

**MALACAÑANG  
ADMINISTRATIVE  
ORDER**

**Malacañang Administrative Order**  
**No. 28**  
**January 18, 1993**

**SUBJECT : Creating a National Committee on the International Year for the World's Indigenous Peoples and Declaring 1993 as National Year for Filipino Indigenous Peoples**

**WHEREAS**, the UN General Assembly on 18 December 1990 declared 1993 as "International Year for the World's Indigenous Peoples: A New Partnership", with a view to strengthening international cooperation towards the solution of problems faced by indigenous communities in such areas as human rights, the environment, development, education, health, employment and ancestral domain;

**WHEREAS**, this UN General Assembly Declaration invites States to ensure that preparations are made for the Year, and invites indigenous organizations and other concerned non-governmental organizations to consider their respective contributions for the success of the Year, with a view to presenting them to the World Commission on Human Rights and other international organizations concerned with other issues especially the environment, development, education, health and intellectual and labor rights of indigenous peoples;

**WHEREAS**, the Philippines is a signatory to the International Labor Organization (ILO) Convention 169 Concerning Indigenous and Tribal Peoples in Independent Countries which is currently the main international legal instrument protecting the rights of indigenous peoples; and other international agreements concerning the environment such as the 1992 UN Convention on Biodiversity and the Principles on Tropical Forests, which directly concern the 2 million year old biocultural diversity of indigenous peoples in their forest;

**WHEREAS**, the Philippines, through the initiative of DIALECT-PCCEDIU-International Theater Institute, FACE/Earth Savers Movement and the Indigenous Organization Tribal Communities Association of the Philippines (TRICAP), all non-governmental organizations, hosted the 1988 International Conference and Festival for Indigenous and Traditional Cultures in Manila as the UNESCO launching event for the Decade of Culture, and which initiative led to a successful Philippine involvement in the UN General Assembly Declaration of 1993 as the International Year of the World's Indigenous Peoples and the special participation of the Philippines at the inaugural ceremonies of the UN Year during Human Rights Day on 11 December 1992 at the UN Headquarters;

**WHEREAS**, the Philippines will participate in the World Conference on Human Rights to be held in Vienna on 14-25 June 1993 which will finalize and approve a Universal Declaration on the Rights of Indigenous Peoples that will chart the UN Human Rights Program into the next century;

**WHEREAS**, the National Inter-Agency Committee for the Global Youth Earth Saving (YES) Summit to be held in Quezon City on 10-19 April 1993 is preparing the first UN endorsed international event for the year on the theme "Indigenous Peoples and Youth Partnership for Sustainable Development," the Summit to be preceded by a National Conference of Indigenous People's Traditional Cultures, Ancestral Domain and Self-Governing Communities: A Philippine Strategy for Sustainable Development," both the Summit and the Conference initiated by the Earth Savers Movement and TRICAP;

**WHEREAS**, it is now incumbent on the Philippine Government to undertake such preparations for the Year with the full participation of indigenous peoples in the planning, implementation and evaluation of such program, projects and activities that will affect their living conditions and future;

**NOW, THEREFORE, I, FIDEL V. RAMOS**, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby create a National Committee for the International Year of World's Indigenous Peoples and declare 1993 as the National Year of Philippine Indigenous Peoples.

**Section 1. Composition of the National Committee.** I hereby designate the following or their duly authorized representatives to compose the National Committee:

1.	Secretary of the DENR	-	Co-Chairperson
2.	Secretary of the DFA	-	Co-Chairperson
3.	Secretary of the DECS	-	Member
4.	Secretary of the DOH	-	Member
5.	Secretary of the DOLE	-	Member
6.	Secretary of the DAR	-	Member
7.	Secretary of the DOT	-	Member
8.	Secretary of the DILG	-	Member
9.	Secretary of the DPWH	-	Member
10.	Secretary of the DTI	-	Member
11.	Secretary of the DOST	-	Member

