



Republic of the Philippines  
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**MEMORANDUM**

**FOR :** **The Directors**  
Legal Affairs Service  
Policy and Planning Service  
Climate Change Service

**The Bureau Directors**  
Environmental Management Bureau  
Biodiversity Management Bureau  
Mines and Geosciences Bureau  
Land Management Bureau

**FROM :** **The Director**  
Legislative Liaison Office

**SUBJECT :** **INVITATION TO ATTEND THE VIRTUAL MEETING OF THE COMMITTEE ON INDIGENOUS CULTURAL COMMUNITIES AND INDIGENOUS PEOPLES OF THE HOUSE OF REPRESENTATIVES**

**DATE :** 02 November 2022

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The Committee on Indigenous Cultural Communities and Indigenous Peoples of the House of Representatives shall have a virtual meeting on November 10, 2022 (Thursday), at 9:00 AM via Zoom for the initial deliberation of House Bill No. 4616 “An Act Recognizing The Community Conserved Territories And Areas Of Indigenous Peoples And Cultural Communities, Establishing For The Purpose The National Indigenous Community Conserved Areas Registry, And Appropriating Funds Therefor” Introduced by Rep. Allen Jesse C. Mangaoang.

In this regard, your or your representative’s attendance at the mentioned meeting is requested as the agenda will deliberate on a bill that is of significance to your mandates.

Attached herewith are the invitation letter and a copy of the mentioned House Bill for your reference.

Your attendance is highly encouraged.

**ROMIROSE B. PADIN**

cc: Undersecretary for Legal, Administration, Human Resources and Legislative Affairs  
Undersecretary for Policy, Planning and International Affairs  
Assistant Secretary for Administration and Legislative Affairs



Republic of the Philippines  
**House of Representatives**  
Quezon City, Metro Manila  
**NINETEENTH CONGRESS**  
First Regular Session

*Committee on Indigenous Cultural Communities and Indigenous Peoples*

October 26, 2022

THE HONORABLE SECRETARY  
**MARIA ANTONIA YULO LOYZAGA**  
*Department of Environment and Natural Resources*  
*Visayas Avenue, Diliman, Quezon City*

Dear Secretary Yulo Loyzaga,

The Committee on Indigenous Cultural Communities and Indigenous Peoples cordially invites Your Honor to its virtual **COMMITTEE MEETING** on the date and time provided hereunder.

Date : Thursday, November 10, 2022  
Time : 9:00 AM  
Meeting ID : 841 1983 7088  
Passcode : 681546  
Link : <https://us02web.zoom.us/j/84119837088?pwd=V1o2L09YZm1rUk9zYWJvMkZPcmR4UT09>

The Committee will be discussing, on initial deliberation, the following House Bill:

**House Bill No. 4616**

*An Act Recognizing The Community Conserved Territories And Areas Of Indigenous Peoples And Cultural Communities, Establishing For The Purpose The National Indigenous Community Conserved Areas Registry, And Appropriating Funds Therefor*  
Introduced by Rep. Allen Jesse C. Mangaoang.

As one of the main stakeholders of the said measure, the Committee wishes to discuss with and hear Your Honor's insights to aid in the creation of a legislation that truly upholds the rights and promotes the welfare of our ICCs/IPs.

Furthermore, we would greatly appreciate if Your Honor could submit a written position on the foregoing measure before the meeting date to give the Committee enough time to review the same.

Attached herewith, for Your Honor's reference, are the agenda, a copy of HB No. 4616, and other materials pertinent to the said meeting.

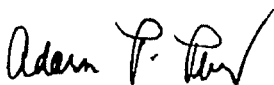
Earnestly looking forward to Your Honor's gracious presence in the said meeting.

Thank you and warm regards.

