5. **Executive Order No. 407 series of 1990** (Accelerating the Acquisition and Distribution of Agricultural Lands, Pasture Lands, Fishponds, Agroforestry Lands and other Lands of the Public Domain Suitable for Agriculture)
6. **Executive Order No. 448 series of 1991** (Amending Executive Order No. 407, series of 1990, entitled “Accelerating the Acquisition and Distribution of Agricultural Lands, Pasture Lands, Fishponds, Agroforestry Lands and other Lands of the Public Domain Suitable for Agriculture”)

## 5. Policy Recommendations

1. Promote an IP-based climate science framework that puts indigenous peoples at the center of climate mitigating and agriculture and environment efforts;
2. Strengthen the implementation of JAO No. 01-12 by maximizing the Joint National Committee (JNC) meetings;
3. Consolidate a list of issues and concerns gathered through conduct of an island-wide consultation with various IP groups from different NCI-SRD convergence areas and endorse it to the JNC to serve as an empirical basis for further policy amendment and recommendation; and
4. Conduct a series of meetings with NCIP to clinch their support and participation in the NCI-SRD projects, activities, and endeavors signified through a supplemental document to the NCI-SRD DA-DAR-DENR-DILG JAO No. 01, series of 2020.

Recommended by:

### GLENN MARCELO NOBLE

Director, Policy and Planning Service and Policy  
and Advocacy Component Working Group Chairperson, NCI-SRD

Noted by:

### WALDO R. CARPIO

Undersecretary for Special Concerns  
Department of Agriculture *and*  
Permanent Alternate Chairperson, National Steering Committee (NSC)  
DA-DAR-DENR-DILG NCI-SRD

## JOINT DAR-DENR-LRA-NCIP ADMINISTRATIVE ORDER NO. 01-12

**SUBJECT : *Clarifying, Restating and Interfacing the Respective Jurisdictions, Policies, Programs and Projects of the Department of Agrarian Reform (DAR), Department of Environment and Natural Resources (DENR), Land Registration Authority (LRA) and the National Commission on Indigenous Peoples (NCIP) in Order to Address Jurisdictional and Operational Issues Between and Among the Agencies***

I. *Preliminary Provisions*

SECTION 1. *Prefatory Statement.* — Pursuant to the constitutional framework of national unity and development, R.A. No. 6657, otherwise known as the Comprehensive Agrarian Reform Law (CARL) of 1988, as amended, and R.A. No. 8371, otherwise known as the Indigenous Peoples Rights Act (IPRA) of 1997, were enacted. The CARL and IPRA are considered as two landmark legislations because they seek to address social justice and equity issues affecting the farmers and indigenous peoples, respectively, who constitute the vast majority of the poor in the country. These "reform" laws have opened the windows of opportunity for them to have control over basic assets and natural resources for their sustenance and survival. For the farmers, the CARL is a golden opportunity for them to own the land they till, ". . . to enhance their dignity and improve the quality of their lives through greater productivity of agricultural lands". For the indigenous cultural communities/indigenous peoples (ICCs/IPs), the IPRA recognizes and promotes ownership of their ancestral domains (ADs) and ancestral lands (ALs) and their rights to control, manage and develop the same.

On the other hand, Commonwealth Act (CA) 141 as amended, otherwise known as the Public Land Act, states that all lands of the public domain are under the exclusive jurisdiction of the DENR except those placed by law and/or by Executive Issuances under the jurisdiction of other government agencies.

In the registration of Land Titles issued by DENR and DAR in accordance with the aforementioned laws, the provisions of Act 496 (Land Registration Act), as amended by PD 1529 (Property Registration Decree) shall apply. Land Titles issued by NCIP are, however, directed by IPRA to be registered with the appropriate Register of Deeds.

In the course of their implementation, these laws have, however, created not only issues of overlapping jurisdiction between the DAR, DENR and NCIP but also operational issues and conflicting claims in the implementation of their respective programs, which must be seriously addressed.

Accordingly, this guideline is issued to address said issues of overlapping jurisdiction, operational issues and conflicting claims by and among the aforementioned agencies.

SECTION 2. *Scope.* — This Order shall apply to the coverage of lands and/or processing by DAR, DENR and NCIP and registration with LRA of Land Titles embracing lands or areas which are contentious or potentially contentious as enumerated in Section 12 hereof.

SECTION 3. *Definition of Terms.* — For purposes of this Order, the following terms and concepts are herein defined as follows:

- a. *Alienable and Disposable (A and D) lands* refer to lands of the public domain which have been released and proclaimed as such by the President from the mass of unclassified public lands, or reclassified as such from other forms of classification through an Act of Congress. For purposes of their administration and disposition A and D lands are sub-classified as follows: i) agricultural; ii) residential, commercial, industrial or for similar productive purposes; iii) educational, charitable, or other similar purposes; or iv) reservations for town sites and for public and quasi-public uses.



b. *Ancestral Domain (AD)* Subject to Section 56 of the IPRA, refers to all areas generally belonging to ICCs/IPs comprising lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownership, occupied or proposed by ICCs/IPs, by themselves or through their ancestors, communally or individually since time immemorial, continuously to the present except when interrupted by war, *force majeure* or displacement by force, deceit, stealth or as a consequence of government projects or any other voluntary dealings entered into by government and private individuals/corporations, and which are necessary to ensure their economic, social and cultural welfare. It shall include ancestral lands, forests, pasture, residential, agricultural, and other lands individually owned whether alienable and disposable or otherwise, hunting grounds, burial grounds, worship areas, bodies of water, mineral and other natural resources, and lands which may no longer be exclusively occupied by ICCs/IPs but from which they traditionally has access to for their subsistence and traditional activities, particularly the home ranges of ICCs/IPs who are nomadic and/or shifting cultivators. (*Section 3 (a) of IPRA*)

c. *Ancestral Land (AL)* Subject to Section 56 of the IPRA, refers to land occupied, possessed and utilized by individuals, families and clans who are members of the ICCs/IPs since time immemorial, by themselves or through their predecessors-in-interest, under claims of individual or traditional group ownership including, continuously, to the present except when interrupted by war, *force majeure* or displacement by force, deceit, stealth, or as a consequence of government projects and other voluntary dealings entered into by government and private individual/corporations, including, but not limited to residential lots, rice terraces or paddies, private forests, swidden farms and tree lots. (*Section 3 (b) of IPRA*)

d. *Certificate of Ancestral Domain Title (CADT)* refers to a title formally recognizing the rights of possession and ownership of ICCs/IPs over their ancestral domains identified and delineated in accordance with R.A. No. 8371.

e. *Certificate of Ancestral Land Title (CALT)* refers to a title formally recognizing the rights of ownership of ICCs/IPs over their ancestral land.

f. *Certificate of Land Ownership Award (CLOA)* is the proof of ownership of lands awarded to an agrarian reform beneficiary under R.A. No. 6657, as amended, which contains the restrictions and conditions for such ownership and must be registered in the Register of Deeds.

g. *Certification of Non-Overlap* refers to the certification to be issued separately by DAR, DENR, and LRA prior to the approval by the NCIP of the CADT/CALT application after compliance with the requirements and processes mentioned under Section 13 hereof.

The Certification is issued after projection and verification by said agencies and upon determination that there is no overlapping of titled properties or approved survey plans with the AD/AL survey plan, or should there be overlapping, it is issued after segregation/exclusion of the overlapped titled properties or approved survey plans from the survey plan and the technical description of the AD/AL.

h. *Common and Public Welfare and Services* is synonymous with public use, public interest and public benefit. It is the general concept of meeting public need or public exigency.

It is not confined to actual use by the public in its traditional sense. This narrow meaning has since been rejected in favor of a broader concept which includes any use that is of utility, advantage or productivity for the benefit of the public generally.

i. *Emancipation Patent (EP)* is the proof of ownership of lands awarded to an agrarian reform beneficiary under P.D. No. 27 (Operation Land Transfer) or Executive Order No. 228 which contains the restrictions and conditions for such ownership and must be registered in the Register of Deeds.

j. *Free and Prior Informed Consent (FPIC)* is the consensus of all members of the ICCs/IPs which is determined in accordance with their respective customary laws and practices that is free from any external manipulation, interference and coercion, and obtained after fully disclosing the intent and scope of the plan/program/project/activity, in a language and process understandable to the community. The FPIC is given by the concerned ICCs/IPs upon signing of the Memorandum of Agreement (MOA) containing the conditions/requirements, benefits as well as penalties of agreeing parties as basis of consent. DEIHSa

k. *Land Titles* are instruments of ownership issued pursuant to the implementation of the Public Land Act (C.A. 141), Property Registration Decree (P.D. 1529), Comprehensive Agrarian Reform Law (R.A. 6657) and Indigenous Peoples Rights Act (R.A. 8371).

l. *Native Title* refers to pre-conquest rights to lands and domains which, as far back as memory reaches, have been held under a claim of private ownership by ICCs/IPs, have never been public lands and are thus indisputably presumed to have been held that way since before the Spanish conquest.

m. *Notice of Coverage (NOC)* is a written notice wherein the landowner is formally notified by DAR that his/her landholding is to be placed under the coverage of the Comprehensive Agrarian Reform Program (CARP) which includes therein, among others, the right of the landowner to choose within a prescribed period his/her allowable retention area and to nominate his/her child/ren as preferred beneficiary/ies under the CARP.

n. *Vested Right* is a complete, well-consummated right that cannot be divested without the consent of the person to whom it belongs; one that is fixed or established and no longer open to controversy. It is absolute and unconditional, the exercise of which no obstacle exists.