- |     |                                       |   |   |
|-----|---------------------------------------|---|---|
| 12. | Secretary of the DND                  | - | Member                                  |
| 13. | Secretary of the DA                   | - | Member                                  |
| 14. | One (1) representative each from the: | - | Member                                  |
|     | a)                                    |   | Office of Northern Cultural Communities |
|     | b)                                    |   | Office of Southern Cultural Communities |
|     | c)                                    |   | Office of Muslim Affairs                |
| 15. | The Press Secretary                   |   | Member                                  |

**Section 2. Functions of the National Committee.** The National Committee shall prepare the appropriate national program on the International Year for the World's Indigenous Peoples and the National Year for Filipino Indigenous Peoples which shall be implemented throughout the Philippines. The National Committee shall also undertake the necessary preparations for the holding of or participation of concerned agencies in conferences, national and international, concerning indigenous peoples.

The National Committee may secure the cooperation of all government and private instrumentalities to ensure the success of its programs. The National Committee shall organize a Secretariat which will implement the programs and projects of the National Committee and which will include staff members from the Human Rights Commission and from the organizing hosts of the Global YES Summit which are the TRICAP, coordinating for the indigenous peoples; the Earth Savers Movement, coordinating for the environmental NGOs and cultural communications; the Philippine Business for Social Progress (PBSP), coordinating for the business sector; the University of the Philippines; the Speaker's Office of the House of Representatives; and the Mayor's Office of Quezon City.

The National Committee may create such Subcommittees as it may deem necessary.

**Section 3. Funding.** The Funds necessary to carry out the provisions of this Administrative Order shall be taken from funds available in the Department and government offices represented in the National Committee, and in the absence or insufficiency thereof, from any available lump sum appropriation and/or special fund, upon approval of the President.

**Section 4. Effectivity.** This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 18th day of January in the year of Our Lord, Nineteen Hundred and Ninety-Three.

**FIDEL V. RAMOS**  
**President of the Philippines**

**By the President:**

**ANTONIO T. CARPIO**  
**Chief, Presidential**  
**Legal Counsel**

**Malacañang Memorandum Circular**  
**No. 30**  
**February 09, 1993**

**SUBJECT : Prescribing Guidelines for the Implementation of the 1991 Local Government Code (RA 7160) and Executive Order No. 503, dated January 22, 1992 by all Provincial Governors City and Municipal Mayors, Members of the Sanggunian and other Concerned**

To effectively implement the Local Government code of 1991 (RA 7160) and efficiently adopt the provisions of Executive Order 503, dated January 22, 1992, on the transfer of personnel, assets, liabilities, and records of National Government Agencies (NGAs) whose functions are to be devolved to the Local Government Units (LGUs), the following guidelines shall be pursued by all Provincial Governors, City and Municipal Mayors, Members of the Sanggunian, and all others concerned.

1. **AGRICULTURAL/FISHERY EXTENSIONS AND ON-SITE RESEARCH**
  - a. Absorb functions, assets, equipment, and personnel
    - 1) Discuss with Provincial/City/Municipal Agricultural Officer (PAO) or concerned DA Officer, the programs, projects, budget, assets, and personnel to be transferred to the Province City or Municipality
    - 2) Prepare absorption schedule
    - 3) Actually absorb devolved functions, assets, equipment, and personnel
  - b. Absorb site-specific devolved projects
    - 1) Discuss with DA Officer projects to be devolved
    - 2) Prepare absorption schedule
    - 3) Actually absorb devolved projects
  - c. Finalize Provincial/City/Municipal Operations Plan and scope or agricultural extension and on-site research services

- d. Set-up organizational structure and staffing pattern for Provincial/City/Municipal agriculture department
- e. Adopt manuals and operating systems as prescribed by the Department of Agriculture
  - 1) Adopt appropriate methods of agricultural extension and on-site research
  - 2) Adopt private enterprise NGO/PO scheme for the delivery of agricultural extension and on-site research services
  - 3) Install linkages for information sharing with the Department of Agriculture
  - 4) Adopt system of augmentation by DA, if basic services and facilities are not provided by the province, city or municipality
  - 5) Implement standards for the extension of regulatory functions as promulgated by DA
  - 6) Develop mechanism for joint undertaking arrangement with other provinces for agricultural and on-site research services
- f. Install LGU monitoring system for agricultural extension and on-site research services
- g. Determine training and technical assistance requirements from DA
- h. Adopt mechanism for mandatory consultation between the DA and the province/city/municipality