Respectfully yours,

For the Chairperson  
**ALLEN JESSE C. MANGAOANG**

By:



**ADORA P. PUEBOS**  
*Committee Secretary*



Republic of the Philippines  
**House of Representatives**  
Quezon City, Metro Manila  
**NINETEENTH CONGRESS**  
First Regular Session

*Committee on Indigenous Cultural Communities and Indigenous Peoples*

**COMMITTEE MEETING**

Thursday, 10 November 2022

via Zoom Videoconference

Meeting ID: 841 1983 7088 | Password: 681546

Link: <https://us02web.zoom.us/j/84119837088?pwd=V1o2L09YZm1rUk9zYWJvMkZPemR4UT09>  
9:00 AM

**A G E N D A**

- I. **CALL TO ORDER AND ROLL CALL**
- II. **APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING (08-25-2022)**
- III. **OPENING REMARKS BY THE CHAIRPERSON**
- IV. **OPENING STATEMENTS BY THE MEMBERS OF THE COMMITTEE**
- V. **ACKNOWLEDGMENT OF GUESTS AND RESOURCE PERSONS**
- VI. **INITIAL DELIBERATION ON THE FOLLOWING HOUSE BILLS:**

**House Bill No. 3340**

*"An Act Establishing A System Protecting The Community Intellectual Rights of Indigenous Cultural Communities/Indigenous Peoples"*

Introduced by Rep. Maximo, Jr. Y. Dalog

**House Bill No. 4118**

*"An Act Establishing Resource Centers For The Indigenous Cultural Communities And Indigenous Peoples To Enhance And Ensure The Delivery Of Essential Services, And Appropriating Funds Therefor"*

Introduced by Rep. Allen Jesse C. Mangaoang

**House Bill No. 4294**

*"An Act Providing For A Free And Culture-Sensitive System Of Registration Concerning The Civil Status Of Indigenous Peoples And For Other Purposes"*

Introduced by Reprs. Arlene D. Brosas, France L. Castro, and Raoul Dannel A. Manuel

**House Bill No. 4616**

*"An Act Recognizing The Community Conserved Territories And Areas Of Indigenous Peoples And Cultural Communities, Establishing For The Purpose The National Indigenous Community Conserved Areas Registry, And Appropriating Funds Therefor"*

Introduced by Rep. Allen Jesse C. Mangaoang

**House Bill No. 5031**

*"An Act Providing For The Establishment Of An Indigenous Training Center In The City Of Valencia, Province Of Bukidnon, And Appropriating Funds Therefor"*

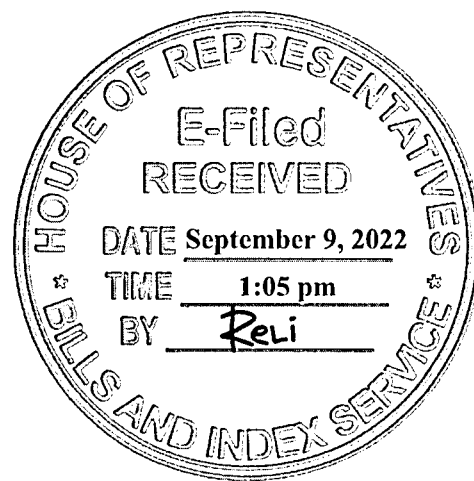
Introduced by Rep. Laarni Lavin Roque

- VII. **PRESENTATION BY THE FAMILYSEARCH INTERNATIONAL ON SCOPING FOR ORAL GENEALOGY OPPORTUNITIES IN THE PHILIPPINES**
- VIII. **OTHER MATTERS**
- IX. **ADJOURNMENT**

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**NINETEENTH CONGRESS**  
First Regular Session

HOUSE BILL NO. 4616



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Introduced by Rep. **ALLEN JESSE C. MANGAOANG**

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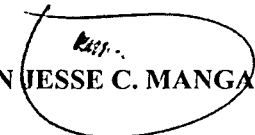
#### **EXPLANATORY NOTE**

Section 16, Article II of the 1987 Philippine Constitution declares that the “State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature”. It further states in Section 22 that the “State recognizes and promotes the rights of indigenous cultural communities within the framework of national unity and development”.

Since time immemorial our indigenous cultural communities (ICCs) and indigenous peoples (IPs) have always played an important role in the preservation and protection of our environment and natural resources within their ancestral domains.

To give effect to these constitutional mandates and for the Government to institutionalize the valuable role of the ICCs and IPs in the conservation of protected areas, it is imperative to establish a national Indigenous Community Conserved Area (ICCA) Registry that documents, registers, and gives due recognition to these Indigenous Cultural Conserved Areas (ICCAs) and creates mechanisms for them to be integrated in the government plans.

