



Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
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February 1, 2011

HON. MANUEL G. GUANZON
Punong Barangay
Capitol Site Barangay Hall
Cebu City

Dear Punong Barangay Guanzon:

This has reference to your letter dated January 19, 2011, on the letter of a certain Datu Dila informing you that he is the representative of the indigenous people to sit in the sangguniang barangay of Capitol Site, citing DILG MC 2010-119 dated October 20, 2010, issued by the Secretary of the DILG on the basis of R.A. 8371. You now pose the query whether or not the provisions of Section 16 of R.A. 8371 will apply in your barangay.

We regret to inform you that we cannot categorically respond to your query. Republic Act No. 8371 or the Indigenous Peoples' Rights Act provides for the definition of indigenous cultural communities (ICC) or indigenous people and of ancestral domain. We are not in the position to determine whether or not the group of Datu Dila falls under the definition as ICC or IP under the law nor the land or area his group is occupying/residing falls under the definition of the law as ancestral domain. Moreover, cited in the DILG MC No. 2010-119 is Sec. 9, Title II of NCIP Administrative Order No. 001 S2009 which provides for the minimum qualifications of the ICC/IP representative which include, among other requirements, is the certification from NCIP as continuously engaged as ICCs/IPs in a given LGU. It is, therefore, suggested that the matter be referred to the National Commission on Indigenous People which under R.A. 8371 is mandated to carry out the policies set forth in the law.

Truly yours,

PEDRO A. NOVAL, JR.
Regional Director

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