

Title: ****Isagani Cruz and Cesar Europa vs. Secretary of Environment and Natural Resources, et al. (G.R. No. 135385 October 12, 2000)****

Facts: The case arose when petitioners Isagani Cruz and Cesar Europa, as citizens and taxpayers, filed a suit for prohibition and mandamus questioning the constitutionality of certain provisions of the Indigenous Peoples' Rights Act of 1997 (IPRA), or Republic Act No. 8371, and its Implementing Rules and Regulations (IRR). They argued that these provisions unlawfully deprived the State of its ownership over lands of the public domain and the natural resources therein, in violation of the Regalian Doctrine embodied in Section 2, Article XII of the 1987 Constitution. They also contended that the law's definition of "ancestral domains" and "ancestral lands," which could include private lands, violated the rights of private landowners.

After the filing of the petition, respondents required by the Supreme Court filed their respective comments. The National Commission on Indigenous Peoples (NCIP) defended the constitutionality of the IPRA. The Secretary of the Department of Environment and Natural Resources (DENR) and the Secretary of Budget and Management, through the Solicitor General, partially agreed with the petitioners regarding the unconstitutionality of the provisions granting ownership of natural resources to indigenous peoples. Several groups of intervenors, comprising indigenous peoples and their supporting organizations, along with the Commission on Human Rights and other related entities, filed motions to intervene, supporting the constitutionality of the IPRA.

The Supreme Court deliberated on the case, and votes were equally divided; therefore, pursuant to Rule 56, Section 7 of the Rules of Civil Procedure, the petition was dismissed, upholding the validity of the challenged provisions of R.A. 8371.

Issues: The core legal issues revolved around:

1. Whether the provision of IPRA granting ownership over natural resources to indigenous peoples is unconstitutional for being contrary to the Regalian Doctrine.
2. Whether the provisions related to the identification, delineation, and recognition of ancestral domains infringe upon the due process clause of the Constitution.
3. Whether certain aspects of IPRA violate the rights of private landowners.
4. Whether the administrative relationship of the NCIP to the Office of the President, as characterized in the NCIP Administrative Order No. 1, contradicts the President's control over executive departments.

Court's Decision:

The Supreme Court dismissed the petition, maintaining the constitutionality of the challenged provisions. The Court explained that the IPRA did not violate the Regalian Doctrine, as it merely recognized the indigenous peoples' right to their ancestral domains and lands, a right considered never to have been part of the public domain. Moreover, the IPRA provided safeguards to ensure that the delineation and recognition of ancestral domains would not infringe upon private property rights. The Court also found no merit in the argument regarding the NCIP's administrative relationship with the Office of the President, stating that it did not diminish the President's control over the executive department.

Doctrine: The case reiterates the doctrine that the rights of indigenous peoples over their ancestral domains are recognized and protected under the law. It emphasized that ancestral domains and lands, occupied, possessed, and utilized by indigenous peoples and their ancestors since time immemorial, are presumed never to have been public lands and are considered private.

Class Notes:

1. Regalian Doctrine (Section 2, Article XII, 1987 Constitution) - All lands of the public domain and natural resources belong to the State.
2. Indigenous Peoples' Rights Act of 1997 (IPRA, R.A. 8371) - Recognizes and promotes the rights of Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to their ancestral domains and lands.
3. Ancestral Domains and Ancestral Lands - Defined under IPRA as areas occupied and possessed by Indigenous Peoples under claims of individual or collective ownership since time immemorial.
4. Native Title - Acknowledges the pre-conquest rights of indigenous peoples to lands and domains held under claims of ownership since time immemorial.
5. The principle of due process and equal protection of the laws (Section 1, Article III, 1987 Constitution) - No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws.

Historical Background: This case underscores the Philippine government's recognition and protection of the rights of indigenous peoples to their ancestral lands and domains. It reflects the state's efforts to correct historical injustices suffered by indigenous communities by formalizing their claims to territories they have traditionally owned and utilized.