Immediate passage of this Bill is hereby sought.

  
**ALLEN JESSE C. MANGAOANG**

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**NINETEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 4616**

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Introduced by REP. ALLEN JESSE C. MANGAOANG

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**AN ACT**  
**RECOGNIZING THE COMMUNITY CONSERVED TERRITORIES AND AREAS**  
**OF INDIGENOUS PEOPLES AND CULTURAL COMMUNITIES, ESTABLISHING**  
**FOR THE PURPOSE THE NATIONAL INDIGENOUS COMMUNITY CONSERVED**  
**AREAS REGISTRY, AND APPROPRIATING FUNDS THEREFOR**

*Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*

1 **CHAPTER I**  
2 **GENERAL PROVISIONS**

3 **SECTION 1. *Short Title.*** This Act shall be known as the "*Indigenous Community*  
4 *Conserved Territories and Areas Act*".

5 **SEC 2. *Declaration of Policy.*** In accordance with the provisions of the Constitution,  
6 Republic Act No. 8371, otherwise known as the "Indigenous Peoples Rights Act of 1997"  
7 (IPRA), and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP),  
8 it is the policy of the State to recognize, promote, and protect the rights of Indigenous Cultural  
9 Communities/Indigenous Peoples (ICCs/IPs), particularly to their ancestral domains.

10 The State also recognizes the existing customary and traditional governance by  
11 ICCs/IPs of their ancestral domains and lands as an effective measure of conserving key  
12 biodiversity areas. By this recognition, the State acknowledges the significant contribution of  
13 ICCs/IPs to the country's efforts in the protection of the environment, the conservation of  
14 biodiversity, and in the promotion the community resilience.

15 Towards this end, the State shall adopt measures to recognize and respect the  
16 designation and declaration by ICCs/IPs of the conserved areas within their ancestral domains  
17 and to promote their rights to manage, maintain, and sustainably develop the natural resources  
18 by applying their indigenous knowledge systems and practices within these areas under their  
19 indigenous political structures and traditional governance systems.

20 For this purpose, a national registry for all ICCs/IPs conserved territories and areas shall  
21 be established to be the repository of information on these conserved territories and areas.

1 **SEC. 3. Definition of Terms.** – As used in this Act:

- 2 a) *Environmentally critical areas (ECAs)* refer to areas identified under Presidential  
3 Proclamation No. 2146, Series of 1981 and herein further classified as Strict Protection  
4 Zones (SPZ);  
5 b) *Indigenous Community Conserved Territories and Areas (ICCA)* refer to areas within  
6 ancestral domains and lands, and parts thereof, that are identified, protected, conserved,  
7 and sustainably used by ICCs/IPs pursuant to their indigenous knowledge, systems, and  
8 practices, and in accordance with customary laws and other effective means since time  
9 immemorial continuously to the present, subject to the limitations imposed by the  
10 Constitution.

11 These are characterized by natural or modified ecosystems, containing  
12 significant biodiversity, beneficial ecological qualities and is of great cultural and  
13 spiritual value to the community.

- 14 c) *Key biodiversity areas* refer to the sites of global significance for biodiversity  
15 conservation that are identified using globally standard criteria and thresholds, based  
16 on the scale of the need for safeguards. These criteria are based on the framework of  
17 vulnerability and irreplaceability used in systematic conservation planning;  
18 d) *National ICCA Registry* refers to the national information management system that  
19 contains records of the pertinent information on ICCAs;  
20 e) *Sustainable Traditional Resource Rights (STRR)* refer to the rights of ICCs/IPs to  
21 sustainably use, manage, protect and conserve 1) land, air, water, and minerals; 2)  
22 plants, animals and other organisms; 3) collecting, fishing and hunting grounds; 4)  
23 sacred sites; and, 5) other areas of economic, ceremonial and aesthetic value in  
24 accordance with their indigenous knowledge, belief systems, and practices.

25 **SEC. 4. Scope and Coverage.** This Act shall apply to all ancestral domains and lands  
26 publicly known to have been held under a claim of ownership, possession and occupation based  
27 on native title since time immemorial continuously and up to the present, or formally  
28 recognized under a Certificate of Ancestral Domain Title (CALT) or Certificate of Ancestral  
29 Land Title (CADT) issued pursuant to Republic Act No. 8371.

