



MIPA Administrative Order No. 001

Series of 2024

**GUIDELINES ON THE CERTIFICATION OF NON-MORO INDIGENOUS PEOPLES
ORGANIZATION FOR SECTORAL REPRESENTATIVE ELECTIONS IN THE
BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO (BARMM)**

**ARTICLE I
INTRODUCTORY PROVISIONS**

SECTION 1. Title. This Administrative Order shall be known as "*Guidelines on the Certification of Non-Moro Indigenous Peoples Organization for Sectoral Representative Elections in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM)*".

SECTION 2. Statutory Bases. The legal bases cited for these Guidelines are as follows:

- a) **Article VII, Section 7 of Republic Act No. 11054** (Bangsamoro Organic Law), provides for the representation of the 'Traditional Leaders sector in the Bangsamoro Parliament;
- b) **Article IV-C, Section 15 of the Bangsamoro Autonomous Act No. 35 (BAA No. 35) or the Bangsamoro Electoral Code** states that the reserved seats for sectoral representatives shall constitute at least ten percent (10%) of the Members of the Parliament, which shall include two (2) seats each for Non-Moro Indigenous Peoples and settler communities. Women, youth, traditional leaders, and the 'Ulama shall have one seat each: Provided, That the sectoral representatives shall in no case be less than eight (8) seats;
- c) **Section 18 of Article IV of BAA No. 35** on the registration requirement for sectoral organizations, or political parties fielding candidates for sectoral representation elections, states that sectoral organizations duly registered with the COMELEC through the BRAC, may participate in the sectoral representative elections: Provided, That sectoral organizations for indigenous peoples, including their indigenous political structures (IPS), shall be certified by the Ministry of Indigenous Peoples' Affairs; sectoral organizations for women shall be certified by the Bangsamoro Women Commission; sectoral organizations for the youth shall be certified by the Bangsamoro Youth Commission; sectoral organizations for the Ulama shall be certified by the Bangsamoro Darul Ifta'; sectoral organizations by the settler communities shall be certified by the Office of Settler Communities; and the sectoral organizations of traditional leaders shall be certified by the Bangsamoro Commission for the Preservation of Cultural Heritage. Within one hundred twenty (120) days from promulgation of this Code, the appropriate certifying ministries and offices shall issue corresponding guidelines for the process of certification, copies of which shall be furnished to the Parliament.

SECTION 3. Scope and Coverage. These Guidelines shall govern the certification of sectoral organizations for Non-Moro Indigenous People (NMIP) pursuant to Section 18,



Article IV-C of Bangsamoro Autonomy Act (BAA) No. 35 or the Bangsamoro Electoral Code of 2023.

SECTION 4. Construction and Interpretation. These Guidelines shall be liberally construed to promote the democratic participation of Non-Moro Indigenous People (NMIP) and allow them to freely participate in the political processes in the BARMM.

SECTION 5. Definition of Terms. The terms used in these guidelines shall have the following meaning:

- a) **Applicant Organization** refers to a Non-Moro Indigenous Peoples Organization (NMIPO) that has applied for certification with the Ministry of Indigenous Peoples' Affairs (MIPA) to participate in the selection of the sectoral representative for NMIPs in the Bangsamoro Parliament.
- b) **Non-Moro Indigenous Peoples Organization** refers to private, non-profit voluntary organizations of members belonging to the NMIP sector.
- c) **Ministry** refers to the Ministry of Indigenous Peoples' Affairs (MIPA).
- d) **Non-Moro Indigenous People (NMIP)** refers to those individuals who, not having ascribed or self-ascribed to the Moro identity, belong to tribes who have continuously lived as an organized community on communally bounded and defined territory and who have, under claims of ownership since time immemorial, occupied, possessed, and utilized such territories, and who share common bonds of language, customs, traditions, and other distinctive cultural traits. Among others, they include those NMIPs enumerated in Section 8, Article VII of Republic Act No. 11054, otherwise known as the BOL, the Arumanen Manobo tribe residing in the Special Geographic Areas of the Bangsamoro, and such other tribes as may be identified by the MIPA.
- e) **Track record** refers to relevant involvement and accomplishments in advancing the rights and welfare of the NMIP in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) as supported by a list of relevant civic engagements.

ARTICLE II REQUIREMENTS

SECTION 6. Requirements. Applicant Organization must submit the following requirements:

- a) A duly accomplished and notarized Application Form, containing the following:
 - 1. Full name of the Non-Moro Indigenous Peoples organization;
 - 2. Principal place of business and postal address for election purposes;
 - 3. Official e-mail address and mobile number;
 - 4. Names and addresses of its officers;
 - 5. The total number of its members, which must be at least fifty (50);
- b) Constitution and by-laws;
- c) Organizational structure;



- d) Notarized list of its members;
- e) Track record of advocacy demonstrated through a minimum of three (3) verifiable projects, activities, or initiatives addressing the interests, rights and welfare of the NMIP sector in the BARMM, or at least three (3) of its members having individual track records of the same; and
- f) Its platform of government, which must be anchored on its advocacies for the NMIP.

