



JOINT DAR-DENR-LRA-NCIP MEMORANDUM CIRCULAR NO. 01
Series of 2011

TO : TO ALL CONCERNED OFFICIALS AND PERSONNEL OF THE DEPARTMENT OF AGRARIAN REFORM (DAR), DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR), LAND REGISTRATION AUTHORITY (LRA) AND NATIONAL COMMISSION ON INDIGENOUS PEOPLES (NCIP)

SUBJECT : CREATION OF A JOINT TASK FORCE WHICH SHALL DETERMINE POLICY DIRECTION IN ORDER TO ADDRESS JURISDICTIONAL AND OPERATIONAL ISSUES BETWEEN THE DAR, DENR, LRA AND NCIP OVER AGRICULTURAL, PUBLIC, AND/OR ANCESTRAL LANDS

I. Prefatory Statement

Section 21, Article II of the 1987 Constitution of the Philippines provides that "The State shall promote comprehensive rural development and agrarian reform". On the other hand, Section 22 thereof provides that "The State recognizes and promotes the rights of indigenous communities within the framework of national unity and development".

Commonwealth Act (CA) 141, as amended, otherwise known as the "*Public Land Act*" states that all lands of the public domain are under the exclusive jurisdiction of the DENR except those placed by law and/or by executive issuances under the jurisdiction of other government agencies. Section 4 of Republic Act (RA) No. 6657 as amended by RA 9700, otherwise known as the "*The Comprehensive Agrarian Reform Law of 1988*" (CARL), states that public and private agricultural lands and lands of the public domain suitable for agriculture are covered by CARP, while Section 11 of RA No. 8371, otherwise known as "*The Indigenous Peoples Rights Act of 1997*" (IPRA), also states that "The rights of ICCs/IPs to their ancestral domains by virtue of Native Title shall be recognized and respected. Formal recognition, when solicited by ICCs/IPs concerned, shall be embodied in a Certificate of Ancestral Domain Title (CADT), which shall recognize the title of the concerned ICCs/IPs over the territories identified and delineated."



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These laws have created not only an issue of overlapping jurisdiction between the DAR, DENR, and NCIP, but also operational issues and conflicting claims in the implementation of their respective programs, which must be seriously addressed in order to harmonize the mandates of the Constitution concerning the rights of farmer beneficiaries (FBs) under agrarian reform law and the rights of Indigenous Cultural Communities (ICCs)/Indigenous Peoples (IPs) under the IPRA.

In view of the foregoing, and in order to ensure the protection of the rights of DAR FBs and ICCs/IPs, this Joint Memorandum Circular is hereby promulgated to create the DAR-DENR-LRA-NCIP Joint Task Force (DDLNJTF) to formulate common guidelines and policy directions, and resolve conflicting claims.

II. Creation of DAR-DENR-LRA-NCIP Joint Task Force (DDLNJTF).

The DAR-DENR-NCIP Joint Task Force (DDLNJTF) shall be organized between and among the Department of Agrarian Reform (DAR), Department of Environment and Natural Resources (DENR), Land Registration Authority (LRA) and National Commission on Indigenous Peoples (NCIP) immediately upon the effectivity of this Joint Memorandum Circular.

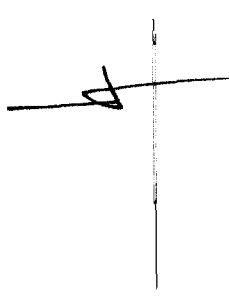
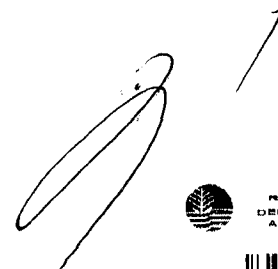

A. Composition

The DDLNJTF shall be composed of the following:

