



Republic of the Philippines
PROVINCE OF NUEVA VIZCAYA
2F Peoples Hall, Capitol Compound, District IV, Bayombong



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SANGGUNIANG PANLALAWIGAN

September 05, 2024

DR. ORLANDO E. MANUEL, PhD., CESO V
Schools Division Superintendent
Department of Education (DepEd)
Division of Nueva Vizcaya
Bayombong, Nueva Vizcaya



Sir:

Herewith respectfully transmitted is a copy of **Resolution No. 2024-5211**, "A Resolution Enjoining the Strict Adherence/ Compliance by all Government Agencies, Instrumentalities, Non-Government Organizations and Private Institutions Operating Within the Jurisdiction of the Province of Nueva Vizcaya to NCIP Administrative Order No. 3, series of 2012, or the Free and Prior Informed Consent (FPIC) Guidelines and NCIP Administrative Order No. 1, series of 2012, or the Indigenous Knowledge Systems and Practices (IKSP) and Customary Laws (CLS) Research and Documentation Guidelines of 2012", of the Sangguniang Panlalawigan of Nueva Vizcaya, for

- (x) the purpose therein stated
- () information and reference
- () appropriate action

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ADVISORY		Date: 9-9-24	Time: 1:00 PM
To: <input checked="" type="checkbox"/> PSDS/DICs	<input checked="" type="checkbox"/> Elem/Sec School Heads		
<input type="checkbox"/> Private Schools	<input type="checkbox"/> Others:		
For: <input checked="" type="checkbox"/> Information	<input checked="" type="checkbox"/> Dissemination		
<input type="checkbox"/> Guidance			
ORLANDO E. MANUEL PhD, CESO V Schools Division Superintendent			
By: <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

TENY L. QUERIDO

Supervising Administrative Officer/
Acting Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF NUEVA VIZCAYA
Bayombong
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SANGGUNIANG PANLALAWIGAN

Excerpt from the Journal of the 94th Regular Session of the 11th Sangguniang Panlalawigan of Nueva Vizcaya held at the Sangguniang Panlalawigan Session Hall, Capitol Compound, Bayombong, Nueva Vizcaya, on September 2, 2024 from 9:01 a.m. to 1:59 p.m.

PRESENT:

HON. EUFEMIA ANG DACAYO	Vice Governor and Presiding Officer
HON. ELMA PINAO-AN LEJAO	Presiding Officer Pro Tempore
HON. PATRICIO F. DURLAO, JR.	Floor Leader
HON. EUNICE GALIMA-GAMBOL	Assistant Floor Leader
HON. ROLAND M. CARUB, J.D.	SP Member
HON. PRIMO PERCIVAL J. MARCOS	SP Member
HON. EDGARDO C. BALGOS	SP Member
HON. FLORANTE S. GERDAN	SP Member
HON. DELBERT D. TIDANG	SP Member
HON. PABLO P. KINDOT	SP Member
HON. JOSE D. TOMAS, SR.	SP Member
HON. NICKSON C. MILLO	Pres., SK Provincial Federation-NV Chapter
HON. CASTILLO B. TIDANG, JR.	Indigenous Peoples Mandatory Representative

NOTE:

HON. JOHN M. BABLI-ING	Pres., LnB, Nueva Vizcaya Chapter <i>(on official time)</i>
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ABSENT:

HON. BYRON C. SEVILLEN	Pres., PCL, Nueva Vizcaya Chapter
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RESOLUTION NO. 2024-5211

A RESOLUTION ENJOINING THE STRICT ADHERENCE/COMPLIANCE BY ALL GOVERNMENT AGENCIES, INSTRUMENTALITIES, NON-GOVERNMENT ORGANIZATIONS AND PRIVATE INSTITUTIONS OPERATING WITHIN THE JURISDICTION OF THE PROVINCE OF NUEVA VIZCAYA TO NCIP ADMINISTRATIVE ORDER NO. 3, SERIES OF 2012, OR THE FREE AND PRIOR INFORMED CONSENT (FPIC) GUIDELINES AND NCIP ADMINISTRATIVE ORDER NO. 1, SERIES OF 2012, OR THE INDIGENOUS KNOWLEDGE SYSTEMS AND PRACTICES (IKSP) AND CUSTOMARY LAWS (CLS) RESEARCH AND DOCUMENTATION GUIDELINES OF 2012

WHEREAS, Section 22 of the Philippine Constitution states that "The State recognizes and promotes the rights of indigenous cultural communities within the framework of national unity and development";

[Signature]

[Signature]

WHEREAS, Republic Act 8371, otherwise known as the Indigenous Peoples Rights Act of 1997, provides for the recognition, protection and promotion of the rights of Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs);

