



Republic of the Philippines
Department of Education
Region XI
SCHOOLS DIVISION OF DIGOS CITY

DIVISION MEMORANDUM
No. 485, s 2020

October 9, 2020

**NATIONAL ADVISORY NO. NA-2020-08-01, s. 2020 re: TO STOP, PROHIBIT
AND REPORT ANY TRANSACTION, DEALING, NEGOTIATION OF SELLING
AND TRANSFER OF LANDS WITHIN THE ANCESTRAL DOMAIN**

To: Chief ESs – CID and SGOD
All Public Schools District Supervisors
All School Heads of Elementary and High School (JHS & SHS)
Division Review and Evaluation Committee (DREC) Members
IP Education Program Division Focal Person
This Division

1. Pursuant to the herein issued National Advisory No.2020-08-01 dated September 29, 2020 provided by the Office of Atty. Geroncio Aguio, CESO III, Regional Director, NCIP ROXI re: To Stop, Prohibit and Report Any Transaction, Dealing, Negotiation of Selling and Transfer of Lands within the Ancestral Domain, the Department of Education, Region XI, through EVELYN R. FETALVERO, CESO 1V, ARD-OIC, Office of the Regional Director, issues the herewith MEMORANDUM dated October 5, 2020 and its enclosures of various dates on similar above-named subject, for information, guidance and ready reference in its widest dissemination to the field.

CRISTY C. EPE
Schools Division Superintendent.

DepEd Schools Division of Digos City
RECORDS SECTION
RELEASED 20-63289
DATE: 12 OCT 2020 TIME: 10:37 AM
BY: fr





Republic of the Philippines
Department of Education
 DAVAO REGION

RECEIVED
 DATE: 08 OCT 2020
 TIME: 2:38 PM
 63289

Office of the Regional Director

MEMORANDUM

To : Schools Division Superintendents/ OIC-SDSs

Subject : NATIONAL ADVISORY NO. NA-2020-08-01, s. 2020,
 RE: TO STOP, PROHIBIT AND REPORT ANY TRANSACTION,
 DEALING, NEGOTIATION OF SELLING AND TRANSFER
 OF LANDS WITHIN THE ANCESTRAL DOMAIN

Date : October 5, 2020

Herewith is the unnumbered memorandum dated September 23, 2020 from Atty. Geroncio R. Aguio, CESO III, Regional Director NCIP RO XI, relative to the National Advisory No. NA-2020-08-01, s. 2020, re: To Stop, Prohibit and Report Any Transaction, Dealing, Negotiation of Selling and Transfer of Lands within the Ancestral Domain.

For information and guidance.

EVELYN R. FETALVERO, CESO IV
 Assistant Regional Director
 Officer-In-Charge
 Office of the Regional Director

Enclosed : As stated.

ROA23/AMS/acp

10-8-20 ✓
 1:45
 A20 - 3382



Address: F. Torres St., Davao City (8000)
 Telephone Nos.: (082) 291-1665; (082) 221-6147



NA-2020-08-01, Series of 2020, re: Prohibition of Selling of Ancestral Domain

Inbox

RECEIVED

By: [Handwritten Signature]

Date: [Handwritten Date]

NCIPR11 NCIPDavao

Sep 29, 2020, 11:04 AM (23 hours ago)

to NEDA, NEDA, Jr., DA, DOH11, DOH, doh, DENR, Records, Mines, MGB-
DENR, mgb, DARRO, DAR, of, DILG, Dilg, DSWD, DOST, DOST, DTI, DTI-
XI, DTI, bfar11ipconcerns, BFARXI, Bfar, RD, Gina, Efren, NHA, NHA, nhareg11dav
ao, PNP, PNP, DOLE, DOLE, NICA, NICA, me, TANYA, DAVAOREGION, TESDA,
TESDA, PCA, Commission, East, AFP, eastmincom.pio2014, opapp.pamananpmo, j
enetmc, oliver

Good Day.

Respectfully providing you the herewith National Advisory-2020-08-01, Series of 2020,
RE: To STOP, PROHIBIT AND REPORT ANY TRANSACTION, DEALING,
NEGOTIATION OF SELLING AND TRANSFER OF LANDS WITHIN THE ANCESTRAL
DOMAIN.

For your information and ready reference.