30 **CHAPTER II**

31 **INDIGENOUS CULTURAL COMMUNITIES AND INDIGENOUS PEOPLES**  
32 **CONSERVED TERRITORIES AND AREAS**

33 **SEC. 5. Guiding Principles.** The following guidelines shall be observed in recognizing  
34 the indigenous cultural communities and indigenous peoples conserved territories and areas  
35 (ICCAs):

- 36 a) The rights to land and self-determination include the full recognition of the  
37 traditional resources, rights and practices of ICCs/IPs, as well as their right to  
38 access, maintain, protect, conserve, regulate ICCAs and exclude unauthorized  
39 intrusion into these areas;  
40 b) The customary laws and indigenous knowledge systems and practices (IKSPs) in  
41 the governance and management of ICCAs shall be recognized and respected



1 provided that they are within the framework of national unity and development as  
2 envisioned under the Constitution.

- 3 c) The ICCs/IPs shall govern their conserved territories and areas and ensure the  
4 preservation, restoration, and maintenance of ecological balance and biodiversity  
5 therein in consonance with existing environmental policies and with the assistance  
6 of government agencies;
- 7 d) The identification and declaration of ICCAs shall consider duly formulated  
8 national, regional, provincial and municipal policies, plans and programs;
- 9 e) The ICCs/IPs shall receive a fair and equitable share in the benefits derived from  
10 the ecosystem services provided by ICCAs and other activities as authorized by the  
11 ICCs/IPs themselves in accordance with existing environmental policies, rules and  
12 regulations; and
- 13 f) In case of conflict between ICC/IPs' customary laws and indigenous knowledge  
14 systems and practices on the one hand, and existing environmental laws, rules and  
15 regulations, on the other, earnest efforts shall be exerted to adopt an interpretation  
16 that will give effect to both. Only when it is clear that the two are truly irreconcilable  
17 will environmental laws, rules and regulations prevail, but such construction shall  
18 always be supported by evidence attesting to the fact that the customary laws and  
19 IKSPs have no sound scientific basis and shall be guided by the pertinent provisions  
20 of the Constitution.

21 **SEC. 6. Recognition of ICCAs.** The ICCs/IPs shall define and declare the conserved  
22 areas within their ancestral domains and lands in accordance with their indigenous political  
23 structures, cultures and traditions provided that the identified area is not earlier proclaimed or  
24 declared as a protected area under Republic Act No. 7586, otherwise known as the "National  
25 Integrated Protected Areas System Act of 1992" as amended by Republic Act No. 11038,  
26 otherwise known as the "Expanded National Integrated Protected Areas System Act of 2018"  
27 and other presidential proclamations.

28 The declaration of ICCAs shall be respected as an exercise of the self-governance, self-  
29 determination and sustainable traditional resource rights of the ICCs/IPs. It shall be recognized  
30 by all national agencies and local government units (LGUs) as another category of protected  
31 areas that are owned, controlled, governed and managed by ICCs/IPs themselves. The ICCAs,  
32 their respective locations, names in indigenous language, and components therein, shall be  
33 respected used, and promoted in all official documents.

34 No provision in this Act granting or recognizing the rights and privileges of ICCs/IPs  
35 in the ICCAs shall be construed to diminish their rights and privileges in non-ICCA areas of  
36 the ancestral domains or lands.

37 **SEC. 7. Protection of ICCAs.** Subject to the provisions of the Constitution, Republic  
38 Act No. 8371, and Republic Act No. 7586, as amended, the ICCAs shall be reserved for the  
39 exclusive use of ICCs/IPs exercising their sustainable traditional resource rights. It shall be the  
40 duty of the ICC/IPs to govern, conserve, manage and protect ICCAs with the assistance of  
41 government agencies.

42 **SEC. 8. Environmental Impact Assessment (EIA) System.** For the purposes of this  
43 Act, all ICCAs shall be considered as environmentally critical areas.

1 All projects outside the ICCA that have potential adverse impacts on the conserved  
2 territories and areas are subject to EIA.

3 The participation of the National Commission on Indigenous Peoples (NCIP) and the  
4 Department of Environment and Natural Resources (DENR) is required in the conduct of the  
5 EIA outside the ICCAs but within the ICC/IPs ancestral domain.

