



Republic of the Philippines
DEPARTMENT of AGRARIAN REFORM

MEMORANDUM-CIRCULAR NO. 04
Series of 2008

Subject: **Creating the Indigenous Communities Affairs Unit (ICAU) in The Support Services Office**

I. Prefatory Statement

The President issued Executive Order No. 364, as amended by Executive Order No 379, both Series of 2004, and amended again by Executive Order No. 456, Series of 2005, requiring the attachment of the National Commission on Indigenous Peoples (NCIP) to the Department of Agrarian Reform (DAR) and linking together the recognition of ancestral domain under the Indigenous Peoples Rights Act of 1997 with agrarian reform as set forth in the Comprehensive Agrarian Reform Law of 1988.

The Undersecretary for Support Services has been designated the over-all in-charge of all matters related to indigenous peoples requiring the Department of Agrarian Reform's (DAR's) participation, involvement, and assistance, specifically in land transfer, provision of support services, and delivery of agrarian justice, under Special Order No. 61 issued by the Secretary on January 24, 2008.

Under the Support Services Office now are two special units, the PBD Policy, Plans, Partnership Development Division and the PBD Knowledge Management Division. Also under the over-all supervision of the Undersecretary for Support Services are the Bureau of Agrarian Reform Beneficiaries Development and the Project Development and Management Service. None of the four units are specifically oriented towards the concerns of the indigenous peoples and the institutional interest of the National Commission on Indigenous Peoples.

In order for the Undersecretary to effectively discharge the function assigned her under the Order, a special unit in the Support Services Office geared towards the particular needs and interests of indigenous communities as DAR-NCIP system beneficiaries has to be established to assist the Undersecretary in performing the same.

II. Definition of Terms

The following terms as used herein should be understood to mean as herein defined:

Indigenous people. Any number of members of a group belonging together by reason of common ethnicity listed with the National Commission on Indigenous Peoples, whether the same are residing in their ancestral domain or ancestral domain-claim or outside.

Indigenous community. A community of any size, homogenous or mixed, of indigenous peoples as defined herein.

Recognition of ancestral domain. The documentation of the native title to ancestral domain or land, by the National Commission on Indigenous Peoples, according to procedures set forth in administrative orders of the NCIP culminating in the titles registration and integration with the Torrens System by the Land Registration Authority or its agents.

DAR-NCIP system. The linkage of the programs of the DAR, the Comprehensive Agrarian Reform Program, and the NCIP, the Recognition of the Indigenous Peoples Right to form a continuum.

Tribal Agrarian Reform Community. A Special Agrarian Reform Community defined under Memorandum-Circular No. 02, Series of 2007 with preponderance of indigenous peoples among the beneficiaries.

Ancestral Domain Sustainable Development and Protection Zone. An area for joint NCIP and DAR beneficiaries development work.

III. The Indigenous Communities Affairs Unit (ICAU)

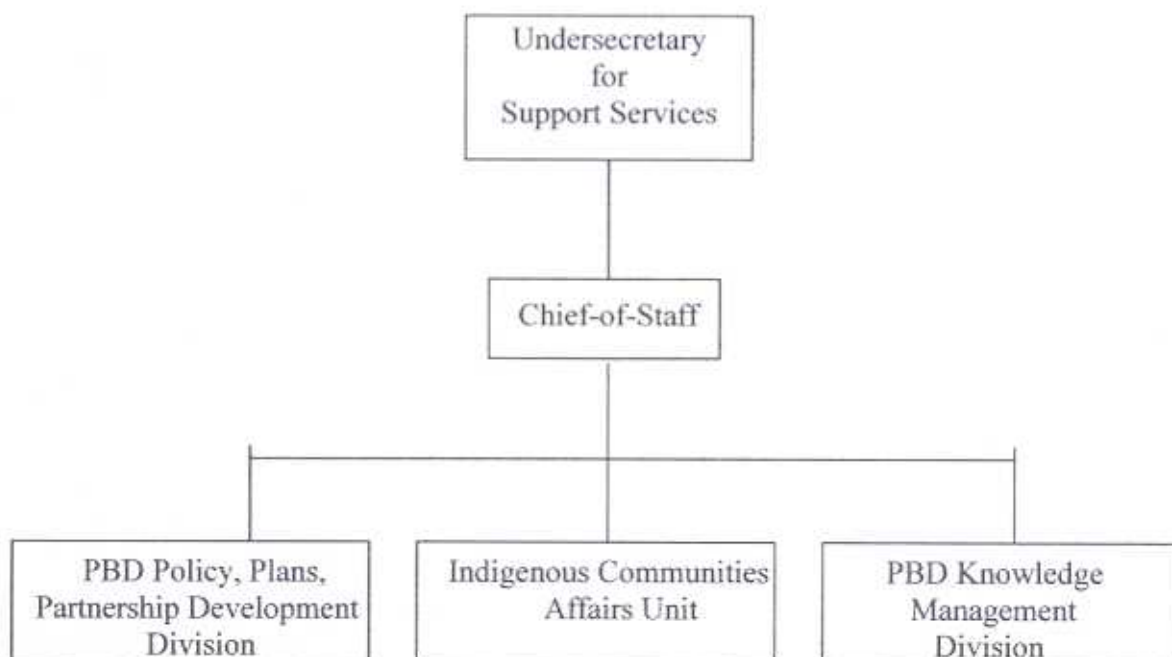
There shall be formed within the Support Services Office a special unit to be called the Indigenous Communities Affairs Unit to assist the Undersecretary for Support Services in conducting the relations of DAR with the NCIP and in dealing with the indigenous peoples.