It also refers to a property right which has become fixed and established, and is no longer open to doubt or controversy; an immediately fixed right of present or future enjoyment as distinguished from an expectant or contingent right.

## II. *Jurisdiction of DENR, DAR and NCIP*

SECTION 4. *Jurisdiction of DENR.* — The DENR has jurisdiction over all lands of the public domain (*i.e.*, agricultural lands, forest or timber lands, national parks and mineral lands) except those placed by law and/or other issuances under the operational jurisdiction of other government agencies (*e.g.*, Joint DAR-DENR MC No. 9, Series of 1995; Joint DAR-DENR MC No. 14 and 19, Series of 1997).

It is responsible for the conservation, management, development and proper use of the country's environment and natural resources as well as the licensing and regulation of all natural resources as may be provided by existing laws. aAHSEC

SECTION 5. *Jurisdiction of DAR.* — Pursuant to Section 4 of Republic Act 6657 as clarified in Joint DAR-DENR MC No. 9, Series of 1995, and Joint DAR-DENR MC Nos. 14 and 19, Series of 1997, the following lands are under the jurisdiction of DAR:

- a. All alienable and disposable lands of the public domain devoted to or suitable to agriculture which were:
  1. proclaimed by the President as DAR resettlement projects and placed under the administration of DAR for distribution to qualified beneficiaries under CARP;
  2. placed by law under the jurisdiction of DAR; and
  3. previously proclaimed for the use of Government departments, agencies and instrumentalities and subsequently turned over to DAR pursuant to E.O. 407 Series of 1990, as amended by E.O. 448 and 506 Series of 1992.



- b. All lands of the public domain in excess of the specific area limits as determined by Congress in the preceding paragraph;
- c. All other lands owned by the Government devoted to or suitable for agriculture; and
- d. All private lands devoted to or suitable for agriculture regardless of the agricultural products raised or that can be raised thereon.

For purposes of simplifying the above categories, these landholdings can still be sub-classified as follows: a) titled properties; b) resettlement areas and reservations; and c) untitled private agricultural lands.

a. *Titled Properties*

These shall include all agricultural landholdings covered with certificates of title and registered under the Land Registration Act (Act 496) or under the Property Registration Decree (PD No. 1529) or those landholdings administratively titled before 1987 under the Public Land Act (CA No. 141), as amended, and which are in excess of the retention limit.

b. *Resettlement Areas and Reservations*

These shall include all public lands, *i.e.*, resettlement areas and reservations, which have been proclaimed (by way of Presidential Proclamations) for DAR, other government agencies, and for government financial institutions and were subsequently turned-over to DAR for coverage under CARP pursuant to Executive Order No. 407, Series of 1990, as amended by Executive Order No. 448, Series of 1991. THaAEC

c. *Untitled Private Agricultural Lands*

These shall include all surveyed landholdings covered by an approved survey plan which meet the criteria for untitled private agricultural lands under Joint DENR-DAR MC No. 2003-1, as follows:

1. Continuous occupancy and cultivation by oneself or thru predecessor-in-interest for at least thirty (30) years prior to the effectivity of the Free Patent Law Extension (R.A. No. 9176) on December 4, 2002;
2. The land must have been classified as A and D for at least thirty (30) years prior to the effectivity of R.A. No. 9176;
3. One must have paid the real estate taxes thereon; and
4. There is no adverse claim on the land.

Provided, however, that the DAR shall not cover under CARP the following types of landholdings located within the ADs/ALs claims:

- a. Privately claimed agricultural lands which are unsurveyed or not covered by any survey plan approved by DENR;
- b. Privately claimed agricultural lots, which although surveyed, were classified as alienable and disposable by the DENR after December 4, 1972; and
- c. Privately claimed lands within the unclassified public lands or within areas classified as timberland/forest land.

SECTION 6. *Jurisdiction of NCIP.* — The following types of lands shall be under the responsibility and jurisdiction of NCIP:

- a. All lands encompassed in the definition of ancestral domains under Section 3 (a) of R.A. No. 8371;
- b. All lands included in the definition of ancestral lands under Section 3 (b) of R.A. 8371;
- c. All lands covered with Presidential Proclamations or by law which proclaimed the same as reservations or resettlement areas of particular tribes of ICCs/IPs; and cTACla
- d. All lands certified by the Chairman of the NCIP as AD/AL pursuant to Section 52 (i) of IPRA.

III. *Statement of Policies*

SECTION 7. *Recognition of the Rights of the ICCs/IPs, Agrarian Reform Beneficiaries and Patentees.* —

- a. As mandated under the law, the rights of the ICCs/IPs over their ADs/ALs shall be protected to ensure their economic, social and cultural well-being. Systems of land ownership, land use, and modes of settling land disputes of the ICCs/IPs shall be recognized and respected in line with the principle of self-determination and autonomy.
- b. The State shall apply the principles of agrarian reform or stewardship, whenever applicable in accordance with law, in the disposition or utilization of other natural resources, including lands of the public domain under lease or concession suitable to agriculture, subject to prior rights, homestead rights of small settlers and the rights of indigenous communities to their ancestral lands.
- c. Once a Certificate of Land Ownership Award (CLOA), Emancipation Patent (EP) and other land titles under the Agrarian Reform Program has/have been issued to a beneficiary and registered in his/her name, it serves as an evidence of title and ownership to the land, entitling the beneficiary to occupy the land, cultivate it, maintain possession of the same and avail of the support services provided under the Agrarian Reform Program.
- d. A patentee, as the recognized owner, exercises property rights over the land granted to her/him except for some restrictions over the land under Section 29 (Sales Patent), and Section 118 (Free Patent and Homestead Patent) of C.A. No. 141, as amended, as well as the maintenance of legal easement if the land borders the sea or river pursuant to Sections 111 and 112, C.A. No. 141, as amended, if any.

In the case of land acquired through Free Patent/Homestead Patent, the grantee, his widow, or legal heirs has the right to repurchase such land within a period of five years from the date of the conveyance pursuant to Section 119, C.A. No. 141, as amended.

SECTION 8. *Indigenous Concept of Ownership: Right to Transfer Ancestral Land.* — Ancestral domains/lands and all resources found therein form the material bases of the ICCs/IPs' cultural integrity. The indigenous concept of ownership, therefore, generally holds that ancestral domains are the ICCs/IPs' private but communal property which belongs to all generations, whether delineated or not. By virtue of native title over these lands, the rights of the ICCs/IPs to their ADs/ALs shall be recognized and respected. Such right shall include the right to transfer ancestral land or property rights to/among members of the same ICCs/IPs, subject to customary laws and traditions of the community concerned, provided, that in any subsequent transfer/transaction involving Ancestral Land, a corresponding title (judicial form) shall be provided by NCIP.



SECTION 9. *CARP Support Services for ICCs/IPs.* — Holders of CARP Beneficiary Certificates (CBCs) shall continue to be eligible for support services under CARP subject to securing free and prior informed consent of ICCs/IPs who will be affected by the implementation of such support services pursuant to NCIP Administrative Order No. 1, Series of 2006. However, when the projects are community initiated/driven, only the validation procedures under said Order shall apply.

Support services may be made available to ICCs/IPs other than CBC holders if they so desire and with the free and prior informed consent of the community that will be affected by the project.

SECTION 10. *Recognition of Existing Property Rights.* — Property rights within ADs/ALs already existing and/or vested upon the effectivity of R.A. No. 8371 shall be respected. These include titles issued administratively and judicially (*i.e.*, EPs, CLOAs, Free Patents/Homestead Patents and other titles issued under the Agrarian Reform Program and patents issued by the DENR).

Existing Resource Use Instruments (RUIs) in the form of contracts, licenses, concessions, leases, and permits for the exploitation of natural resources within ancestral lands/domains may continue to be in force and effect until they expire. Thereafter, such RUIs shall not be renewed without the free and prior informed consent of the IP community members and upon renegotiation of all terms and conditions thereof. All such existing RUIs may be terminated for cause upon violation of the terms and conditions thereof in accordance with procedures under applicable rules and regulations.

Thus, the CADT/CALT to be registered shall contain a typewritten or a stamped proviso that the same is subject to Section 56 of IPRA (R.A. 8371) to read as follows: cTCADI

"Section 56. *Existing Property Rights Regimes.* — Property rights within the ancestral domains already existing and/or vested upon effectivity of this Act, shall be recognized and respected."

