

[**ADMINISTRATIVE ORDER NO. 26, January 11, 2002**]

DIRECTING THE NATIONAL COMMISSION ON INDIGENOUS PEOPLES TO FORMULATE A REORGANIZATION PLAN AND FOR OTHER PURPOSES

WHEREAS, the National Commission on Indigenous Peoples (NCIP) was created, by virtue of the Indigenous Peoples Rights Act of 1997 (IPRA), to be the primary government agency responsible for the formulation and implementation of policies, plans and programs to promote and protect the rights and well-being of the indigenous cultural communities/indigenous peoples (ICCs/IPs) and the recognition of their ancestral domains as well as their rights thereto;

WHEREAS, an Institutional and Performance Audit Team was created by virtue of Administrative Order No. 11 dated May 28, 2001, to look into the responsiveness of the NCIP and the performance of its Commissioners and Officials;

WHEREAS, the Institutional and Performance Audit Team has submitted a report of its findings and recommendations.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law and upon the recommendation of the Presidential Adviser on Indigenous Peoples' Affairs, do hereby order:

SECTION 1. Policy Thrust. – Consistent with the provisions of the IPRA, the following shall be the core areas of responsibilities of the NCIP:

- a. Recognition, promotion and protection of the rights of the ICCs/IPs within the framework of the Constitution and consistent with the spirit and intent of the IPRA;
- b. Furtherance of the welfare of the ICCs/IPs;
- c. Empowerment of the ICCs/IPs to pursue their economic, social, political and cultural well-being;
- d. Harmonizing the implementation of the provisions of the IPRA with that of related laws, policies and programs such as those pertaining to land use, exploration of natural resources, agrarian reform, agricultural development, housing and industrial development; and
- e. Mainstreaming the NCIP towards the efficient delivery of basic services to the ICCs/IPs.

SECTION 2. *Reorganization.* – To enable it to efficiently discharge its duties and functions under the IPRA and the above core areas of responsibilities, the NCIP shall be reorganized in accordance with the following framework and principles:

- a. The policy-governing functions of the NCIP shall be lodged with the Commission *en banc*, while the management of its day-to-day operations shall be under its management group headed by the Executive Director who shall be appointed by the President of the Philippines and who shall be directly responsible to the Commission;
- b. The Regional and Provincial Offices as well as the Community Service Centers shall be reorganized in accordance with the ethnographic regions of the country as defined by the IPRA, and based on the needs of the ICCs/IPs. The operation and activities of these offices shall be coordinated by the Executive Director;
- c. Each Regional Office shall maintain an adjudication court to discharge the relevant functions lodged thereto under the IPRA and on addressing disputes affecting ICCs/IPs. Their national counterpart shall also be established to entertain appeals from the rulings of the regional adjudication court and to settle disputes involving cross ethnographic regions as referred to it by the Commission;
- d. Dedicated units shall be included under the new organizational structure of the NCIP to undertake its critical key results areas on:
 - i. Census of the ICCs/IPs, cultural mapping and survey/delineation of ancestral land;
 - ii. Promotion and protection of the rights and welfare of the ICCs/IPs;
 - iii. Monitoring of the policy and program implementation;
 - iv. Planning and management of ancestral domains, including the development of model IP communities in the Government's area development projects involving ancestral domains; and
 - v. Responding to the emergency situations of the ICCs/IPs through the creation of a quick response task force; and
- e. Clear delineation of responsibilities and accountabilities, including institutional relationships with other concerned agencies. In this regard, the new structure of the NCIP shall reflect operational linkages with the IP regional and national consultative bodies.

SECTION 3. *Implementing Authority.* – The newly appointed NCIP Commissioners acting *en banc*, shall plan and implement the reorganization of the NCIP. For this purpose, the NCIP may create an appropriate committee or employ the services of a qualified private sector group to formulate the Reorganization Plan in accordance with Sections 1 and 2 of this Administrative Order.

The Reorganization Plan which shall include the framework of reorganization,