6 The customary laws, the IKSPs of the ICCs/IPs and the social acceptability of the  
7 project shall be considered in the assessment of such projects.

8 In the interest of transparency and full disclosure, the EIA should be concluded and  
9 reported for consideration during the Free and Prior Informed Consent (FPIC) process, as  
10 provided for under Section 3 (g) of Republic Act No. 8371.

11 **SEC. 9. ICCAs in Key Biodiversity Areas (KBAs).** Subject to the Constitution, the  
12 ICCs/IPs shall govern, maintain, restore and sustainably develop the ICCAs' key biodiversity  
13 areas (KBAs) in accordance with their customary laws, IKSP, and in a manner consistent with  
14 the sustainable use and conservation of biodiversity found therein and in accordance with  
15 existing environmental policies, rules and regulations.

### 16 CHAPTER III

#### 17 NATIONAL INDIGENOUS CULTURAL COMMUNITIES AND INDIGENOUS 18 PEOPLES CONSERVED TERRITORIES AND AREAS REGISTRY

19 **SEC. 10. The National ICCA Registry.** To ensure the availability of official  
20 information on ICCAs, a National ICCA Registry, hereinafter referred to as the "*Registry*," is  
21 hereby established. The Registry shall be the official information management system that shall  
22 contain all pertinent records on the ICCAs that are voluntarily submitted by the ICCs/IPs as  
23 the ICCA registrant. The Registry shall contain the following information:

- 24 a) Name of the ICCs/IPs;
- 25 b) A map generated from the delineation of the ICCAs with the corresponding  
26 technical description by the DENR;
- 27 c) Brief description of governance structure;
- 28 d) Policies on resource conservation and sustainable use;
- 29 e) CADT and CALT, if applicable;
- 30 f) Relevant portions of the Ancestral Domain Sustainable Development and  
31 Protection Plan (ADSDPP) containing information on the ICCAs; and
- 32 g) Contact persons.

33 **SEC. 11. Operational Structures of the Registry.** The DENR, through the Biodiversity  
34 Management Bureau (BMB), shall be the main repository and administrator of the Registry. It  
35 shall organize, store, and update all information that may be contained in the Registry, and  
36 shall be responsible for the documentation, administration and maintenance of the Registry.

37 All information and data in the Registry shall be obtained from the ICCs/IPs who  
38 registered and provided such information. The information and data submitted shall be  
39 considered as part of the community's intellectual property rights.

40 The intellectual property rights of the ICCs/IPs shall be protected and respected.

1           **SEC. 12. *Creation of a Steering Committee.*** A Steering Committee is created to define  
2 policy, provide directions and perform oversight functions in the administration and  
3 maintenance of the Registry.

4           It shall be chaired by a representative from the NCIP.

5           The Steering Committee shall be composed of the following:

- 6           a) A representative from the DENR;
- 7           b) A representative from the NCIP;
- 8           c) A representative from the Department of the Interior and Local Government  
9           (DILG);
- 10          d) A representative from the Department of Human Settlements and Urban  
11          Development (DHSUD);
- 12          e) A representative from the Philippine Statistics Authority (PSA);
- 13          f) A representative from recognized civil society organizations (CSOs); and
- 14          g) Three (3) representatives of the ICCs/IPs who are themselves members of the  
15          indigenous cultural community; and
- 16          h) A representative from the Union of Local Authorities of the Philippines (ULAP).

17          **SEC. 13. *ICCA Registration.*** The ICCs/IPs shall initiate the documentation and  
18 registration of their ICCAs in the Registry with appropriate financial and technical support  
19 from the NCIP, the DENR, or other assisting organizations.

20          If the ICCs/IPs seek the assistance of the NCIP and the DENR in the registration of the  
21 ICCAs, the following steps shall be undertaken:

- 22          a) The NCIP shall assist the community in documenting the ICCAs and, with the  
23          support of the DENR, delineate the metes and bounds of the said ICCA;
- 24          b) The NCIP shall facilitate the formulation of a Community Conservation Plan in  
25          collaboration with the DENR and the municipal and provincial local government  
26          units; and
- 27          c) The NCIP shall submit the documentation of the ICCAs and other pertinent  
28          documents to the DENR for inclusion in the Registry.