**2. ENFORCEMENT OF NATURAL RESOURCES AND ENVIRONMENTAL MANAGEMENT LAWS AND IMPLEMENTATION OF MINI-HYDRO-ELECTRIC PROJECTS AND COMMUNITY-BASED FORESTRY PROJECTS**

- a. Absorb functions, personnel, equipment, and assets
  - 1) Discuss with concerned DENR officer the programs, projects, budgets, assets, and personnel to be transferred to the

- province/ city or municipality as embodied in the memorandum of agreement
    - 2) Prepare absorption schedules
    - 3) Absorb devolved functions, personnel, equipment, and assets
- b. Absorb site-specific devolved projects
  - 1) Discuss with concerned DENR officer projects to be devolved
  - 2) Prepare absorption schedules
  - 3) Absorb site specific devolved projects
- c. Finalize provincial/city/municipal operations plan and scope of function pertaining to the enforcement of natural resources and environmental management laws and implementation of mini-hydroelectric projects in case of provinces.
- d. Set up corresponding structure or system for provincial/city/municipal environmental resources management.
- e. Adopt manuals and operating systems as prescribed by DENR
  - 1) Adopt guidelines and operating systems on the enforcement of natural resources and environmental management laws following DENR guidelines and standards
  - 2) Adopt standards and systems for environmental impact assessment, environmental management, and land reclassification.
  - 3) Adopt guidelines and standards for planning and implementation of mini-hydroelectric projects
  - 4) Adopt guidelines and standards for NGO/PO participation in the performance of devolved functions
  - 5) Install linkages for information sharing with DENR
  - 6) Adopt system of augmentation by DENR, if basic services/facilities for natural resources and environmental management, as well as mini-hydroelectric projects, are not provided by the province/city/municipality.
  - 7) Develop mechanisms for joint undertaking arrangements with other LGUs in the enforcement of natural resources and environmental management laws
- f) Install provincial/city/municipal monitoring system for the enforcement of natural resources and environmental management laws.



- g) Determine training and technical assistance requirements from DENR
- h) Adopt mechanisms for mandatory consultations between DENR and the province, city, or municipality on future programs and projects

**3. HOSPITAL SERVICES AND OTHER TERTIARY HEALTH CARE SERVICES**

- a. Absorb functions, assets, equipment and personnel
  - 1) Discuss with concerned DOH personnel the programs, projects, assets and personnel to be transferred to the province, city and municipality
  - 2) Prepare absorption schedules
  - 3) Actually absorb devolved functions, assets, equipment and personnel
- b. Absorb site-specific devolved projects and facilities
  - 1) Discuss with DOH personnel projects to be devolved
  - 2) Prepare absorption schedules
  - 3) Actually absorb site-specific devolved projects and facilities
- c. Finalize provincial/city/municipal operations plan and scope of hospital services and tertiary health care services
- d. Set up organizational structure and staffing pattern for provincial/city/municipal health department
- e. Adopt manuals and operating systems as prescribed by DOH
  - 1) Adopt operating manuals for the provincial/ city/municipal health boards
  - 2) Adopt guidelines and systems for the maintenance of hospitals and laboratories
  - 3) Adopt guidelines and systems for linkage of provincial health care systems with the national health care system
  - 4) Adopt guidelines for private enterprise NGO/PO participation in the delivery of hospital and other tertiary health care services
  - 5) Install linkages for information sharing with DOH

- 6) Adopt system of augmentation by DOH of hospital and other tertiary health care services not provided by the provincial, city or municipality
  - 7) Implement standards for the exercise of regulatory functions as prescribed by DOH
  - 8) Develop mechanisms for joint undertaking arrangements with other provinces for hospital and other tertiary health care services
- f. Install provincial/city/municipal monitoring system for hospitals and other tertiary health care services.
  - g. Determine training and technical assistance requirements from DOH
  - h. Adopt mechanisms for mandatory consultation between DOH and the province/city/municipality on future programs and projects