SECTION 11. *Parks, Wildlife, Forest Reserves, Reforestation, Fish Sanctuaries and Other Areas.* — Pursuant to Section 10 (a) of the R.A. No. 6657, as amended, lands actually, directly and exclusively used for parks, wildlife, forest reserves, reforestation, fish sanctuaries and breeding grounds, watershed and mangroves shall be excluded from the coverage of CARP.

#### IV. *Contentious Areas/Issues*

SECTION 12. *Contentious Areas/Issues Defined.* — Contentious Areas/Issues are those areas/issues which are the subject of operational issues and conflicting claims between and amongst the DAR, DENR and NCIP, to wit:

- a. Untitled lands being claimed by the ICCs/IPs to be part of their AD/AL which are covered by approved survey plans and also being claimed by DAR and/or DENR.
- b. Titled lands with registered CLOAs, EPs and Patents within CADT/CALT/CADC/CALC.
- c. Resource access/development instruments issued by the DENR over lands within Ancestral Land/Domain Claims such as, but not limited to, Community Based Forest Management Agreement (CBFMA), Integrated Forest Management Agreement (IFMA), Socialized Forest Management Agreement (SIFMA), Protected Area Community-Based Resources Management Agreement (PACBRMA), Forest Land Grazing Management Agreement (FLGMA), Co-Management Agreement, Certificate of Stewardship Contract (CSC), Certificate of Forest Stewardship Agreement (CFSA), Wood Processing Plant Permit (WPPP), Special Land Use Permit (SLUP), Private Land Timber Permit (PLTP), Special Private Land Timber Permit (SPLTP) and Foreshore Lease Agreement/Permit (FLA/FLP).

- d. Exploration Permit (EP), Financial or Technical Assistance Agreement (FTAA); Mineral Agreement (either Production Sharing, Co-Production or Joint Venture) issued within CARP covered areas.
- e. Reservations, proclamations and other special law-declared areas a portion or the entirety of which is subsequently issued a CADT/CALT.
- f. Areas with existing and/or vested rights after the registration of the CADTs/CALTs but for any reason not segregated/excluded.
- g. Other jurisdictional and operational issues that may arise between and amongst DAR, DENR and NCIP as may be determined by the National/Regional/Provincial Joint Committees, as created under Section 19 hereof.

Contested areas/issues contemplate, likewise, formal complaints filed by concerned ICCs/IPs or by the NCIP in behalf of the ICCs/IPs over those identified titled areas found within the AD/AL.

V. *Mechanisms to Prevent and Resolve Contentious Areas/Issues at the National and Field Levels*

SECTION 13. *Projection of Survey Plans.* — The need for improving standards and processing of survey plans among agencies is hereby recognized as a critical step to minimize occurrence of overlaps. As such, all survey plans processed by NCIP, DAR and DENR shall be in accordance with the Manual of Land Surveys in the Philippines.

Prior to the approval by the NCIP of the CADT/CALT application, the NCIP shall furnish DAR (Regional Office which in turn will endorse to the Provincial Office for the issuance of the necessary certification or recommendation), DENR and LRA a copy of the original survey plan for projection and verification in order to determine if the AD/AL survey overlaps with titled properties and other approved surveys on file. In the absence of a technical problem, the DENR, DAR and LRA have thirty (30) days from receipt of the AD/AL survey plan within which to return the same to NCIP, together with the required certification or their findings and recommendations, as the case may be.

Should there be overlapping of titled properties or approved survey plans within the AD/AL as determined by the LRA, DENR and DAR, an endorsement or certification to that effect shall be issued by the LRA (Central Office), DENR (Regional LMS) and DAR (Province/s which shall copy furnish the Regional Office and the Assistant Secretary for Operations) stating therein the specific details, such as, the approved survey number and/or title number of the titled properties overlapped by the AD/AL survey. Approved survey plans as used in this Joint Administrative Order refers to approved surveys prior to October 29, 1997. Thereafter, the said survey plan together with endorsements or certifications shall be returned to the NCIP for segregation/exclusion of such titled properties or approved survey plans from the survey plan and the technical description of the AD/AL. For this purpose, it shall be the primary duty and responsibility of the NCIP to secure all necessary data to be used as reference in the segregation/exclusion process. It is equally the responsibility of DAR and DENR to furnish the NCIP the survey data pertinent to the application on process, free of charge.

The original AD/AL survey plan, as amended, shall then be submitted to the LRA, DENR and DAR anew for final projection. The LRA, DENR and DAR have fifteen (15) days from receipt of the AD/AL amended survey plan within which to return the same to NCIP and to issue the certification of non-overlap with titled properties and over those lands which have proofs of prior vested rights subject to extension if meritorious circumstances warrant.

In case there is overlapping with any proclamation, reservation or any other similar issuances, the endorsement herein above-mentioned shall likewise contain such findings to enable the NCIP to comply with the provisions of Paragraph 13 of Joint LRA-NCIP Memorandum Circular No. 1, series of 2007 which states:



"Section 13. Where the Ancestral Domain or Ancestral Land is overlapped by any proclamation or reservation, the area covered by the said proclamation shall be so indicated in the survey plan.

The certification to be issued by the NCIP showing that it has complied with Sec. 52 (i) of R.A. No. 8371 and the Resolution of the Commission approving the CADT/CALT shall form part of the documents to be submitted to LRA as basis for the issuance of the appropriate authority to register."

Conversely, DAR and DENR shall, before processing or further processing applications for land titles pursuant to their respective mandates involving conflict areas (*i.e.*, identified by the agencies concerned with pending/overlapping jurisdictional/operational issues or conflicting claims which are contentious or potentially contentious), must notify NCIP of the specific area to be titled and the latter shall certify, subject to the provisions of this section on projection of survey plans and issuance of certification of non-overlap, whether the same affects an AD or AL. To facilitate the identification of contentious or potentially contentious areas, the concerned agency/ies shall submit to the Joint National Committee an initial list with pertinent documents of said conflict or overlapping areas within fifteen (15) days from the creation of the Joint National Committee.

To avoid operational gaps, the agencies concerned shall ensure coordination during the survey activity at the field level.

The flow chart of the procedures under this section is shown in the attached "Annex 1" which forms an integral part of this Order.

**SECTION 14. *Exclusion/Segregation of Lands Covered by Judicially Decreed Titles and Titles Administratively Issued by DENR and DAR.*** — In the delineation and titling of ADs/ALs, the NCIP must exclude or segregate all lands covered by titles. For this purpose, the registered owner of the land may opt to submit to the NCIP a copy of the title of the property to facilitate segregation or exclusion pursuant to existing guidelines and other pertinent issuances.

The ICCs/IPs, however, are not precluded from questioning the validity of these titles in a proper forum as hereunder enumerated:

1. DAR Secretary for registered EPs or CLOAs; and
2. Regional Trial Court for registered patents/judicially-decreed titles.

On the other hand, the DAR and DENR shall not process titles pursuant to their mandate on lands certified by NCIP as ancestral domain or ancestral lands except in areas with prior and vested rights. Provided, however that the certification by NCIP on lands as Ancestral Domains or Ancestral Lands pursuant to Section 52 (i) of IPRA presupposes that the provision of Section 13 hereof on the projection of survey plans and issuance of Certification of Non-Overlap have already been complied with.

**SECTION 15. *Exclusion/Segregation of Portions of Resettlement Areas and Reservations.*** — Pursuant to Executive Order No. 407, Series of 1990, as amended by Executive Order No. 448, Series of 1991, resettlement areas and reservations proclaimed for DAR or for other government agencies but have been turned-over to DAR for CARP coverage classified as alienable and disposable, which overlap with ADs/ALs shall be treated in accordance with Section 56 and Section 7 (g) of IPRA in relation to Section 3 (h) hereof following the procedures under Section 13 of this Joint Administrative Order. However, areas classified as forests or timberlands within said proclamations and reservations should not be segregated from the AD/AL and shall not be covered under CARP.

SECTION 16. *CARP Coverage of Titled Properties.* — Titled lands under the Torrens System issued prior to IPRA are deemed vested rights pursuant to the provision of Section 58 of IPRA. Accordingly, the DAR shall proceed with the CARP coverage of said lands unless a Restraining Order is issued by the Supreme Court without prejudice, however, to the rights of the ICCs/IPs to question the validity of these titles before a court or body of competent jurisdiction.

SECTION 17. *Coverage of Untitled Private Agricultural Lands.* — In case of coverage of untitled lands under CARP pursuant to DAR-DENR M.C. 2003-1, involving identified contentious or potentially contentious areas as defined in this guideline, the DAR shall notify the ICCs/IPs through NCIP of such coverage and in case the ICCs/IPs register an opposition/adverse claim, such coverage will be suspended by DAR until the issue has been resolved.

SECTION 18. *Amendment of CADTs/CALTs.* — Areas with prior existing and/or vested rights, but for any reason were not segregated upon the registration of the CADTs/CALTs. For such areas, the proper party in-interest, whether IP or non-IP, may file a petition for the amendment, modification, alteration and/or cancellation of the CADT/CALT before the NCIP Commission En Banc.