29          In case the ICCs/IPs decide to undertake the documentation by themselves with the  
30 support of assisting organizations, the NCIP, DENR and the municipal and provincial local  
31 government units concerned, shall verify and affirm the documentation and pertinent  
32 documents submitted before the ICCAs may be included in the Registry.

33          The map, the technical description of the specific ICCA, and a brief description of the  
34 natural features and landmarks of the ICCA sought to be registered and included in the Registry  
35 shall be posted at the local, provincial, and regional office of the NCIP, and shall be published  
36 in a newspaper of general circulation once a week for two (2) consecutive weeks to allow  
37 concerned parties to formally submit their written opposition within fifteen (15) days.

38          **SEC. 14. *Procedure for Delisting from the Registry.*** If the ICCs/IPs determine that the  
39 ICCA no longer serves the purpose for which it was defined and declared, the ICCs/IPs may  
40 cause the delisting of the same through a procedure to be provided in the rules and regulations  
41 to be issued by the NCIP and the DENR to implement this Act.

42          **SEC. 15. *Inclusion of ICCAs in the LGUs Plan.*** The LGUs shall include in their  
43 Regional Physical Framework Plans, Provincial Physical Framework Plans, Comprehensive

1 Land and Water Use Plans, Community Development Plans, Forest Land Use Plans, Barangay  
2 Development Plans, the Ancestral Domains Sustainable Development and Protection Plan, and  
3 other relevant harmonized plans on the ICCAs that have been declared and recorded in the  
4 Registry by the ICCs/IPs.

5 **SEC. 16. ICCA Governance.** The ICCAs shall be governed by the ICCs/IPs in  
6 accordance with their customary laws, indigenous knowledge systems and practices, structures  
7 and mechanisms: *Provided*, That any co-management with, or relinquishment of management  
8 by the ICCs/IPs, shall be temporary in nature and subject to regular renewal by the ICCs/IPs in  
9 accordance with Section 58 of Republic Act No. 8371, and Section 13 of Republic Act No.  
10 7586, as amended.

11 The application of customary laws, indigenous knowledge systems and practices,  
12 structures, and mechanisms by the ICCs/IPs within and outside their ICCAs shall enjoy the  
13 presumption of being indigenous and a sustainable traditional resource right, and shall not  
14 require prior approval or validation provided that such customary laws, indigenous knowledge  
15 systems and practices and sustainable traditional resource right has been earlier acknowledged  
16 and recognized by the NCIP. Towards this end, the NCIP shall endeavor to codify these  
17 customary laws, indigenous knowledge systems and practices and sustainable traditional  
18 resource right in accordance with Section 46 (b) of Republic Act No. 8371 and NCIP  
19 Administrative Order No. 1, Series of 2012.

20 Any conflict on matters of governance that may arise within the ICCAs shall be  
21 primarily resolved through customary laws and traditional conflict resolution mechanisms.

## 22 **CHAPTER IV** 23 **INCENTIVES**

24 **SEC. 17. Incentive Scheme.** The ICCAs listed in the Registry shall be prioritized for  
25 biodiversity conservation, preservation of forest cover, protection of ancestral waters, and as  
26 reforestation project sites. Where appropriate and available, government financial institutions  
27 and other government agencies shall provide financial and technical assistance to ICCs/IPs for  
28 the protection and promotion of their registered conserved territories and areas, particularly in  
29 the establishment and implementation of payment schemes for ecosystem services provided by  
30 the ICCAs.

31 In all cases, the rights, interests and well-being of the ICCs/IPs shall be of paramount  
32 concern.

## 33 **CHAPTER V** 34 **ROLE OF GOVERNMENT AGENCIES**

35 **SEC. 18. Role of the NCIP.** The NCIP shall be the primary government agency  
36 responsible for the full implementation of this Act. It shall protect and promote the interest and  
37 well-being of the ICCs/IPs in the context of biodiversity conservation and community  
38 resilience.

