

**[ NCIP ADMINISTRATIVE ORDER NO. 1, S. 2004,  
January 30, 2004 ]**

**GUIDELINES ON THE FORMULATION OF THE ANCESTRAL  
DOMAIN SUSTAINABLE DEVELOPMENT AND PROTECTION PLAN  
(ADSDPP)**

Pursuant to sub-paragraph (o), Sec. 44 of R.A. 8371, otherwise known as the Indigenous Peoples Rights Act of 1997 and other related provisions, the following guidelines are hereby promulgated:

**ARTICLE I  
PRELIMINARY PROVISIONS**

*Section 1. **Constitutional and Legal Framework.*** The State shall recognize and promote all the rights of indigenous cultural communities (ICCs) within the framework of national unity and development and shall protect the rights of indigenous peoples to their ancestral domains to ensure their economic, social and cultural well-being. The State shall likewise recognize the inherent right of ICCs/IPs to self-governance and self-determination, and respect the integrity of their values, practices and institutions as well as guarantee their right to freely pursue their development and equally enjoy the full measure of human rights and freedoms without distinction or discrimination.

*Section 2. **Policy Statement.*** The sustainable development and protection of the ancestral domain by the ICCs/IPs themselves is the manifestation of their rights to self-governance and self-determination. To guarantee the exercise, enforcement and realization of these rights, the ICCs/IPs shall prepare their own ancestral domain sustainable development and protection plan (ADSDPP) in accordance with their customary practices, laws and traditions.

*Section 3. **Objectives.*** These guidelines shall provide guidance in the formulation of the ADSDPP as a tool for the empowerment of ICCs/IPs towards the fulfillment of the general well-being of the current ICC/IP generation without compromising the needs of future generations. The ADSDPP shall, among others: (a) ensure the compliance of ICCs/IPs to their responsibilities to maintain ecological balance, restore denuded areas as well as to observe the requirements of the IPRA; (b) facilitate the conduct of the FPIC process; and (c) provide a checklist of prioritized development programs/projects as ready reference for collaborative efforts with development partners and/or grant of assistance to ICCs/IPs

in an ancestral domain.

*Section 4. Approaches.* The ICCs/IPs' view on development puts emphasis on the inter-generational responsibility of the present generation to comprehensively and sustainably manage their ancestral domain and all resources found therein so that future generations may enjoy them. The realization hereof requires appropriate development standards and culturally sensitive approaches, thus:

- a. ***Rights-Based Approach to Development.*** The ADSDPP is a framework for the process of human development that is normatively based on, and operationally directed to, the recognition, promotion and protection of fundamental human rights which are inherent rights of a person as a human being, and rights as indigenous peoples.
- b. ***Holistic/Comprehensive and Integrated.*** The ADSDPP shall be an instrument through which the ICCs/IPs' rights to ancestral domains/ lands, self-governance/empowerment, social justice/human rights and cultural integrity as provided in the Indigenous Peoples' Rights Act are recognized, promoted and respected. It shall likewise be used to protect the holistic and integrated adherence of a particular ICC/IP community to their customs, religious beliefs, traditions and indigenous knowledge systems and practices as they assert their character and identity as peoples. The sustainable development and protection of ancestral domains shall be all-inclusive.
- c. ***Community/or People Driven.*** The process and steps in the preparation of the ADSDPP shall ensure that the ICCs/IPs shall take major leadership roles and full participation in the determination of their own development needs and priorities and subsequently how these needs and priorities shall be met as they formulate, implement and evaluate their ADSDPPs.
- d. ***Freedom of Initiative and Self-reliance or Non-Intervention.*** Economic opportunities created by the state shall be extended to the ICCs/IPs on the basis of freedom of initiative and self-reliance. The ICCs/IPs shall freely pursue their economic, social and cultural development of their own choice and at their own pace in a manner determined by themselves towards national unity and development. The option of the ICCs/IPs to adopt a sustainable development and protection plan shall be respected under the principle of free pursuit of development as a people.

- e. **Culture Sensitive.** The ADSDPP shall be culturally appropriate and responsive with the customs, traditions, values, beliefs, interests and institutions of ICCs/IPs. The ADSDPP shall be used as a tool to preserve and protect such culture, traditions and institutions.
- f. **Gender-Responsive.** The ADSDPP shall likewise be gender-sensitive where gender issues are clearly articulated in the situation analysis and appropriate interventions and indicators of change are incorporated to address those issues.
- g. **Consultative.** The ADSDPP preparation shall be consultative. Consultations shall go beyond ICCs/IPs to account for other stakeholders or entities that may be affected in any way by planned interventions within the ancestral domain such as the ICCs and non-ICCs in areas adjacent to the ancestral domain, and development agents of government (local and national).
- h. **Iterative and Strategic.** The iterative planning process shall allow for strategic changes in ADSDPP requirements and technologies for AD development change over time. A strategic planning approach capitalizes on indigenous resources that abound and focuses on critical development issues within the ancestral domain.

