



Republic of the Philippines

Office of the President

Housing and Urban Development Coordinating Council

**HOUSING AND LAND USE REGULATORY BOARD**

**Board Resolution No. 885**

**Series of 2012**

**DECLARING A MORATORIUM ON THE ISSUANCE OF  
DEVELOPMENT PERMITS OR LICENSE/S TO SELL FOR DEVELOPMENT  
PROJECTS WITHIN ANCESTRAL LANDS AND/OR ANCESTRAL DOMAIN**

**WHEREAS**, the National Committee on Cultural Communities of the House of Representatives has conducted an inquiry, in aid of legislation, on the implementation of Chapter III Sections 5 and 8(A) of the Indigenous Peoples Rights Act of 1997, concerning the conversion of ancestral lands in Barangay Irisan, Baguio City, into subdivisions which will eventually be sold to non-members of indigenous communities pursuant to House Resolution 1054, as amended;

**WHEREAS**, the Indigenous Peoples Rights Act (IPRA Law) or RA 8371 has certain provisions that are seemingly conflicting with each other, such as Chapter III Section 5, Sections 8a and 8b, and Section 12 thereof, particularly on whether or not, ancestral lands can be transferred or sold to non-members of the same Indigenous Cultural Communities (ICCs)/Indigenous Peoples (IPs);

**WHEREAS**, the absence of a clear implementing guidelines gave rise to various concerns, such as, the different interpretations of the law by some government agencies and local governments units, and the proliferation of questionable and fraudulent transactions on the acquisition and the transfer of ancestral lands such as the issuance of Certificates of Land Transfers (CALTs) outside of the required process;

**WHEREAS**, to avert dubious application of the IPRA Law and until such time that the conflicting provisions of RA 8371 are clarified, the Committee on National Cultural Communities has moved to enjoin all national and local government units to, among others, suspend issuance of permits and licenses to development projects within ancestral lands;

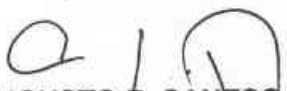
**WHEREFORE**, be it **RESOLVED** as it is hereby **RESOLVED** Declaring a Moratorium on the issuance of any Development Permit and License to Sell to all

subdivision and other development projects involving ancestral lands or ancestral domain, until such time that the identified concerns particularly on the transfer and disposition of lands are clarified and settled by the proper authorities.

**APPROVED** this 8<sup>th</sup> day of February 2012, Quezon City.

  
**JEJOMAR C. BINAY**

Vice-President of the Philippines & HUDCC Chairman

  
**AUGUSTO B. SANTOS**

Deputy Director-General, NEDA

  
**ANTONIO M. BERNARDO**

Chief Executive Officer And Commissioner

  
**JOSE VICENTE C. SALAZAR**

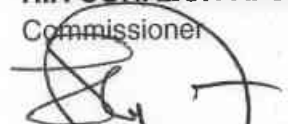
Undersecretary, DOJ

  
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**LINDA L. MALENAB-HORNILLA**

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Attested:

  
**CHARITO B. LANSANG**

Board Secretary