ARTICLE III CERTIFICATION PROCESS

SECTION 7. Manner of Submission. Certification application can be made through any of the following:

- a) Personal submission with MIPA office;
- b) Via registered mail or accredited courier, with return receipt requested, addressed to: [MIPA Official Address: No. 19, San Isidro Street, RH X, Cotabato City];
- c) Via official e-mail of the Ministry: [MIPA Official E-mail: mipa@bangsamoro.gov.ph]

A copy of the application and its supporting documents shall also be sent to the Office of the Chief Minister via email at [cos@bangsamoro.gov.ph].

Submission via e-mail shall observe the following format:

To: [mipa@bangsamoro.gov.ph]

Cc: [cos@bangsamoro.gov.ph]

From: [Applicant Organization's official e-mail address]

Subject: Application for Certification [Full name of the Applicant Organization]

Example:

To: [mipa@bangsamoro.gov.ph]

Cc: [cos@bangsamoro.gov.ph]

From: xyzipo@gmail.com

Subject: Application for Certification XYZ Indigenous Peoples Organization

An e-mail shall contain only electronic documents pertaining to one Applicant Organization and its application for certification. All the necessary requirements must be sent in the same e-mail.

Documents submitted via e-mail must be in PDF format and saved separately, and separately attached to the e-mail. The filename must correspond to the document title.

Example:



Application Form must have a file name "Application Form.pdf"

Organization Structure must have a file name "Organization Structure.pdf"

The Applicant Organization must submit the hard copies, which must be the exact copy of its electronic submission, via registered mail or accredited courier to the Ministry within forty-eight (48) hours from receipt of the Notice of Completeness of Documents.

SECTION 8. Notice of Receipt. The Ministry shall issue a Notice of Receipt upon receipt of the application form and documentary requirements. If the application is filed personally, it shall be stamped received by the officer in charge. If the application is filed through registered mail, accredited courier or e-mail, a Notice of Receipt shall be sent through e-mail and text message to the applicant immediately upon receipt.

SECTION 9. Notice of Completeness of Documents/Deficiency. The Ministry shall review the application form and its accompanying documentary requirements within three (3) working days from the date of receipt.

If the documents are complete and duly executed, the applicant shall be issued a Notice of Completeness of Documents through e-mail and text message.

In case of deficiency in the application and other documentary requirements, the Ministry shall issue a Notice of Deficiency.

SECTION 10. Content of the Notice of Deficiency. The notice shall state:

- 1) The basis for it, such as a discrepancy in the Application for Certification of the applicant or the lacking requirement in its application, and
- 2) The period within which the applicant must comply. Failure of the applicant to comply within the given period shall result in the cancellation of its application for certification.

SECTION 11. Review and Verification. Upon issuance of the Notice of Completeness of Documents, the Ministry shall review the certification application. It may adopt reasonable means to ascertain the authenticity and veracity of the Applicant Organization's application for certification and the other documentary requirements it submitted.

The Ministry may either issue Certification or deny application within fifteen days from the issuance of the Notice of Completeness of Documents.

If the Ministry fails to act within a period of fifteen (15) days from the receipt of the Notice of Completeness of Documents, application is deemed denied.

In case of denial of the application or the application is deemed denied, the Applicant Organization may file an MR as provided under Article VII of this Guidelines.



SECTION 12. Certification. Applicant Organization with approved certification application shall be issued an NMIPO Certificate.

The certificate shall contain the following:

- a) Certificate number;
- b) Name and principal address of the NMIPO;
- c) Date of the certification and the period of its validity;
- d) Name and signature of the Minister of Indigenous Peoples Affairs;
- e) MIPA seal; and
- f) Terms and Conditions.

Applicant Organizations with a disapproved application shall be issued a Notice of Disapproval, which shall be signed by the Minister and shall indicate all the necessary information or the grounds for the disapproval.

SECTION 13. Grounds for Disapproval. Certification applications may be denied or disapproved based on any of the following grounds:

- 1) Any material misrepresentation in the Application Form;
- 2) Failure of the Applicant Organization to substantiate its track record;
- 3) Submission of any falsified or fabricated documents; and
- 4) Such other justifiable grounds that may be determined by the Ministry.

ARTICLE IV REPORTORIAL REQUIREMENTS

SECTION 14. Reportorial Requirement. Certified NMIPO shall submit to the Ministry an annual accomplishment report on their operations and activities pertaining to their advocacies for the NMIP. The Ministry may likewise require them to submit such other reports as may be lawful and necessary.

ARTICLE V REVOCATION OF CERTIFICATION

SECTION 15. Revocation of Certification. The Ministry may *motu proprio* or upon receipt of a verified complaint, initiate the revocation of a certification issued to an NMIPO.

