A RESOLUTION APPROVING NCIP ADMINISTRATIVE ORDER NO. 001, SERIES OF 2009, OTHERWISE KNOWN AS THE NATIONAL GUIDELINES FOR THE MANDATORY REPRESENTATION OF INDIGENOUS PEOPLES IN LO...

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WHEREAS, Section 10, Article II of the 1987 Philippine Constitution provides that the State shall promote social justice in all phases of national development;

WHEREAS, Section 17, Article XIV of the 1987 Philippine Constitution also provides that the State shall recognize, respect, and protect the rights of indigenous cultural communities to preserve and develop their cultures, traditions, and institutions;

WHEREAS, paragraph c, Article V of the International Convention on the Elimination of all forms of Racial Discrimination (ICERD) provides that the political, civil, economic, social and cultural rights of IP/ICCs through participation in the Government and in the conduct of public affairs shall be promoted and protected;

WHEREAS, Section 16 of Republic Act (RA) 8371 provides that the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) have the right to participate fully, if they so choose, at all levels of decision-making in matters which may affect their rights, lives and destinies through procedures determined by them as well as to maintain and develop their own indigenous political structures and consequently, the State shall ensure that the ICCs/IPs shall be given mandatory representation in policy-making bodies and other local legislative councils;

WHEREAS, Section 6, Part I, Rule IV of the National Commission on Indigenous Peoples (NCIP) Administrative Order No. 1, Series of 1998, or the Implementing Rules and Regulations (IRR) of RA 8371 provides that the ICCs/IPs shall be provided mandatory representation in all policymaking bodies and in local legislative councils in which case, the ICC/IP representation shall be proportionate to their population, and shall have the same privileges as the regular members of the legislative bodies and/or policy making bodies;

WHEREAS, the National Commission on Indigenous Peoples (NCIP) and the Department of Interior and Local Government (DILG) in close coordination with the ICCs/ IPs shall come up with appropriate measures to ensure the full participation of ICCs/IPs in matters affecting their development;

WHEREAS, initial attempts by the NCIP in realizing mandatory representation proved fruitful as it resulted in having a total of one hundred four (104) IP leaders assume posts as Sanggunian Members, ninety eight (98) of whom serve in the Sangguniang Pambarangay, four (4) in Sangguniang Bayan, one (1) in Sangguniang Panlalawigan and one (1) in Sangguniang Panlungsod;

WHEREAS, based on the performance of the above-mentioned Sanggunian Members and growing clamor for Indigenous Peoples to be recognized as indispensable sector and partner in the country's development, the Indigenous Peoples as well as various peoples organizations strongly recommend the crafting, approval and implementation of the mandatory representation guidelines;

WHEREAS, in order to operationalize the foregoing provisions, the National Guidelines for the Mandatory Representation of Indigenous Peoples in Local Legislative Councils should be promulgated to set up the processes and mechanisms for the mandatory representation of Indigenous Peoples in local legislative councils.

NOW THEREFORE, by way of consensus, be it:

RESOLVED, as it is hereby done, to approve the NCIP Administrative Order No. 001, Series of 2009, otherwise known as the National Guidelines for the Mandatory Representation of Indigenous Peoples in Local Legislative Councils.

RESOLVED FURTHER, that copies of the National Guidelines for the Mandatory Representation of Indigenous Peoples in Local Legislative Councils be furnished and registered with the Office of the National Administrative Register, University of the Philippines Law Center, UP Diliman, Quezon City and that a copy of this Resolution together with the full text of the Guidelines be published in two (2) newspapers of general circulation in the Philippines.

NCIP RESOLVED FINALLY, to furnish copies of this resolution and the guidelines to all Bureaus, Regional and Provincial Offices and Community Service Centers for their information and guidance and dissemination to concerned groups, communities and individuals.

APPROVED. Adopted: 28 Oct. 2009

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Commissioner, Region III & Rest of Luzon

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