For private claimants already with vested or existing property rights within AD/AL, their claims shall be recognized and respected and they have the option to become agrarian reform beneficiaries under CARP provided they have established their vested rights pursuant to the preceding paragraph.

SECTION 19. *Creation of a Joint National Committee, Joint Regional/Provincial Committees and Special Teams.* — A "Joint National Committee on DAR, DENR, LRA and NCIP Concerns" is hereby created to address or resolve jurisdictional, operational and policy issues elevated to it that affect the implementation of the CARL, IPRA, Public Land Act, Land Registration Act/Property Registration Decree in relation to the issuance and registration of CADTs/CALTs.

It shall be composed of the designated Undersecretaries of DAR and DENR, designated Commissioner or Executive Director of the NCIP and designated Deputy Administrator of LRA. A separate Joint Special Order shall be issued within fifteen (15) days from effectivity hereof identifying therein its functions, membership, and technical and administrative arrangements. As may be warranted, special teams and regional or provincial committees may be created upon order of the Joint National Committee.

The "Joint National Committee on DAR, DENR, LRA and NCIP Concerns" shall meet and issue a Rules of Procedures in resolving jurisdictional, operational and policy issues within thirty (30) days from the issuance of the aforementioned Joint Special Order. The said Rules of Procedures must direct the abovementioned committees and special teams to explore and adopt win-win solutions as a general policy in addressing and resolving jurisdictional and operational issues at all levels and stages of the proceedings in accordance with this Order. These may include but not limited to unimpeded flow and exchange of documents, data, survey plans, maps and other information materials among the concerned agencies as well as the development and maintenance of land information system between and among them. The budget shall be shouldered for the Joint Committees by their respective agencies.

SECTION 20. *General Applicability of the Mechanisms and Rules of this Order.* — The mechanisms and rules in this Order shall generally be applied by the Agencies in the resolution of policy, jurisdictional and operational issues within identified contentious and potentially-contentious areas. Administrative remedies available under existing laws shall be exhausted at the field level. Only in cases where the issues remain unresolved at the field level shall they be elevated to the Joint National Committee.



SECTION 21. *Suspension of Titling and Registration Activities.* — Upon the effectivity of this Order, the implementation of Land Acquisition and Distribution (LAD) and issuance of CLOA by DAR, ancestral domain/ancestral land titling by NCIP, processing/issuance of patents by DENR and registration of titles by LRA over identified contentious areas shall remain suspended unless resolved by the concerned Joint Provincial/Regional or National Committee. Pursuant thereto, NCIP, DAR and DENR shall submit to the LRA a complete list of CADT's/CALT's, CLOAs and FPs, respectively, which shall be subject of the suspension of registration activities.

All other activities by the respective agencies that do not encounter issues and problems of similar nature shall continue and not be affected thereby.

VI. *Final Provisions*

SECTION 22. *Repealing Clause.* — All Orders, Circulars and similar issuances inconsistent herewith are hereby revoked, amended or modified accordingly.

SECTION 23. *Effectivity.* — This Order shall take effect fifteen (15) days after publication in two (2) national newspapers of general circulation.

January 25, 2012th, Quezon City.

**(SGD.) VIRGILIO R. DE LOS REYES**  
*Secretary, DAR*

**(SGD.) RAMON J. P. PAJE**  
*Secretary, DENR*

**(SGD.) ZENAIDA BRIGIDA H. PAWID**  
*Chairperson, NCIP*

**(SGD.) EULALIO C. DIAZ III**  
*Administrator, LRA*

*Published in The Philippine Daily Inquirer on January 27, 2012.*



Republic of the Philippines  
 DA – DAR – DENR – DILG  
 NATIONAL CONVERGENCE INITIATIVE FOR  
 SUSTAINABLE RURAL DEVELOPMENT  
 (NCI-SRD)

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**DA-DAR-DENR-DILG JOINT ADMINISTRATIVE ORDER (JAO) NO. 01**

Series of 2020

**Subject : Revised DA-DAR-DENR-DILG Joint Administrative Order No. 01 Series of 2015 (Strengthening the Implementation Framework for the DA-DAR-DENR-DILG National Convergence Initiative for Sustainable Rural Development)**

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PREFATORY STATEMENT

Pursuant to Executive Order No. 5, Series of 2016 mandating the adoption of “*AmBisyon Natin 2040*” as a guide for development planning in the country and the Philippine Development Plan (PDP) 2017-2022 directing the government to complement strategic efforts with environmental and governance strategies through the national convergence initiatives using the ridge-to-reef approach and the sustainable integrated area development (SIAD) for the sustainable management of natural resources and rural development, the DA-DAR-DENR-DILG Joint Administrative Order No. 01, Series of 2015 is hereby revised.

To achieve the goals of contributing to inclusive growth and poverty reduction, activities of the National Convergence Initiative for Sustainable Rural Development (NCI-SRD) shall contribute to the following targeted outcomes as prescribed in Chapters 8 (Expanding Economic Opportunities in Agriculture, Forestry, and Fisheries) and 20 (Ensuring Ecological Integrity, Clean and Healthy Environment) of the PDP 2017-2022:

1. Economic opportunities in Agriculture, Forestry and Fisheries (AFF) expanded;
2. Access to economic opportunities increased;
3. Biodiversity and functioning of ecosystem services sustained;
4. Environmental quality improved; and
5. Adaptive capacities and resilience of ecosystems increased.

To operationalize these targeted outcomes, the NCI-SRD Roadmap (2018-2030) issued in 2018 laid down the conceptual, policy, and operational frameworks of

the organization. It also spelled out the organization's vision, mission, strategic thrusts/directions, and strategic plans and targets for FY 2018-2022.

## **SECTION 1. Scope and Coverage**

This Order shall cover the mechanisms and operationalization of the NCI-SRD strategy from the national to the municipal/city levels where the NCI-SRD strategy is implemented.

## **SECTION 2. Guiding Principles**

- 2.1 Convergence Initiative is a response to the fragmented delivery of rural development services towards improved governance and optimized use of resources.
- 2.2. Convergence Initiative is a strategy to strengthen the Local Government Units (LGUs) to grow sustainable local economies.
- 2.3 The ridge-to-reef approach shall be the tool for the interventions in the convergence areas.
- 2.4 In response to the poverty reduction goal of the government, the Convergence Initiative shall have a defined constituency. Interventions shall focus on the smallholder farmers (both agrarian reform beneficiaries or ARBs and non-ARBs), small fisherfolk, upland dwellers, and Indigenous Peoples (IPs).
- 2.5 The implementation of the Convergence Initiative shall be guided by the following:
  - a. The Convergence Initiative shall be treated as a complementation strategy between and among the NCI-SRD agencies (DA-DAR-DENR-DILG). It shall encourage the assistance of other national line agencies, state universities and colleges (SUCs), government-owned and controlled corporations (GOCCs), donor agencies, and international and local non-governmental organizations (NGOs), people's organizations (POs), IPs, and other relevant stakeholders.
  - b. The primacy of the LGUs as the integrating and converging force for sustainable rural development at the local level shall be strengthened.
  - c. The participatory approach shall be adopted in all phases of development: planning and budgeting, implementation, monitoring and evaluation, reporting, and knowledge sharing.
  - d. Complementation of resources and expertise of the concerned agencies and LGUs shall be considered in the implementation of the Convergence Initiative.
  - e. Private sector investment shall be encouraged in convergence areas.



### SECTION 3. Objectives

The JAO shall provide the principles, strategic thrusts and directions, implementing mechanisms and organizational structure, funding, and system of monitoring and evaluation of the NCI-SRD.