SECTION 16. Grounds for revocation of certification. The following shall be grounds for the revocation of a certification:

- a) Failure to comply with any of the reportorial requirements as provided in this Guidelines.
- b) Violation of the terms and conditions of the Certification.



- c) Subsequent discovery of any of the grounds for disqualification or disapproval of certification.

SECTION 17. Procedure for revocation of Certification. The following procedure shall be observed in cases of revocation of certification:

- a) Within three (3) days upon receipt of a verified complaint or when it initiates revocation proceedings *motu proprio*, the Ministry shall issue an order to show cause to the NMIPO, directing it to explain within a non-extendible period of five (5) days from receipt of such order why its certification shall not be revoked.

Failure of the NMIPO to file an Answer shall be considered as a waiver thereof, and the Ministry, within fifteen (15) days, shall decide thereon based on available records.

- b) Upon receipt of the NMIPO's Answer, the Ministry shall review the facts as presented and evidence provided. It shall resolve within thirty (30) days whether or not to revoke the certification. The decision of the Ministry shall state the grounds for revocation.

- c) In no case may revocation proceedings be initiated against any certified NMIPOs twelve (12) months prior to a parliamentary election.

Failure of the NMIPO to file an Answer shall be considered as a waiver thereof, and the Ministry, within fifteen (15) days, shall decide thereon based on available records.

ARTICLE VI WITHDRAWAL OF CERTIFICATION

SECTION 18. Voluntary withdrawal of certification. Any certified NMIPO may voluntarily withdraw its certification through a formal notice to the Ministry.

ARTICLE VII MOTION FOR RECONSIDERATION

SECTION 19. Who may file. The following may file a motion for reconsideration within the prescribed period:

- a) Applicant Organization with disapproved certification application;
- b) An NMIPO whose certification has been revoked; and
- c) An Applicant Organization whose certification application has not been acted upon by the Ministry after the lapse of fifteen (15) days from the issuance of the Notice of Completeness of Documents.

SECTION 20. Period for Filing. A motion for reconsideration must be filed within five (5) days from the NMIPO's receipt of the notice of disapproval of its certification application



or the resolution revoking its certification or from the lapse of the 15-day period after the issuance of the Notice of Completeness of Documents.

SECTION 21. Contents of the Motion. The Motion for Reconsideration must be in writing shall contain the following:

- a) Legal and/or factual ground/s relied upon by the NMIPO;
- b) Relief prayed for by the NMIPO;
- c) Name and contact information of the NMIPO (mobile number and email address, etc.); and
- d) Copy of the Decision or the Notice of Completeness of Documents, if applicable, and such other supporting affidavits and documents necessary to support the ground/s relied upon in filing the motion.

SECTION 22. Resolution of the Motion. The Ministry shall resolve the motion for reconsideration within fifteen (15) days from receipt thereof.

If the motion is resolved in favor of the NMIPO, the Ministry shall issue the corresponding Certificate to the applicant and nullify the order of disapproval or revocation of certification.

A resolution denying the motion shall be final and executory. The motion for reconsideration is deemed to have been denied if the Ministry fails to resolve the same within the fifteen (15) day period.

ARTICLE VIII APPEAL

SECTION 23. Appeal. The decision of the Ministry on a Motion for Reconsideration shall be final and executory unless the Applicant Organization makes a timely appeal with the Office of the Chief Minister within five (5) working days upon receipt of such decision.

In case of inaction by the Ministry, appeal may be taken to the Office of the Chief Minister within five (5) days after the lapse of fifteen (15) days for the Ministry to resolve the Motion for Reconsideration.

ARTICLE IX FINAL PROVISIONS

SECTION 24. Database of Certified NMIPO. The Ministry shall maintain a comprehensive database of certified NMIPOs. It shall submit a certified list of certified NMIPOs to the Bangsamoro Election Office (BEO) and the Bangsamoro Parliament at least ten (10) months before the next parliamentary election.

SECTION 25. Data Privacy. The Ministry shall ensure that all submitted documents and the information contained therein are processed according to their specified and



legitimate purpose, and in a manner that is transparent, adequate, relevant, suitable, and necessary.

It shall take the appropriate measures to ensure that all collected and processed data are protected against accidental or unlawful destruction, alteration, disclosure, and any other unlawful processing.

SECTION 26. Separability Clause. If any provision of these Guidelines is declared invalid or inconsistent with the BEC, the other provisions shall remain valid and effective.

SECTION 27. Amendment. Any amendments hereof shall be submitted, deliberated, and approved by the Bangsamoro Parliament Committee on Rules.

SECTION 28. Effectivity. These Guidelines shall take effect immediately upon its publication in the Bangsamoro Official Gazette or in any newspaper of regional circulation.

APPROVED this 17th day of May 2024 at Cotabato City, Philippines.


MELANIO U. ULAMA
Minister