Co-Chairpersons	Usec. Rosalina I. Bistoyong (DAR) Usec. Manuel D. Gerochi (DENR) Dir. Masli A. Quilaman (NCIP)
Members	Dir. Rhandolfo B. Amansec (LRA) Dir. Eribeto C. Argete (DENR) Dir. Basilio A. Wandag (NCIP) Dep. Administrator Ronald A. Ortile (LRA) Usec. Anthony N. Paruñgao (DAR)

It shall be supported by a Technical Working Group (TWG) composed of the following:

Team Leader	Dir. Ruben B. Alban (DAR)
Co-Team Leader	Dir. Myrna L. Caoagas (NCIP)
Members	Dir. Abrino L. Aydinan (DAR) Dir. Rogelio C. Arquillo (DAR) Dir. Allan V. Barcena (DENR) Dir. Cresencio G. Patnaan (NCIP) Engr. Alex Montemayor (LRA) Dir. Porfirio R. Encisa, Jr. (LRA) For. Joey E. Austria (DENR)



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The DDLNJTF shall be assisted by a Secretariat composed of the following:

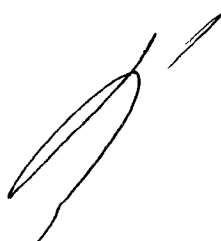
Team Leader	Atty. Jeanette A. Florita (NCIP)
Members	Engr. Jeanette D. Manuel (NCIP)
	Mr. Angelo S. Sallidao (NCIP)
	Ms. Jennifer Joy V. Orpecio (NCIP)
	Ms. Carol C. Sayson (NCIP)

B. Duties and Functions of the DDLNJTF

1. To identify and determine specific lands with pending overlapping coverage under the CARL, Public Land Act, IPRA and other laws implemented by the abovementioned agencies;
2. To identify and determine if there are overlapping jurisdictional and operational issues concerning lands with pending applications under the CARL, Public Land Act, IPRA and other laws implemented by the abovementioned agencies;
3. To conduct joint ocular-inspection relative to above-identified lands subject of conflicting claims between the DAR FBs and ICCs/IPs and recommend lasting and effective solutions;
4. To clarify the gaps in the laws particularly in the titling process, formulate solutions, and policy guidelines that will serve to address the said gaps, issues and conflicting claims encountered by the agencies in the implementation of their respective programs;
5. To draft a Joint Administrative Order (Joint AO) that will spell out policy directions in addressing the said issues and conflicting claims; and
6. To perform such other functions and duties as may be necessary to address other issues and problems of a similar nature which the joint task force may had encountered in the course of their work.

III. TEMPORARY SUSPENSION OF LAND ACQUISITION AND DISTRIBUTION (LAD), ANCESTRAL LAND TITLING, AND OTHER ACTIONS IN AREAS IDENTIFIED AS CONTENTIOUS OR WITH OVERLAPPING JURISDICTION.

Pending the issuance of the desired Joint AO, the concerned officials and personnel of the three (3) agencies are directed to temporarily suspend the implementation of land acquisition and distribution (LAD), and ancestral domain/ancestral land (AD/AL) titling and registration activities in areas



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identified as contentious due to overlapping jurisdiction or with involved overlapping operational issues or conflicting claims.

All other activities by the respective agencies that do not encounter issues and problems of similar nature shall not be affected thereby and shall continue.

IV. SUBMISSION OF REPORT AND PROPOSED JOINT AO

Ninety days (90) from its constitution, the DDLNJTF shall submit its report together with the proposed or draft Joint Administrative Order to the Secretaries of the ~~four~~ (4) agencies concerned.

V. EFFECTIVITY


This Joint DAR-DENR-LRA-NCIP MEMORANDUM CIRCULAR shall take effect immediately. Any circular, order and/or issuance inconsistent herewith is hereby modified and superseded accordingly.

Quezon City, January 10, 2014.


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RAMON J. PAJE
Secretary, DENR


VIRGILIO R. DE LOS REYES
Secretary, DAR


EULALIO C. DIAZ III
Administrator, LRA


ROQUE N. AGTON, JR.
Chairman, NCIP

Department of Agrarian Reform
Office of the Secretary



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