### SECTION 4. Strategic Thrusts and Directions

The NCI-SRD Roadmap stipulated the following strategic thrusts and directions of the NCI-SRD for 2018-2030, which will contribute to the AFF and Environment and Natural Resources (ENR) sector targeted outcomes:

- 4.1 Establish at least one (1) convergence area per region;
- 4.2 Focus convergence strategies in the 143 critical watersheds (of which 18 river basins are identified), as may be applicable;
- 4.3 Promote clean air, water, and waste management to improve environmental quality in convergence areas;
- 4.4 Promote sustainable soil and land management to address land degradation for watershed rehabilitation and recovery in convergence areas;
- 4.5 Promote biodiversity conservation of flora and fauna in convergence areas;
- 4.6 Strengthen the Regional Convergence Initiative (RCI) TWG, Provincial Convergence Initiative (PCI) TWG, and Municipal/City Convergence Initiative (MCI/CCI) TWG;
- 4.7 Strengthen the joint planning, budgeting, implementation, monitoring and evaluation, reporting, and knowledge sharing;
- 4.8 Strengthen the NCI-SRD Secretariat manpower complement;
- 4.9 Implement the NCI-SRD Joint Resolution No. 02 Series of 2018 (Designation of the Master in Public Management major in Rural Development [MPM-RD] Scholarship Program Graduates as Members of the National and Regional Technical Working Groups of the NCI-SRD);
- 4.10 Include NCI-SRD activities in the Individual Performance Commitment and Review (IPCR)/Division PCR (DPCR)/ Office PCR (OPCR) of NCI-SRD members;
- 4.11 Harmonize/streamline existing policies of the four (4) NCI-SRD agencies;
- 4.12 Develop AFF-enterprise cluster and business within the selected convergence areas, using the Value Chain Approach (VCA) and consistent with Provincial Commodity Investment Plans (PCIPs);
- 4.13 Implement and update as may be necessary, the national capacity development plan to cover all relevant stakeholders;
- 4.14 Develop relevant NCI-SRD manuals;



- 4.15 Develop a Knowledge Management (KM) system for the national, regional, provincial, and municipal/city convergence initiatives;
- 4.16 Enhance and implement the NCI-SRD strategic communication plan;
- 4.17 Promote maintenance and protection of existing forests as well as sustained rehabilitation of denuded forest lands to increase forest cover in convergence areas;
- 4.18 Protect mangroves, sea grass beds and coral reefs guided by a list of human interventions that have negative impacts in the watershed and upland ecosystem within the convergence areas; and
- 4.19 Develop a rehabilitation plan for marine habitats affected by human interventions in the watershed and upland ecosystem within the convergence areas.

## **SECTION 5. Definition of Terms**

For purposes of this JAO, the following terms shall be defined:

- 5.1 Agribusiness – agriculture and fishery-based activities that put farmers, processors, distributors, consumers, and other players within a system that produces, processes, transports, markets, and distributes agricultural and fishery products using appropriate technologies and applications.
- 5.2 Agrarian Reform Beneficiaries (ARBs) – landless farmers and regular farm workers, irrespective of tenurial arrangement, who were awarded lands as evidenced by an Emancipation Patent (EP) or a Certificate of Land Ownership Award (CLOA) under Presidential Decree (PD) No. 27 or the Republic Act (RA) No. 6657, as amended, otherwise known as the “Comprehensive Agrarian Reform Law of 1988.” ARBs also include the leaseholders to the landowners’ retained areas who represent the ARB group which are not awarded with lands but whose tenurial rights have been strengthened through the registration of leasehold contracts.
- 5.3 Agriculture, Forestry, and Fisheries (AFF)-enterprise – business venture, typically micro-, small-, and medium-scale, that can be undertaken either on- or off-farm or a service that can be used to support other businesses. It operates in a defined territory which may be a barangay (village), municipality or group of municipalities.
- 5.4 Capacity Development (CD) – process through which individuals, organization, and societies obtain, strengthen, and enhance competencies to set and achieve their own development objectives over time.
- 5.5 Civil Society Organization (CSO) – non-state and non-profit association that works to improve society and human conditions. Basic types of CSOs include NGOs, POs, cooperatives, social movements, professional and business groups.

- 5.6 Convergence – integration, complementation, harmonization and optimization of institutional, technical, financial, and human resources.
- 5.7 Convergence Area – physical area where the NCI-SRD is implemented, which is identified based on a selection criteria, supported by a Convergence Area Development Plan (CADP), proposed by the LGU, and approved by the NSC.
- 5.8 Convergence Area Development Plan (CADP) – comprehensive plan that contains the strategies, programs, activities, and projects that will promote holistic and sustainable management of all resources within the convergence area.
- 5.9 Convergence Initiative – complementation of efforts and resources between and among the DA, DAR, DENR, DILG, LGUs and relevant stakeholders to promote and harmonize the delivery of AFF and rural development services towards sustainable rural development.
- 5.10 Ecosystem – community of living organisms interacting with each other and with their physical environment.
- 5.11 Information, Education, Communication and Motivational (IECM) - approaches to combine information, education, communication, and motivation into products that could be transmitted over communication channels or multi-media in order to interest or capture targeted clients.
- 5.12 Inclusive Growth – growth that is rapid enough to matter, given the country’s large population, geographical differences, and social complexity. It is sustained growth that creates jobs, draws the vast majority into the economic and social mainstream, and continuously reduces mass poverty.
- 5.13 Information and Communication Technology (ICT) – totality of electronic means to access, create, collect, store, process, receive, transmit, present, and disseminate information.
- 5.14 Indigenous People (IP) – group of people or homogenous societies identified by self-ascription and ascription by other, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed customs, tradition and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and culture, became historically differentiated from the majority of Filipinos.
- 5.15 Key Production Area (KPA) – priority area, which include among others Agrarian Reform Areas (ARAs), whose agro-climatic and market conditions favor the production, processing, and marketing of specific AFF products.
- 5.16 Knowledge Management (KM) – range of strategies and practices used so that pertinent data and information is gathered, processed, disseminated, shared, and utilized to enable adoption of insights and experiences and to



ensure that NCI-SRD programs, activities, and projects are designed, implemented, and monitored in an efficient and effective manner.

- 5.17 LGU alliances- inter-local cooperation formed through appropriate ordinances for the purpose of consolidation or coordination of efforts, services, and resources commonly beneficial to them.
- 5.18 Participatory Approach - systematic involvement of communities in various aspects and stages of decision-making pertaining to government programs, projects, and other interventions.
- 5.19 People's Organization (PO) - grassroots organization legally registered or accredited whose membership is composed of smallholder farmers, small fisherfolk, industrial laborers, women, youth, and others, which are formed at the local, regional and national level. It also includes cooperatives, associations, etc.
- 5.20 Provincial Commodities Investment Plan (PCIP) – strategic plan that rationalizes the interventions with the various segments of the value chain of priority commodity/ies that are of significance to the province and that will contribute to the national goals of the agriculture and fishery sector. It is a three (3)-year rolling consensus plan between DA and the LGU based on the value chain analyses of these commodities, conducted with strong participation of the various stakeholders.
- 5.21 Results-Based Monitoring and Evaluation (RBME) System - management tool that aims to keep track of the progress and end result of the project implementation within the convergence areas.
- 5.22 Ridge-to-Reef Approach – holistic, collaborative, multiple use and sustainable management of all resources within the watershed.
- 5.23 Rural Development – strategy to enable a specific group of people, poor rural women and men, to gain for themselves and their children more of what they want and need. It involves helping the poorest among those who seek a livelihood in the rural areas to demand and control more of the benefits of rural development. The group includes smallholder farmers, small fisherfolk, tenants, and the landless.
- 5.24 Small Fisherfolk - people directly or personally and physically engaged in taking and or culturing and processing fishery and/or aquatic resources.
- 5.25 Smallholder Farmers – marginal and sub-marginal farm households that own or/and cultivate not more than 3.0 hectares of land.
- 5.26 Sustainable Integrated Area Development (SIAD) - strategy that takes into account area-based interventions, concepts on integrated island development, and has people and integrity of nature at its core. This is grounded on the basic principles of the Philippine Agenda 21, specifically on the integration of the various overarching dimensions and components of sustainable development and the need for participation of government,



business and civil society as provided for under Executive Order No. 15, s. 1992 and Executive Order No. 370, s. 1996 (Draft DENR Guidelines).

- 5.27 Sustainable Rural Development (SRD) – improving the quality of life for the rural poor by developing capacities that promote community participation, health and education, food security, environmental protection, and sustainable economic growth, thereby enabling community members to leave the cycle of poverty and achieve their full potential for the present and future generations.
- 5.28 Watershed – land area drained by a stream or fixed body of water and its tributaries having a common outlet for surface run-off.

## **SECTION 6. Operationalization of the NCI-SRD Strategy through the Convergence Areas**

The NCI-SRD strategy shall be operationalized in the identified convergence areas, where complementation of efforts and concerted and coordinated interventions from NCI-SRD agencies and other relevant stakeholders interplay to achieve optimum results.

### **6.1 Criteria for Selection of Convergence Areas**

The identification and selection of convergence areas shall conform to the ridge-to-reef approach based on the following must and prioritization criteria, which shall be reviewed periodically:

#### **6.1.1 Must Criteria**

- a. *Completeness of ecosystem.* The convergence areas should cut across the various ecosystems or should be a combination of at least two (2) ecosystems.
- b. *Passer of Good Financial Housekeeping.* This is a proof that the LGU has good governance performance in internal housekeeping, particularly in sound fiscal management.

#### **6.1.2 Prioritization Criteria**

- a. *Presence of KPAs with potential for increased productivity and income.* The convergence areas should have tracts of land identified for agro-forestry and fisheries development for major production or with potential for expansion/ scaling up and/or connection to allied industries/ services for backward and forward integration.

- b. *Combination of areas across major poverty groups.* The convergence areas should cover a significant number of smallholder farmers/agricultural workers including actual and potential ARBs, small fisherfolk, IPs, upland dwellers, and rural women.
- c. *Involvement of local government leaders of LGUs/LGU alliances.* The convergence area should have LGUs/LGU alliances whose Local Chief Executives (LCEs) and *Sanggunian* are willing to support the Convergence Initiative.
- d. *Presence of relevant stakeholders/CSOs.* The convergence areas should have active CSOs that are willing to support the Convergence Initiative and be a conduit of interventions in the convergence area. Presence of private/business and academic/research institutions that are willing to partner within the convergence areas should be an advantage.