**Section 5. Operating Principles.** In the exercise of the right to self-governance and self-determination, the ICCs/IPs shall ensure that the development and management of ancestral domains shall adhere to the following principles:

- a. **Freedom of ICCs/IPs to Pursue Economic, Social and Cultural Development.** In the pursuit of economic, cultural and social development, the ICCs/IPs shall decide on all programs, policies, plans and projects within the ancestral domain and prioritize the same. In consonance herewith, the ICCs/IPs can formulate a sustainable development and protection plan for their ancestral domain in any form, provided that it contains the basic components as provided under Article II of these guidelines. As such, members of ICCs/IPs in the ancestral domain must give their consent in accordance to customs and traditions, and they shall participate in the planning process.
- b. **Fulfillment of Responsibility to Future Generations.** The ancestral domain is owned by the race and the responsibility of the current generation of ICCs/IPs to sustainably manage and protect their ancestral domains

in order to preserve the options for future generations is enormous and cannot be ignored. In the management of the ancestral domain, due consideration must be given to the resources as well as conflict management systems, indigenous knowledge, systems and practices, and peace building mechanisms and institutions of the ICCs/IPs.

- c. **Interdependence.** The ancestral domain and all resources found therein cannot be separated from the social and economic systems and the benefits derived therefrom.
- d. **Just and Equitable Sharing of Benefits.** IC/IP communities shall be fairly allocated benefits derived from the management of land and resources within their ancestral domains.
- e. **Comprehensive.** The sustainability of development and protection of ancestral domains shall be holistic and all-inclusive of all the aspects of the life and environment of ICCs/IPs.

**Section 6. Definition of Terms.** The terms and phrases defined under Section 3 (a) to (p) of R.A. 8371 and Rule II (a) to (z) of the Implementing Rules and Regulations shall be given the same meanings when used herein and in addition thereto:

- a. **Ancestral Domains Sustainable Development and Protection Plan (ADSPP)** -- refers to the consolidation of the plans of ICCs/IPs within an ancestral domain for the sustainable management and development of their land and natural resources as well as the development of human and cultural resources based on their indigenous knowledge, systems and practices. Such plan shall be the basis of the Five Year Master Plan for ICCs/IPs.
- b. **Effectiveness** -- refers to the extent to which the strategies and activities progressively realized the desired results given the amount and quality of material and human resources brought into a program/ project.
- c. **Gender Gap** -- refers to a manifestation of gender inequality, where significant disparity in male and female access to productive and service resources.
- d. **Gender Issues** -- refers to problems that are results of the way boys and girls or women and men have been socially constructed which cause negative effects or

gender gap on social status and human relationships such as inequality and discrimination.

## **ARTICLE II**

### **BASIC COMPONENTS OF THE ADSDPP**

*Section 7. **Basic Components.*** The ADSDPP is a long term comprehensive spatial and development plan with at least five years programming of activities with the purpose of identifying and implementing programs and projects to strengthen self-governance, alleviate poverty, protect the environment and cultural integrity, and build lasting peace and genuine development within ancestral domains of particular ICCs or IP groups. Hence the ADSDPP document shall contain three parts as follows:

#### **a. Ancestral Domain and Community Situationer**

1. Ancestral Domain Situationer. This component shall include the profile and conditions of the natural base or resources of the ancestral domain such as its environmental and ecological conditions and other land and spatial conditions as maybe defined by the community. It shall also include the indigenous resource systems and management practices and customs and traditions as well as a description of the land ownership systems that helped shape the present conditions of the ancestral domain and the IC/IP community as owners and stakeholders. The problems and conditions shall also be determined, especially, but not limited to, the environmentally critical areas.
2. Community Situationer. This component shall include the history of the tribe, their origin and time immemorial formation of the ICCs/IPs as a distinctive social and cultural group. It shall also present and discuss the life ways of the ICCs/IPs and their social, cultural, political and economic systems and status of human development, including the prevailing conditions and situations as well as the factors affecting the development of ICCs/IPs. The