



MEMORANDUM

FOR : The Undersecretary for Field Operations - Mindanao and
DENR Focal Person, DENR-NCIP TWG

FROM : The Chair, Subgroup on FPIC, Tenure Instruments and Enforcement, OIC-
Assistant Secretary for Field Operations - Western Mindanao, and
Director, in *concurrent capacity*

SUBJECT : **SUBGROUP MEETING ON FPIC, TENURE INSTRUMENTS
AND ENFORCEMENT**

DATE : JUN 30 2023

This is to provide a status on the discussion of the Department of Environment and Natural Resources (DENR) - National Commission on Indigenous Peoples (NCIP) on the **Subgroup on FPIC, Tenurial Instruments and other DENR permits, and Enforcement** which is being co-chaired by Engr. Caridad Katherine Gullunan from the NCIP. Be informed that this subgroup conducted its third meeting last 28 April 2023, attended by representatives from NCIP, DENR field offices, LMB and FMB and discussed the updates of the agreements during the second meeting. From the last meeting conducted last 14 March, the group revisited the commitments of the NCIP and DENR which include(s) the following:

TOPIC	STATUS
1. NCIP to discuss and present their proposed level of participation on DENR activities especially on the processes of issuance of Cease and Desist Orders (CDO) and other administrative process	- Not yet discussed
2. NCIP to provide access to the existing IPO registry and other similar databases relevant to tenure/permit issuances;	- NCIP submitted their inputs last April 2023
3. NCIP to provide a directory/database of NCIP officials/staff/indigenous peoples organizations representatives to assist the forest tenure instrument applicants on the FPIC process;	- NCIP submitted their inputs last April 2023
4. DENR to submit the list of programs and permits being issued	- This was already included in the last briefer and was updated based on the inputs of LMB.
5. DENR to submit draft MOA to NCIP for review and comments	- Already being discussed with the Subgroup being handled by LAS

Aside from this, the group also discussed the inputs/comments from the DENR Regional Offices and requested Regions 1 and 10 to present their initiatives, to wit:

- Forging of Memorandum of Understanding and Joint Operational Agreements % Region 1 and 10
- Mapshop or the The Map Consolidation of the DENR, NCIP, DAR and AFP % Region 10
 - In a Memorandum dated 12 April 2023, the Bureau also requested our Regional Offices to prepare shapefiles that will be used in the Mapshop. This Office already received submissions from Regions 3, 5, 6, 9, 10, 11, 13 and CAR

The summary of the discussion and agreements is attached as Annex including the proposed Memorandum of instruction for the Regional Offices to initiate the conduct of a regional mapshop together with the NCIP, DAR, AFP, and NEDA during their Regional Development Council meeting for the harmonization of data and policies. Reference materials and minutes of the meetings may be accessed through this link: <https://rb.gy/ipbe1>.

FOR INFORMATION, REFERENCE AND FURTHER INSTRUCTION, IF ANY.


ARLEIGH J. ADORABLE, CESO III

Copy furnished:

Members of the Subgroup on FPIC, Tenurial Instruments and Enforcement

The Bureau Directors

Biodiversity Management Bureau

Environmental Management Bureau

Land Management Bureau

Mines and Geosciences Bureau

The Director, Foreign-Assisted and Special Projects Service

DENR Regional Offices

The Director, Legal Affairs Service

NCIP Counterparts

Subgroup Meeting on FPIC, Tenure Instruments and Enforcement

Forest Management Bureau

Office of the Director Conference Room 28 April 2023

AGENDA	ISSUES RAISED	AGREEMENTS	ASSIGNED
Forging Partnerships and Collaborations: The Experience of Region 1 and Region 10	<ul style="list-style-type: none"> Existing Memorandum of Agreements with NCIP Harmonization of local development plans Data sharing between NCIP and DENR 	<ul style="list-style-type: none"> DENR Region 1 and 10 shall be providing copies of the Memorandum of Agreement and Joint Operational Agreement with NCIP to the FMB for the possible adoption of the MOU nationwide. The Regional Office shall be setting a meeting with the Regional NCIP Office to discuss and level-off the existing Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) for the harmonization of the development plans concerning the upland areas. The NCIP shall be forwarding copies of the fourteen ADSDPPs to the DENR Region 1. NEDA Region 11 initiated the creation of the TWG with concerned agencies and they have submitted the position paper of the TWG to the Secretary. Created One Control Map containing areas with MPSA and CBFMA overlaps. NCIP is currently developing their central database for ancestral domains. This would lead to the identification of overlapping of projects and programs with ancestral domains. NCIP and DENR shall sit-down with respective regional offices and other NGAs with upland development plans for the harmonization of these plans. Creation of framework for close coordination with NCIP and concerned IP communities during the conceptualization and development phase of future projects and programs. This would streamline and fast track the issuance of the FPIC 	<ul style="list-style-type: none"> DENR R1 DENR R1 DENR Regional Offices DENR and NCIP DENR and NCIP
Conduct of the Inter-Agency Mapshop	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> Draft Memorandum of Instruction for the Creation of Regional Technical Working Groups for the conduct of Regional Mapshops, integrations of data and harmonization of policies. 	<ul style="list-style-type: none"> FMB

AGENDA	ISSUES RAISED	AGREEMENTS	ASSIGNED
IPO Registry and Directory of NCIP Officials and Staff	<ul style="list-style-type: none"> • IPO Registration is still on-going at the NCIP Regional Offices. 	<ul style="list-style-type: none"> • It is requested for DENR Field Offices to closely coordinate with NCIP Regional Offices for the determination of recognized IPOs. 	<ul style="list-style-type: none"> • DENR and NCIP Field Offices
Free and Prior Informed Consent (FPIC Guidelines)	<ul style="list-style-type: none"> • Updated Guidelines on the FPIC have not yet been approved 	<ul style="list-style-type: none"> • In the enhanced FPIC Guidelines, it is proposed for a shorter process for short term tenure instruments • The enhanced FPIC Guidelines shall be presented once the Commission en banc approves of the final draft. NCIP shall be furnishing a copy of the guidelines once it is approved and finalized by the commission en banc level. 	<ul style="list-style-type: none"> • NCIP • NCIP