IV. Specific Functions of ICAU

1. Assist the Undersecretary in the formulation of operational guidelines concerning the bilateral work of the DAR and the NCIP;
2. Assist the Undersecretary, in close coordination with the Projects Development and Management Service, in developing for the NCIP projects for presentation to the DAR funding sources;
3. Assist the Undersecretary in the processing of conflicts in the respective work of the DAR and NCIP;
4. Assist the Undersecretary in working for the mainstreaming of the upland beneficiaries, including the indigenous communities;
5. Assist the Undersecretary, in close coordination with the Bureau of Agrarian Reform Beneficiaries Development, in the development of Tribal Agrarian Reform Communities (TARCs) and in the conduct of the Assessment of the Level of Development Assistance on the TARCs

6. Assist the Undersecretary in the development of instrument of recognition of the NCIP beneficiaries as, at the same time, DAR beneficiaries;
7. Assist the Undersecretary in the identification of Ancestral Domain Development and Protection Zones and the conduct therein of joint DAR-NCIP development work;
8. Assist the Undersecretary in arranging with the Bureau of Land Acquisition and Development the provision of survey assistance to NCIP;
9. Assist the Undersecretary in ensuring the upholding of social justice among the indigenous peoples; and
10. Assist the Undersecretary in carrying out programs convergence with the Department of Agriculture and the Department of Environment and Natural Resources, particularly in bringing the NCIP into the fold

V. Location in the Organizational Chart



VI. Personnel Complement

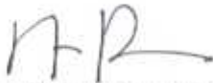
The following Support Services Office personnel shall be members of the Indigenous Communities Affairs Unit:

Regional Director Abrino L. Aydinan, Head
PARO II Virgilio L. Acuña, Vice-Head
PARO I Kamar P. Mindalano
PARO I Allan O. Buddahim
SARPO Susan S. Gambalan
EA IV Marie Pia A. Baldos

VII. Effectivity

This Memorandum-Circular shall take effect immediately.

Diliman, Quezon City. 28 March, 2008



NASSER C. PANGANDAMAN
Secretary

Department of Agrarian Reform
Office of the Secretary



OTH-08-00268

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Republic of the Philippines
DEPARTMENT of AGRARIAN REFORM

13 February 2008

MEMORANDUM FOR THE HON. SECRETARY

FROM: THE UNDERSECRETARY FOR SUPPORT SERVICES

**SUBJECT: CREATION OF UNIT TO SUPPORT THE UNDERSECRETARY
FOR SUPPORT SERVICES IN CARRYING OUT DAR'S
PARTICIPATION, INVOLVEMENT AND ASSISTANCE IN NCIP
AFFAIRS**


Action Requested. Approval and signing of a Memorandum-Circular creating an Indigenous Communities Affairs Unit

Background. The Secretary issued on January 24, 2008 Special Order No. 61 designating Undersecretary Rosalina L. Bistoyong "overall in-charge of all matters related to indigenous peoples that requires DAR's participation, involvement, and assistance".

Recommendation. In order to effectively discharge the function contemplated in SO No. 61, the Undersecretary needs the institutional support of a unit with the customized functions of serving the new beneficiaries, the indigenous peoples, and relating with the National Commission on Indigenous Peoples.

Attachments. (1) Draft Memorandum-Circular Creating the Indigenous Communities Affairs Unit (ICAU) in the Support Services Office; (2) Special Order No. 61, Series of 2008

For consideration



ROSALINA L. BISTOYONG