WHEREAS, the Indigenous Peoples Rights Act of 1997 shall protect the rights of the ICCs/IPs to their ancestral domains to ensure their economic, social and cultural well-being and shall recognize the applicability of customary laws governing property rights or relations in determining the ownership and extent of ancestral domain;

WHEREAS, Section 59 of the same Act, on Certification Precondition states that: "All departments and other governmental agencies shall henceforth be strictly enjoined from issuing, renewing, or granting any concession, license or lease, or entering into any production sharing agreement, without prior certification from the NCIP that the area affected does not overlap with any ancestral domain. *Such certification shall only be issued after a field based investigation is conducted by the Ancestral Domains Office of the area concerned: Provided, That no certification shall be issued by the NCIP without the free and prior informed and written consent of ICCs/IPs concerned: Provided, further, That no department, government agency or government owned or controlled corporation may issue new concession, license, lease, or production sharing agreement while there is a pending application for a CADT: Provided, finally, That the ICCs/IPs shall have the right to stop or suspend, in accordance with this Act, any project that has not satisfied the requirement of this consultation process*";

WHEREAS, NCIP Administrative Order No. 3, Series of 2012, or the Free and Prior Informed Consent Guidelines and Field Based Validation and NCIP Administrative Order No. 1 Series of 2012, or the Indigenous Knowledge Systems and Practices (IKSP) and Customary Laws (CLs) Research and Documentation prescribed the guiding principles in securing the consent of the ICCs/IPs in the implementation of programs, activities and projects within the ancestral domain;

WHEREAS, it was observed that some Government Agencies (national, provincial, municipal), government instrumentalities, non-government organizations (NGOs), and private institutions are implementing programs, activities and projects (PAPs) within recognized ancestral domain in the province of Nueva Vizcaya without the necessary permit from the National Commission on Indigenous Peoples (NCIP);

WHEREAS, the Provincial Budget Memorandum No. 2024-1, dated July 5, 2024 provides for the guidelines in the preparation and submission of Annual General Fund Budget of Offices and Departments. Item 9 of its Objectives and Policies, states among others, that projects funded out of the 20% Development Fund must be compliant with and or must secure the following;

a. xxx

b. xxx

c. xxx

d. NCIP Certificate of Non-Overlap and /or Certification Pre-Condition if within CADT areas, but seemingly there were projects implemented without undergoing the process in securing these documents;

WHEREAS, a Certification Pre-Condition or Certificate of non-Overlap must first be secured from the National Commission on Indigenous Peoples (NCIP) before a project is implemented in Ancestral Domain communities;

WHEREAS, some Government Agencies (national, provincial, municipal), instrumentalities, non-government organizations (NGOs) and private institutions solicit consent only when the project is already on going and/or implemented, when it is emphasized under Administrative Order No. 3, Series of 2012 and Administrative Order No. 1, Series of 2012 that consent should first be secured from the affected IPs/ICCs,

WHEREAS, anent the foregoing, the Sangguniang Panlalawigan of Nueva Vizcaya adheres to the protection of the rights of the indigenous people to their ancestral domains and finds it necessary to institutionalize the strict adherence/compliance by all government agencies and instrumentalities, non-government organizations and private institutions to existing laws such as the NCIP Administrative Order No. 3, series of 2012 and NCIP Administrative Order No. 1, series of 2012;

NOW, THEREFORE, on motion of Hon. Castillo B. Tidang Jr., jointly seconded by Hon. Delbert D. Tidang, Hon. Pablo P. Kindot and Hon. Primo Percival J. Marcos, be it-

RESOLVED, that this body enjoins, as it is hereby enjoining all government agencies, instrumentalities and private sectors to adhere/comply with the requirements of NCIP, Administrative Order 3, series of 2012 or the Free and Prior Informed Consent (FPIC) and NCIP Administrative Order No. 1 Series of 2012, or The Indigenous Knowledge Systems and Practices (IKSPs) and Customary Laws (CLs) Research and Documentation Guidelines of 2012;

RESOLVED FURTHER, that copies of this Resolution be forwarded to All Government Agencies and Instrumentalities, Non-Government Organizations (NGOs) and private institutions operating within the jurisdiction of the Province of Nueva Vizcaya, for their information, strict observance and compliance; and to the National Commission on Indigenous Peoples-Nueva Vizcaya, thru For. Ronie P. Caanawan, Provincial Director, NCIP-Nueva Vizcaya, for his information.


CARRIED.

Sponsor: *Hon. Castillo B. Tidang, Jr.*

I CERTIFY to the correctness of the foregoing Resolution.


EUFEMIA ANG DACAYO
Vice Governor and Presiding Officer

ATTESTED:


TENY L. QUERIDO, MPA
Supervising Administrative Officer
Acting Secretary to the Sanggunian