## **SECTION 7. Implementing Mechanisms and Organizational Structure**

In order to effectively implement the NCI-SRD strategy, multi-agency TWGs shall be created at the national, regional, and local levels. PCI and/or MCI/CCI TWGs shall be created where there is/are convergence area/s. These TWGs shall be formalized through issuance of relevant Special Orders (SOs) or similar orders signed and approved by principals in the respective levels.

### **7.1 National Level**

#### **7.1.1 National Steering Committee (NSC)**

The NSC shall act as the policy-making body of the NCI-SRD. It shall have the following functions:

1. Provide overall policy directions for the implementation of programs/activities/ projects (PAPs) under the NCI-SRD;
2. Review the fulfillment of commitments of the respective agencies relative to the implementation of the NCI-SRD;
3. Appoint or designate the National Focal Person (NFP) with a rank of Assistant Secretary, a Deputy National Focal Person (DNFP) with a rank of Director IV as the permanent alternate representative of the NFP, and a Head National Secretariat. The NFP, DNFP, and Head National Secretariat shall come from the DA as the lead agency, for efficiency purposes;



4. Approve the implementation and coordination structure of the NCI-SRD, including the membership to the NTWG and the four (4) CWGs through the issuance of a Special Order (SO);
5. Approve/ratify policy instruments and PAPs pertaining to the operation of the NCI-SRD; and
6. Allocate and approve resources to carry out the PAPs of the NCI-SRD, including third party impact assessment of the convergence areas.

The NSC shall be composed of the following or their duly designated permanent alternates with a rank of an Undersecretary, whose acts shall be considered as the acts of their principals:

Lead Convenor	:	DA Secretary
Co-Convenors	:	DAR Secretary
		DENR Secretary
		DILG Secretary
Secretariat	:	NFP

The NSC shall meet on a quarterly basis and hold special meetings, as deemed necessary. Meetings shall be conducted on rotation basis among the NCI-SRD agencies. In the absence of the Lead Convenor and/or Co-Convenors of the host agency, the present principal members shall decide among themselves who shall be the Chairperson of the meeting.

#### 7.1.2 *National Focal Person (NFP) and Deputy National Focal Person (DNFP)*

The NFP and DNFP (as the designated permanent alternate representative of the NFP) shall spearhead the NTWG and oversee and supervise the NCI-SRD operations. They shall act as the Chairperson of the NTWG and shall convene the members of the NTWG to discuss updates/status of NCI-SRD PAPs before the conduct of the NSC meetings. The NFP and DNFP shall directly report to the NSC. The NFP shall directly supervise the National Secretariat and shall recommend to the Lead Convenor the designation of a Head National Secretariat and designate members of the National Secretariat as coordinators of the four (4) CWGs.



### 7.1.3 National Technical Working Group (NTWG)

The NTWG shall serve as the advisory and recommendatory body of the NSC on matters related to the implementation of the NCI-SRD. The NTWG shall have the following functions:

1. Conduct final technical review and endorse all NCI-SRD relevant documents for the approval of the NSC;
2. Recommend to the NSC relevant policies and guidelines, PAPs and their corresponding budget relative to the implementation of the NCI-SRD;
3. Mobilize concerned personnel to actively participate in various NCI-SRD PAPs;
4. Facilitate the formation of NCI-SRD committees/sub-working groups as the need arises, together with other relevant stakeholders;
5. Monitor, evaluate and report on the progress of implementation of NCI-SRD PAPs;
6. Consult with other concerned national government agencies (NGAs), stakeholders, and partner agencies on policies and PAPs related to sustainable rural development; and
7. Perform other functions as the NSC may direct.

The NTWG shall be composed of the following or their designated permanent alternate representative/s:

Chairperson	: NFP or DNFP
Core Members	: Chairperson, PA CWG Chairperson, AFFECBD CWG Chairperson, CD CWG Chairperson, KM CWG
Secretariat	: National Secretariat

The NTWG shall meet on a quarterly basis prior to the meetings of the NSC and hold special meetings, as deemed necessary. Meetings shall be done on rotation basis among the NCI-SRD agencies. In the absence of the NFP or the DNFP, the present principal members shall decide among themselves who shall be the Chairperson of the meeting.

#### 7.1.4 *National Secretariat*

The National Secretariat shall serve as the main coordinating body of the NCI-SRD. It shall provide technical and administrative support to the NTWG and NSC. It shall report directly to the NFP as Chairperson of the NTWG. The National Secretariat members shall come from the national offices of the DA, DAR, DENR, and DILG. The National Secretariat members shall be assigned and its office shall be established at the DA. National Secretariat satellite offices shall be established at the DAR, DENR and DILG, composed of staff from the office of the duly designated permanent alternate Undersecretaries of the NSC.

The National Secretariat shall have the following functions:

1. Coordinate and facilitate the conduct of the NSC and NTWG meetings, workshops, writeshops, seminars, fora and consultations;
2. Document, prepare, and disseminate the minutes/proceedings/reports of the NSC and NTWG meetings and activities;
3. Coordinate and facilitate the appropriate actions taken on agreements reached during the NSC and NTWG meetings and activities;
4. Submit monitoring/progress reports to the NSC, NTWG, and other oversight bodies;
5. Provide administrative support to the NSC and NTWG;
6. Coordinate and facilitate the activities conducted by the four (4) CWGs to ensure that the timelines for the activities are strictly followed;
7. Coordinate with the RCI TWGs and its Secretariat on the status of PAPs in relation to the NCI-SRD;
8. Prepare and consolidate operational budget of the NSC, NTWG, CWGs, and the NCI-SRD Secretariat; and
9. Perform other functions as the NSC and NTWG may direct.

#### 7.1.5 *Component Working Groups (CWGs)*

1. The planning, budgeting, implementation, and monitoring and evaluation of the NCI-SRD shall be done through the four (4) CWGs. These four (4) CWGs are: Policy and Advocacy (PA); Agriculture, Forestry, and Fisheries (AFF)-Enterprise Cluster and Business Development (AFFECBD), Capacity



Development (CD) and Knowledge Management (KM). They shall serve as the horizontal or cross-cutting components on issues related to all ecosystems using the ridge-to-reef approach.

2. Each CWG shall have a Chairperson who shall serve on rotation basis among the DA-DAR-DENR-DILG for a term of three (3) years. The Chairperson shall be designated by the respective Secretaries. The CWG Secretariat shall be designated by the Chairperson and shall come from the office they represent.
3. Membership of the CWGs shall include offices from the DA, DAR, DENR, and DILG, including graduates of the NCI-SRD Master in Public Management major in Rural Development (MPM-RD) Scholarship Program graduates whose work and responsibilities are related to the four (4) components. CWG members shall be designated by the respective Secretaries. Other NGAs and relevant stakeholders which may contribute to the initiatives of the respective CWGs shall be invited, as deemed necessary.
4. The following are the functions and composition of each CWG:
  - a. PA CWG – shall be responsible for the review and audit of conflicting and overlapping policies that hamper the implementation of PAPs of the NCI-SRD agencies across all ecosystems. It shall recommend and draft relevant policy instruments that shall harmonize or improve existing policies. It shall also identify issues that require legislation and coordinate with the appropriate offices, agencies, and stakeholder groups involved in advocating for the respective legislation.

The PA CWG shall be composed of the following or their designated permanent alternate representative/s:

- Core Members : DA
1. Director, Planning and Monitoring Service (PMS)
  2. Director, Policy Research Service (PRS)
  3. Director, Bureau of Fisheries and Aquatic Resources (BFAR)



4. Director, Bureau of Soils and Water Management (BSWM)
5. Executive Director, Philippine Council for Agriculture and Fishery (PCAF)

*DAR*

6. Director, Policy and Research Service (PRS)
7. Director, Bureau of Agrarian Legal Assistance (BALA)

*DENR*

8. Director, Policy and Planning Service (PPS)
9. Director, Biodiversity Management Bureau (BMB)
10. Director, Ecosystems Research and Development Bureau (ERDB)
11. Director, Forest Management Bureau (FMB)
12. Director, Land Management Bureau (LMB)

*DILG*

13. Director, Bureau of Local Government Development (BLGD)

Secretariat : Designated by the PA CWG Chairperson  
 Coordinator : National Secretariat member

- b. AFFECBD CWG – shall be responsible for the development, implementation, monitoring and evaluation of AFF-enterprise cluster and business within the convergence areas, which shall cover all ecosystems.