Atty. GERONCIO R. AGUIO, CESO III
Regional Director
National Commission on Indigenous Peoples
Regional Office XI

Valeroso Bldg., E. Lopez St.
Sandawa, Matina
Davao City
Telefax No. (082) 2982942

9/30/2020

Letter to Agencies, re Natona Advisory 2020-08-01, s2020.jpg



Republic of the Philippines
Office of the President
NATIONAL COMMISSION ON INDIGENOUS PEOPLES
Regional Office - No. XI
E. Valeroso Bldg., Elias D. Lopez St., SIR-SANDAWA
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Telephone No. (081) 298-0495/298-2957/289-4100/298-2842 (fax)
Email: region11ncip@gmail.com, ncip_davaoregion@yahoo.com
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#xalida:stvnetdevelopment



FROM THE OFFICE OF THE REGIONAL DIRECTOR

TO : MARIA LOURDES D. LIM, CESO II -Regional Director, NEDA XI
ENGR. RICARDO M. OÑATE, JR. -Regional Director, DA XI
DR. ANNABELLE P. YUMANG -Regional Director, DOH XI
RUTH M. TAWANTAWAN -Regional Director, DENR XI
ATTY. JASPER ALBERTO H. LASCANO -Regional Director, MGB XI
JOSEPH H. ORILLA -Regional Director, DAR XI
ALEX C. ROLDAN, CESO V -Regional Director, DILG XI
RAQUEL E. NUÑEZ -Regional Director, DSWD XI
DR. ANTHONY C. SALES -Regional Director, DOST XI
MARIA BELENDA Q. AMBI -Regional Director, DTI XI
ALFEO G. PILOTON, MMM -OIC Regional Director, BFAR XI
ALLAN S. BORROMEO -Regional Director, DPWH XI
FRANCES MAE G. MACAPAGAT -Regional Head, PIA XI
ENGR. ZENaida M. CABILES -Regional Head, NHA XI
PBGEN FILMORE B. ESCOBAL -Regional Director, PNP XI
RAYMUNDO G. AGRAVANTE -Regional Director, DOLE XI
EVARLY TAJANLANGIT -Regional Director, NICA XI
EVELYN R. FETALVERO, CESO IV -Regional Director, DepEd XI
TANYA RABAT-TAN -Regional Director, DOT XI
ENGR. LORENZO G. MACAPILI, DTE -Regional Director, TESDA XI
JUVY T. ALAYON -Acting Regional Manager, PCA XI
ATTY. EDMUNDO R. ALBAY -Regional Director, CHR XI
LIEUTENANT GEN JOSE C. FAUSTINO, JR. -Commander, EASTMINCOM
OLLIE M. BINANCILAN -Area Manager for Mindanao, OPAPP

SUBJECT : NATIONAL ADVISORY NO. NA-2020-08-001, SERIES OF 2020, re: TO STOP,
PROHIBIT AND REPORT ANY TRANSACTION, DEALING, NEGOTIATION OF
SELLING AND TRANSFER OF LANDS WITHIN THE ANCESTRAL DOMAIN

DATE : September 23, 2020

This is to furnish your level the herein copy of NATIONAL ADVISORY NO. NA-2020-08-001,
SERIES 2020, re: To Stop, Prohibit and Report any Transaction, Dealing, Negotiation of Selling and
Transfer of Lands Within the Ancestral Domain".

For information, guidance and reference.

ATTY. GERONCIO R. AGUIO, CESO III
Regional Director

Cc: TMSD / IAD / Records / File

"Forging partnership for rights-based development of the Indigenous Peoples"



Republic of the Philippines
 OFFICE OF THE PRESIDENT
NATIONAL COMMISSION ON INDIGENOUS PEOPLES
 6th and 7th Floor, Sunnymade IT Center, 1614 Quezon Ave., Quezon City
 Tel: Nos. 373-0534 | 373-9576 Tel. Fax 37309765
 Website: www.ncip.gov.ph | Email: chairpersonsoffice@gmail.com

NATIONAL ADVISORY NO. NA-2020-08-001, SERIES OF 2020

**TO STOP, PROHIBIT AND REPORT ANY TRANSACTION, DEALING,
 NEGOTIATION OF SELLING AND TRANSFER OF LANDS WITHIN THE
 ANCESTRAL DOMAINS**

Pursuant to the provisions of **SECTION 5**, Indigenous Concept of Ownership. Indigenous concept of ownership sustains the view that ancestral domain and all resources found therein shall serve as the material bases of their cultural integrity. The indigenous concept of ownership generally holds that ancestral domains are the ICC's/IP's private but community property which belongs to all generations and **therefore cannot be sold, disposed or destroyed**. It likewise covers sustainable traditional resource rights.