#### 4. **SOCIAL WELFARE SERVICES**

- a. Absorb functions, assets, equipment and personnel
  - 1) Discuss with concerned DSWD personnel the programs, projects, budget, assets, and personnel transferred/to be transferred to the province, city, and municipality
  - 2) Actually absorb devolved functions, assets, equipment and personnel
- b. Absorb site-specific devolved projects
  - 1) Discuss with concerned DSWD personnel projects to be devolved
  - 2) Prepare absorption schedules
  - 3) Actually absorb site-specific devolved projects
- c. Finalize operations, plan, and scope of social welfare
- d. Set up organizational structure and staffing pattern for provincial/city/municipal social welfare services department
- e. Adopt manuals and operating systems as prescribed by DSWD

- 1) Adopt guidelines and standards for private enterprise and NGO/PO participation in the delivery of social welfare services, including relief operations and population development services
  - 2) Install linkages for information sharing with DSWD
  - 3) Adopt system of augmentation by DSWD of basic social welfare services not provided by the province/city/municipality
  - 4) Adopt guidelines and standards for the establishment and maintenance of social welfare institutions
  - 5) Develop mechanisms for joint undertaking arrangements with other LGUs for social welfare services delivery
- f. Install provincial/city/municipal monitoring system for social welfare services delivery
- g. Determine training and technical assistance requirements from DSWD
- h. Adopt mechanisms for mandatory consultation between DSWD and the province/city/municipality on future programs/projects

These guidelines were recommended by the oversight Committee on the Local Government Code of 1991.

This Memorandum Circular shall take effect immediately.

**ANTONIO T. CARPIO**  
Chief, Presidential Legal Counsel

**Manila, February 9, 1993**

**Malacañang Memorandum Circular**  
**No. 52**  
**June 02, 1993**

**SUBJECT : Calling Attention to and Enjoining Strict Compliance with the Provisions of the Local Government Code of 1991 (R.A. No. 7160) Requiring Mandatory Coordination and Consultation with Local Government Units, Non-Governmental and People's Organizations and Other Concerned Sectors**

Republic Act No 7160, otherwise known as the Local Government Code of 1991, provides in Sections 2(c), 26 and 27 that:

**"Section 2. Declaration of Policy. - x x x**

(c) It is likewise the policy of the State to require all national agencies and offices to conduct periodic consultations with appropriate local government units, non-governmental and people's organizations, and other concerned sectors of the community before any project or program is implemented in their respective jurisdictions."

**"Section 26. Duty of National Government Agencies in the Maintenance of Ecological Balance.** It shall be the duty of every national agency or government-owned or controlled corporation authorizing or involved in the planning and implementation of any project or program that may cause pollution, climatic change, depletion of non-renewable resources, loss of crop land, rangeland, or forest cover, and extinction of animal or plant species, to consult with the local government units, non-governmental organizations, and other sectors concerned and explain the goals and objectives of the project or program, its impact upon the people and the community in terms of environmental or ecological balance, and the measures that will be undertaken to prevent or minimize the adverse effects thereof."

**"Section 27. Prior Consultation Required. -** No project or program shall be implemented by government authorities unless the consultations mentioned in Sections 2(c) and 26 hereof are complied with, and prior approval of the sanggunian concerned is obtained: Provided, That occupants in areas where such projects are to

be implemented shall not be evicted unless appropriate relocation sites have been provided, in accordance with the provisions of the Constitution."

Accordingly, all officers and employees of national government agencies and offices, including concerned government owned and controlled corporations are hereby enjoined to strictly comply with the foregoing provisions of the Local Government Code as well as the pertinent provisions of its Implementing Rules and Regulations.

DONE in the City of Manila, this 2nd day of June in the year of Our Lord, Nineteen Hundred and Ninety-Three.

**FIDEL V. RAMOS**  
President

**By the President:**

**EDELMIRO A. AMANTE, SR.**  
Executive Secretary