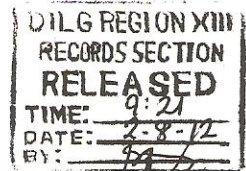




Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
REGION XIII (CARAGA REGION)
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February 6, 2012

DILG-13 OPINION NO. 06

HON. CHARLES P. ANGGAYONG
City Vice Mayor
Bayugan City

Thru: Ms. Arleen Ann R. Sanchez
Provincial Director, DILG
Agusan del Sur

Dear Vice Mayor Anggayong:

This refers to your query seeking opinion on IP representation in the sanggunian.

At the outset, the 1987 Philippine Constitution and R.A. No. 8371 give the indigenous peoples the right to participate fully, if they chose, 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.

In reply to your queries, please be informed that Resolution No. 20, series of 2011 of the Sangguniang Barangay of Sto. Nino is not sufficient to legalize the assumption of IP/ICC representative.

The selection process of the ICC/IP representatives to local legislative bodies is governed by R.A. No. 8371 (Indigenous Peoples Rights Act of 1997); NCIP Administrative Order No. 1, Series of 1998 (IRR of R.A. No. 8371); NCIP Administrative Order No. 001, series of 2001 (National Guidelines for the Mandatory Representation of Indigenous Peoples in Local Legislative Councils); and the local guidelines that the concerned ICCs/IPs shall adopt. The representative must meet all the qualifications and none of the disqualifications as prescribed by law, rules and regulations and must be issued with Certificate of Affirmation (COA) by the concerned NCIP Regional Director, copy furnished the DILG for recognition. The ICC/IP representative who has no COA is not allowed to sit in the sanggunian.

Rec'd:
Per
2/8/12

Copies of the aforementioned issuances are hereto attached for your information and guidance.

Lastly, as provided in the aforementioned issuances, ICC/IP representation is mandatory in all levels of sanggunian subject however to compliance with the selection processes as embodied in the aforementioned issuances.

We hope to have clarified you on this matter.

Very truly yours,



ATTY. RENE K. BURDEOS, CESO III
Regional Director