39 The NCIP shall create the Ancestral Domain Protection and Sustainable Development  
40 Office, and shall coordinate with the DENR on all activities related to the documentation,

1 community conservation, planning, and registration of ICCAs. It shall provide full and  
2 effective financial and technical assistance on the following:

- 3 a) Capacity building and enhancement in the identification, documentation, and  
4 recognition of ICCAs;
- 5 b) Preparation of Community Conservation Plans (CCP), and integrating them in the  
6 ADSDPP; and
- 7 c) Interfacing of the ADSDPP into other relevant planning frameworks.

8 The NCIP shall also be responsible for the verification and affirmation of information  
9 submitted by the ICCs/IPs who undertake the documentation by themselves, for inclusion in  
10 the Registry of ICCAs.

11 The NCIP shall take into account the issues and concerns on ICCAs in all management  
12 planning and decision-making processes of the ICCs/IPs.

13 The NCIP shall also be represented in the Protected Area Management Board (PAMB)  
14 created for each protected area pursuant to Republic Act No. 7586, as amended.

15 The NCIP, through its provincial offices, shall have original and exclusive jurisdiction  
16 over all claims and disputes involving ICCAs: *Provided*, however, That no such dispute shall  
17 be brought to the NCIP unless the parties have exhausted all remedies provided under their  
18 customary laws: *Provided further*, That the indigenous conflict resolution should not apply if  
19 one of the parties is a non-member of an ICC/IP, and such dispute may be filed directly with  
20 the NCIP.

21 The decision of the provincial office can be appealed to the regional office and the  
22 Commission proper.

23 **SEC. 19. Role of the DENR.** The DENR shall, upon the formal request of the ICCs/IPs,  
24 provide financial and technical support for delineation and mapping, and biodiversity  
25 assessment of ICCA and in the listing or registration of ICCA with the Registry and similar  
26 global platforms or networks.

27 Enforcement of the preventive mechanisms and penal provisions of this Act shall also  
28 be vested in the DENR.

29 The agency shall also take into account the issues and concerns on ICCAs in all  
30 management planning and decision-making processes of the ICCs/IPs.

31 The government shall provide funds for the publication of the list of verified ICCAs.

32 **SEC. 20. Role of Other Government Agencies and LGUs.** Consistent with their  
33 respective mandates and upon formal request by ICCs/IPs, national government agencies and  
34 LGUs shall provide financial and technical assistance in building and strengthening the  
35 capacity of the requesting ICCs/IPs to manage their ICCA.

36 The NCIP and the DENR, in partnership with the DILG, shall device an incentive  
37 scheme for LGUs that will adopt and include ICCAs in the harmonized Regional and Provincial  
38 Physical Framework Plans, Comprehensive Land and Water Use Plans, Community  
39 Development Plan, Forest Land Use Plan and other relevant plans and programs.

40 The NCIP and the DENR shall, in partnership with the Department of Information and  
41 Communications Technology (DICT) and the Philippine Statistics Authority (PSA), create or  
42 improve on existing data gathering methods for a complete and centralized ICCA registry.

43 The NCIP shall, in coordination with the DENR, the National Economic Development  
44 Authority (NEDA), the DILG, the Housing and Land Use Regulatory Board (HLURB), and

1 the Department of Budget and Management (DBM), formulate guidelines for the prioritization  
2 of programs and projects that support ICCAs.

3 **SEC. 21. *Engagement with the Private Sector and Civil Society to Recognize ICCAs.***

4 The ICCs/IPs, the NCIP and the DENR shall actively engage and collaborate with the private  
5 sector and civil society in raising public awareness and recognition of ICCAs, and in obtaining  
6 specialized assistance and services, subject to FPIC requirements of the concerned ICCs/IPs.  
7 Public participation in the protection, conservation, and sustainable use of ICCAs in  
8 accordance with the ICCs/IPs customary law and IKSP, especially at the local level, shall be  
9 encouraged to maximize conservation and community benefits.

10 **SEC. 22. *Sustainable Livelihoods.*** Subject to the provisions of the Constitution, the

11 NCIP, the DENR, and other relevant government agencies shall support sustainable livelihood  
12 opportunities, including biodiversity-friendly livelihoods that are identified and defined by  
13 ICCs/IPs consistent with traditional practices and resource use in accordance with ICCs/IPs  
14 customary law and IKSP that contribute to the sustainable use and proper management of the  
15 ICCAs.