The AFFECBD CWG shall be composed of the following or their designated permanent alternate representative/s:

Core Members : *DA*

1. Director, Agribusiness Marketing and Assistance Service (AMAS)
2. Director, Field Operations Service (FOS)
3. Director, Project Development Service (PDS)

4. Director, Bureau of Agricultural Research (BAR)
5. Director, BFAR
- DAR*
6. Director, Project Management Service (PMS)
7. Director, Bureau of Agrarian Reform Beneficiaries Development (BARBD)
- DENR*
8. Director, Foreign-Assisted and Special Projects Service (FASPS)
9. Director, BMB
10. Director, ERDB
11. Director, FMB
12. Director, LMB
- DILG*
13. Director, BLGD

Secretariat : Designated by the AFFECBD CWG Chairperson

Coordinator : National Secretariat member

- c. CD CWG – shall be responsible for the development, implementation, and monitoring and evaluation of the NCI-SRD national capacity development plan, which shall take into consideration all ecosystems. It shall organize and manage all NCI-SRD learning and development (L&D) activities, including regular orientation and assessment activities.

The CD CWG shall be composed of the following or their designated permanent alternate representative/s:

- Core Members : *DA*
1. Director, BAR
  2. Director, Agriculture Training Institute (ATI)
  - DAR*
  3. Director, BARBD
  4. Director, Agrarian Reform Capacity Development Service (ARCDS)
  - DENR*

5. Director, FASPS
6. Director, Human Resource Development Service (HRDS)
7. Director, BMB
8. Director, ERDB
9. Director, FMB
10. Director, LMB
- DILG*
11. Director, BLGD
12. Executive Director, Local Government Academy (LGA)

Secretariat : Designated by the CD CWG Chairperson  
 Coordinator : National Secretariat member

- d. KM CWG – shall be responsible for the development and management of an information system for the NCI-SRD. The three (3) areas of concern of the KM are the following: ICT, RBME and IECM Materials.

The KM CWG shall be composed of the following or their designated permanent alternate representative/s:

- Core Members : *DA*
1. Division Chief, Agriculture and Fisheries Information Division (AFID)
  2. Director, FOS
  3. Director, Information and Communication Technology Service (ICTS)
  4. Director, PMS
  5. Director, BFAR
  6. Director, ATI
  7. Administrator, National Fisheries Research and Development Institute (NFRDI)
  - DAR*
  8. Director, Management Information Systems Service (MISS)
  9. Director, Public Assistance and Media Relations Service (PAMRS)
  - DENR*



10. Director, Knowledge and Information Systems Service (KISS)
11. Director, PPS
12. Director, Strategic Communication and Information Service (SCIS)
13. Director, BMB
14. Director, ERDB
15. Director, FMB
16. Director, LMB
- DILG
17. Executive Director, LGA
18. Director, BLGD

Secretariat	:	Designated by the KM CWG Chairperson
Coordinator	:	National Secretariat member

#### 7.1.6 Other Partner Agencies and Institutions

The NTWG and CWGs shall coordinate with other partner agencies and institutions to ensure complementation and alignment of NCI-SRD interventions with that of other related agencies, offices, and institutions. They shall likewise work with NGOs, coalition groups, farmer and fisherfolk associations and groups, SUCs, and private sector/business groups.

### 7.2 Regional, Provincial, and Municipal/City Levels

#### 7.2.1 Regional Convergence Initiative TWG (RCI TWG)

The RCI TWG shall act as the regional arm of the NTWG. It shall have the following functions:

1. Provide technical assistance in the development of the CADPs proposed by the LGUs;
2. Conduct technical review and validation of the CADPs proposed by the LGUs and endorse CADPs to the NTWG;
3. Supervise the implementation of the PAPs under the approved CADP and the NCI-SRD, as may be applicable;
4. Monitor and evaluate the progress and result of implementation of the CADPs and other PAPs of the NCI-SRD within the region;
5. Facilitate the resolution of issues and concerns relating to the NCI-SRD operations in the region;

6. Elevate issues on conflicting and overlapping policies relating to the NCI-SRD to the NTWG;
7. Prepare project proposals to support proposed funding of NCI-SRD-related PAPs; and
8. Allocate and approve resources to fund for the NCI-SRD PAPs.

The RCI TWG shall be composed of the following or their designated permanent alternate representative/s:

Chairperson	:	Regional Executive Director, DA RFO
Core Members	:	Regional Director, DAR
		Regional Executive Director, DENR
		Regional Director, DILG
		Designated Regional Focal Person

The DA RFO Regional Executive Director shall designate the Regional Focal Person, who shall also come from the DA RFO. The membership of the RCI TWG shall be expanded to include graduates of the NCI-SRD MPM-RD Scholarship Program and representatives from the provincial LGUs and other relevant stakeholders, as deemed necessary.

#### 7.2.2 RCI TWG Secretariat

The RCI TWG Secretariat shall act as the regional arm of the National Secretariat. It shall have the following functions:

1. Coordinate and facilitate the conduct of the RCI TWG meetings, workshops, writeshops, seminars, fora and consultations;
2. Document, prepare, and disseminate the highlights the minutes/proceedings/reports of the RCI TWG meetings and activities;
3. Coordinate and facilitate the implementation of appropriate actions taken on agreements reached during the RCI TWG meetings and activities;
4. Directly liaise with the National Secretariat on the status of PAPs in relation to the NCI-SRD;
5. Submit and report accomplishment, monitoring/progress reports of the convergence areas and NCI-SRD-related PAPs to the National Secretariat;
6. Prepare annual workplan and budget of the RCI TWG;
7. Provide administrative support to the RCI TWG;

8. Attend and participate in the NCI-SRD activities at the national, regional, and local levels; and
9. Perform other functions as the RCI TWG may direct.

The RCI TWG Secretariat shall be composed of the following or their designated permanent alternate representative/s:

Head Secretariat	:	Designated Regional Focal Person
Core Members	:	DA, Field Operations Division (FOD)/ Planning, Monitoring and Evaluation Division (PMED)/ Regional Agriculture and Fisheries Information Section (RAFIS)/Agribusiness and Marketing Assistance Division (AMAD) DAR, Regional Program Beneficiaries Development Division (RPBDD)/ Field Operations Division (FOD)/Agrarian Reform Beneficiaries Development Sustainability and Program Division (ARBDSPD) DENR, Office of the Assistant Regional Director for Technical Services/Planning and Management Division (PMD)  DILG, Local Capacity Development Division (LCDD)/ Local Government Monitoring and Evaluation Division LGMED)/Municipal/ City Local Government Operations Officer (M/CLGOOs)

### 7.2.3 Provincial Convergence Initiative (PCI) TWG

The PCI TWG shall be created when a convergence area covering at least two (2) municipalities within one (1) province is proposed by the PLGU. It shall have the following functions:

1. Propose and/or endorse convergence area/s to the RCI TWG based on the selection criteria stipulated in *Section 6*;
2. Develop, formulate, write, package, and finalize the CADP of the approved convergence area/s, in collaboration with the MCI/CCI TWG and RCI TWG;
3. Implement PAPs under the approved CADP and the NCI-SRD within the province, in collaboration with the RCI TWG;



4. Monitor and evaluate the progress and result of implementation of the CADPs and other PAPs of the NCI-SRD within the province; and
7. Update the CADP from time to time, as may be necessary.

The PCI TWG shall be composed of the following or their designated permanent alternate representative/s:

Chairperson	:	Provincial Governor
Core Members	:	DA, Agriculture Provincial Coordinating Officer (APCO) DAR, Provincial Agrarian Reform Program Officer (PARPO ) DENR, Provincial Environment and Natural Resources Officer (PENRO) DILG, Provincial Director LGU, Provincial Agriculturist (PA) LGU, Provincial Planning and Development Coordinator (PPDC) LGU, Provincial Environment Management Officer (PEMO) LGU, Municipal Agriculture Officer (MAO)

The Provincial Governor shall designate a Secretariat of the PCI TWG. In case there is an existing LGU alliance in the area, the head of the LGU alliance shall be a member of the PCI TWG. The Provincial Governor shall also designate other members of the PCI TWG from other relevant government agencies as well as NGOs, CSOs, and private sector, as may be necessary.

#### 7.2.4 *Municipal Convergence Initiative/City Convergence Initiative (MCI/CCI) TWG*

The MCI/CCI TWG shall be created when a convergence area within a municipality/city is proposed by the M/CLGU. It shall have the following functions:

1. Propose and/or endorse convergence area/s to the RCI TWG based on the selection criteria stipulated in *Section 6*;
2. Develop the CADP of the approved convergence area/s, in collaboration with the RCI TWG;

3. Implement PAPs under the approved CADP and the NCI-SRD within the municipality/city, in collaboration with the RCI TWG;
4. Monitor, evaluate the progress and result of implementation of the CADPs and other PAPs of the NCI-SRD within the municipality/city;
5. Update the CADP from time to time as may be necessary.