It has come to the attention of the Commission that selling off of portions of ancestral domains is continuing despite the effort of NCIP in educating and inculcating the nature of ownership of the Indigenous Cultural Communities/Indigenous Peoples to their ancestral domain and the clear prohibition enunciated in Section 5 above of the Indigenous Peoples Rights Act (IPRA).

Now wherefore, all NCIP Regional and Provincial Offices, and Community Service Centers; indigenous Political Structures (IPS); Councils of Elders (COEs); Indigenous Peoples Organizations (IPOs); Indigenous Peoples Mandatory Representatives (IPMRs); and Tribal Councils, are hereby enjoined to **stop, prohibit and report** any transaction, dealing in and/or negotiating the transfer and selling off of portions or parcels of ancestral lands/domains within their respective jurisdictions, in any form, whether Deed of Sale, Transfer of Rights and the like.

Full sanctions will be imposed on those who are privies to any transaction pertaining to the selling off of portions of the ancestral domain. The Regional Offices and Provincial Offices, through the Legal Officers, shall conduct an exhaustive investigation on any complaint involving the sale of any portion of the Ancestral Domain, including preparation of complaint-affidavits and the filing of cases in court against erring individuals including those belonging to the Indigenous Cultural Communities/Indigenous Peoples, National or Local Government personalities, law enforcers and any private individual or groups.

The Local Chief Executives (LCE's), Barangay Local Chief Executives (BLCEs), Barangay Legislative Councils and Realtors are also hereby advised to refrain from facilitating, dealing and negotiating transactions involving transfer and sale of portions of the ancestral domain and/or any unlawful and illegal intrusion into the ancestral domains. Including the signing of any document of transfer or sale as a witness thereto, as this will create erroneous perceptions of legality, or false hopes of regularity, to the willing and unknowing buyer.

Violations shall be prosecuted within the full extent of the law, under Section 72 of the Indigenous Peoples Rights Act (IPRA), to wit:

SECTION 72. Punishable Acts and Applicable Penalties. — Any person who commits violation of any of the provisions of this Act, such as, but not limited to, unauthorized and/or unlawful intrusion upon any ancestral lands or domains as stated in Sec. 10, Chapter III, or shall commit any of the prohibited acts mentioned in Sections 21 and 24, Chapter V, Section 33, Chapter VI hereof, shall be punished in accordance with the customary laws of the ICCs/IPs concerned: Provided, That no such penalty shall be cruel, degrading or inhuman punishment: Provided, further, That neither shall the death penalty or excessive fines be imposed. This provision shall be without prejudice to the right of any ICCs/IPs to avail of the protection of existing laws. In which case, any person who violates any provision of this Act shall, upon conviction, be punished by imprisonment of not less than nine (9) months but not more than twelve (12) years or a fine of not less than One hundred thousand pesos (P100,000) nor more than Five hundred thousand pesos (P500,000) or both such fine and imprisonment upon the discretion of the court. In addition, he shall be obliged to pay to the ICCs/IPs concerned whatever damage may have been suffered by the latter as a consequence of the unlawful act.

Indigenous Political Structures (IPS), Councils of Elders (COE), Indigenous Peoples Organizations (IPOs), Indigenous Peoples Mandatory Representatives (IPMRs), and Tribal Councils, are hereby, likewise, enjoined to act on any report or transaction involving Ancestral Domain areas, and to inform the concerned NCIP Regional, Provincial Office or Community Service Center, about said transactions, for their appropriate action, following the foregoing advisory.

NCIP Regional offices, Provincial Offices and Community Service Centers personnel are directed to disseminate this advisory to all Local Government Units, i.e., Regional, Provincial, Municipal and Barangay Offices.

The Executive Director is directed to provide copies of this Advisory to all National Government Agencies.

Signed this 10th of August 2020, at Quezon City, Philippines.


ALLEN A. CAPIUYAN
Chairperson