16 **CHAPTER VI**  
17 **PENAL PROVISIONS**

18 **SEC. 23. *Prohibited Acts.*** Any act inconsistent with the policies of conservation and  
19 protection, and prohibited in Republic Act No. 8371 and Republic Act No. 7586, as amended,  
20 is prohibited.

21 **SEC. 24. *Penalties.*** Any individual, corporation, partnership, association or juridical  
22 entity who commits any acts in violation of Section 23 of this Act shall upon conviction, be  
23 punished by imprisonment of not less than six months but not more than six (6) years or a fine  
24 of not less than Fifty thousand pesos (P50,000.00) but not more than Fifty million pesos  
25 (P50,000,000.00), or both, at the discretion of the court.

26 After finding of a probable cause, the proper court where the information is filed shall  
27 immediately conduct a summary hearing to determine the propriety of issuing a Temporary  
28 Environmental Protection Order (TEPO) and shall simultaneously hear the criminal case to  
29 determine the urgency of issuing of a writ of *kalikasan*. This is without prejudice to the other  
30 provisional remedies provided under Rule 127 of the Revised Rules on Criminal Procedure.

31 The offender, upon conviction, shall also provide restitution commensurate to the cost  
32 of the destroyed ecosystem and the cost of rehabilitation of the same as agreed upon with the  
33 ICCs/IPs.

34 If the offender is a government official or employee, the offender shall, in addition to  
35 imprisonment and fine, be perpetually disqualified to hold public office.

36 Any object and instrumentality used in committing any of the prohibited acts under  
37 Section 23 of this Act shall be confiscated and forfeited in favor of the government.

38 If the offender is a juridical entity, the penalty of imprisonment and fine shall be  
39 imposed upon its manager, director, representative or employee responsible for the violation  
40 without prejudice to the cancellation or revocation of the license or accreditation of the  
41 offender, issued by any licensing or accredited body of the government.

1 If the offender is an alien, the offender shall be deported immediately after service of  
2 the sentence.

3 The prosecution of offenses under Section 23 of this Act shall be without prejudice to  
4 any liability for violation of Republic Act No. 8371 or other criminal and civil liabilities under  
5 existing laws.

6 **CHAPTER VII**  
7 **FINAL PROVISIONS**

8 **SEC. 25. *Annual Report.*** The Chairperson of the NCIP shall submit to the President  
9 of the Philippines and to the Congress an annual progress report on the implementation of this  
10 Act. The report shall be posted in the website of the NCIP.

11 **SEC. 26. *Construction.*** The provisions of this Act shall be construed liberally in favor  
12 of ICCs/IPs and the protection and conservation of biodiversity. In no way shall it be  
13 interpreted as an instrument to exploit ICC/IPs or undermine the intent of this Act to conserve  
14 and protect ICCAs.

15 This Act shall not in any manner adversely affect the rights and benefits of the ICCs/IPs  
16 under Republic Act No. 8371, international conventions, recommendations, international  
17 treaties, national laws, awards, customs and agreements.

18 **SEC. 27. *Appropriations.*** The amount necessary to cover the initial implementation of  
19 this Act shall be charged against the current year's appropriations of the concerned departments  
20 or agencies. Thereafter, such sums as may be necessary for its continued implementation shall  
21 be included in the annual General Appropriations Act.

22 **SEC. 28. *Implementing Rules and Regulations.*** Within ninety (90) days from the  
23 approval of this Act, the Chairperson of the NCIP and the Secretary of the DENR shall, in  
24 consultation with appropriate government agencies and with the full participation of ICCs/IPs,  
25 issue the necessary rules and regulations for the effective implementation of this Act.

26 **SEC. 29. *Separability Clause.*** If any part or provision of this Act is declared invalid  
27 or unconstitutional, the remaining parts or provisions not affected shall remain in full force and  
28 effect.

29 **SEC. 30. *Repealing Clause.*** All laws, decrees, orders, rules and regulations and other  
30 issuances, or parts thereof, which are inconsistent with the provisions of this Act are hereby  
31 repealed or modified accordingly.

32 **SEC. 31. *Effectivity.*** This Act shall take effect fifteen (15) days after its publication in  
33 the *Official Gazette* or in a newspaper of general circulation.

34 ***Approved,***