The MCI/CCI TWG shall be composed of the following or their designated permanent alternate representative/s:

Chairperson	:	Municipal/City Mayor
Core Members	:	DA, Designated DA RFO representative/APCO DAR, Designated PARPO/MARPO representative DENR, Community Environment and Natural Resources Officer (CENRO) DILG, Municipal DILG Officer/ Municipal/ City Local Government Operations Officer (M/CLGOO) LGU, Municipal Agriculturist (MA)/ Municipal Agricultural Officer (MAO) LGU, Municipal/City Planning and Development Coordinator (M/CPDC) LGU, Municipal/City Environment and Natural Resources Officer (M/CENRO), as may be applicable LGU, Provincial Agriculturist (PA)

The Municipal/City Mayor shall designate a Secretariat of the MCI/CCI TWG. They shall also designate other members of the MCI/CCI TWG from other relevant government agencies as well as NGOs, CSOs, and private sector, as may be necessary.

## **SECTION 8. Funding**

The DA, DAR, DENR, and DILG shall allot a portion of their annual budget, mainstreamed or tagged, to support the NCI-SRD operations, the TWGs and their Secretariats at the national, regional, and local levels. Other sources of funds such as grants, donations, and other forms of assistance from donor agencies, other government agencies, and local and international business community/ private

sectors, shall be tapped to support the PAPs of the Convergence Initiative. Cost-sharing and/or counter-parting scheme among NGAs, LGUs, NGOs, private sector, and other institutions shall be encouraged to support the Convergence Initiative.

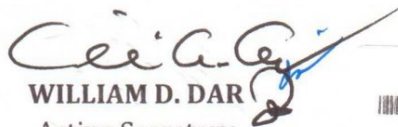
#### **SECTION 9. Results-Based Monitoring and Evaluation (RBME)**

A RBME system based on indicators of performance aligned with the PDP Results Matrix shall be developed, implemented and managed. A regular reporting system shall be installed in an open and transparent manner. The RBME report shall also contain gaps and issues, learnings on convergence as an approach to sustainable rural development, and proposed policy recommendations.

**SECTION 10. Repealing Clause.** This revised JAO supersedes DA-DAR-DENR-DILG JAO No. 01 Series of 2015 and revokes all other issuances inconsistent herewith.

**SECTION 11. Effectivity.** This revised JAO takes effect fifteen (15) days after its publication in one (1) newspaper of general circulation and upon registration with the Office of National Administrative Register (ONAR).



  
**WILLIAM D. DAR**

Acting Secretary

Department of Agriculture (DA)

DEPARTMENT OF AGRICULTURE  
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Secretary

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# ANNEX "H"

Policy and Advocacy Component Working Group (PA CWG)				
Policy Review and Audit 2022				
Consultative Meeting with NCIP in line with the Supplemental JAO				
	CONTENTIOUS ISSUES/ APPARENT CONFLICT	ACTIONS TAKEN TO ADDRESS THE CONFLICT/ISSUE	POSSIBLE AREAS OF COLLABORATION	REMARKS
1	Free and Prior Informed Consent	Meeting, Discussions	MOA with NCIP to include them and IPs in the project p	For discussion
2	Final boundaries of ancestral domains	Meeting, Discussions	MOA, Timelines,	For discussion
3	Issue with CLOA in ancestral lands	Meeting, Discussions		For discussion
4				
5				


# ANNEX "H-1"

Policy and Advocacy Component Working Group (PA CWG) Policy Review and Audit 2022				
Consultative Meeting with NCIP in line with the Supplemental JAO				
	CONTENTIOUS ISSUES/ APPARENT CONFLICT	ACTIONS TAKEN TO ADDRESS THE CONFLICT/ISSUE	POSSIBLE AREAS OF COLLABORATION	REMARKS
1	Free and Prior Informed Consent	Meeting, Discussions	regional MOA with NCIP to include them and IPs in the data sharing re issued CADTs, surveys	For discussion to include standard time allocation and costing per required by ARTA Law.
2	Consideration for FPIC of CBFM-POs which also belongs to the marginal sector	Meeting, Discussions	invite implementing member agencies for the crafting of	
3	Issuance of Certificate of Non-Overlap	Meeting, Discussions	MOA, Timelines,	PO can't afford the required cost of FPIC.
4	Overlapped areas between CADT/CADC and CBFMA-POs already developed area within their CBFMAs	Meeting, Discussions	MOA, Timelines,	For discussion to include standard time allocation and costing per required by ARTA Law.
5	CBFMA Renewal of CBFM-POs which already provided with Certificate of Non-Overlap.	Meeting, Discussions		For discussion.
	natural resource regulations under ENR laws vs IKSTP			For discussion.
				for further discussion of NCIP and DENR



# ANNEX "H-2"


Policy and Advocacy Component Working Group (PA CWG)					
Consultative Meeting with NCIP in line with the Supplemental JAO					
	CONTENTIOUS ISSUES/ APPARENT CONFLICT	DISCUSSION POINTS	ACTIONS TAKEN TO ADDRESS THE CONFLICT/ISSUE	POSSIBLE AREAS OF COLLABORATION	REMARKS
	<b>Free and Prior Informed Consent (FPIC)</b>				
1	Timeline of release of FPIC	Under the proposed Enhanced FPIC Streamlining Guidelines: - small-scale- 92 days - large-scale- 145 days - community-solicited and/or government projects- 36 days (maybe shortened depending on the level of collaboration with the IP community and completeness of submission) - Certificate of Non-Overlap (CNOs)- 22 days  ***applications for tenurial instruments through DENR fall under small-scale projects	Ongoing streamlining of NCIP guidelines	- Regional MOA with NCIP to include them and IPs in the project proposal drafting, Timelines, data sharing re issued CADTs, surveys invite implementing member agencies for the crafting of the enhanced NCIP guidelines	For discussion to include standard time allocation and costing per required by ARTA Law.
2	Standard cost of FPIC	- the costing is subject to different geographic locations of the IP communities in the country - the validation process for government projects are shorter than for those privately-owned initiatives	Ongoing streamlining of NCIP guidelines	MOA, Timelines,	PO can't afford the required cost of FPIC.
3	Required cost of FPIC for Peoples Organizations (POs)	- validations could be done through FGD and consultations with community elders so it wouldn't be costly - a new PREXC has been submitted to DBM requesting for additional validation funding	Ongoing streamlining of NCIP guidelines	MOA, Timelines,	For discussion to include standard time allocation and costing per required by ARTA Law.
4	List of Minahang Bayan approved by the DENR Secretary		Ongoing streamlining of NCIP guidelines	MOA, Timelines,	For discussion.
5	Validity/revocation of FPIC		Ongoing streamlining of NCIP guidelines		for further discussion of NCIP and DENR
	<b>Final Boundaries of Ancestral Domain (AD)</b>				
1	Data on approved CADTs and CALTs	-			

	Republic of the Philippines DA - DAR - DENR - DILG <b>National Convergence Initiative for Sustainable Rural Development (NCI-SRD)</b>	Reference Code:	NCI-SRD_FR_040_1
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**PA CWG Calendar of Activities as of 04 March 2022**

**Gantt Chart of Activities for FY 2022**

Activity	Month											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
1. Develop Gantt Chart of Activities, identification of experts/resource persons/offices, and initial data gathering	14 Jan											
2. Meetings with identified experts/resource persons/offices		15 Feb	1 March	5 Apr								
3. PA CWG 2nd Meeting			04 March									
4. Small group discussion (Agency Scorecard Workshop)			22 March									
5. Deadline for submission of SWOT analysis inputs			30 March									
6. Drafting of supplemental JAO				26 Apr	17 May							
7. PA CWG 3rd Meeting					06 May							
8. Agency Scorecard Workshop					24-27 May							
9. Finalization of supplemental JAO						14 Jun						

	<b>Republic of the Philippines</b> <b>DA – DAR – DENR – DILG</b> <b>National Convergence Initiative for Sustainable Rural Development (NCI-SRD)</b>	Reference Code:	NCI-SRD_FR_040_1
		Control No.:	
	<b>REPORT</b>	Effective date:	March 31, 2020
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Activity	Month											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
10. NCI-SRD FY 2023-2027 Roadmap Strategic Planning Final Drafting Writeshop						15-17 Jun						
11. PA CWG 3rd Meeting/ Endorsement of report and policy recommendation to the NTWG							1 Jul					
12. NTWG 3 <sup>rd</sup> Meeting							13 Jul					
13. Approval of the supplemental JAO and policy recommendation by the NSC and issuance of policy resolution							27 Jul					
14. PA CWG 5th Meeting									02 Sept			
15. PA CWG 6th Meeting											04 Nov	



# ANNEX "J"

## Contentious Issues/Apparent Conflict with NCIP

Office: \_\_\_\_\_

	CONTENTIOUS ISSUES/ APPARENT CONFLICT WITH NCIP	SUGGESTED SOLUTIONS	PROPOSED COMMITMENTS
I.	<i>(Main Contentious Issues/Apparent Conflict)</i>		
1	<i>(Sub issues/conflicts)</i>		
2			
3			
4			
5			
II.	<i>(Main Contentious Issues/Apparent Conflict)</i>		
1	<i>(Sub issues/conflicts)</i>		
2			
3			
4			
5			