**PROJECT PROPOSAL FORMAT**

**Group 5 - Legal Services (2)**

1. **GENERAL INFORMATION**

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **1.** | **Project Title** | | **:** | Paralegal Trainings for IP leaders/elders/ IP youth and women/ IPMRs | | | | | | | | |
|  | | | | | | | | |
| **2.** | **Project Site** | |  |  | | | | | | | | |
|  |  | ***Sitio*** | **:** |  | | ***Barangay*** | | | | **:** |  | |
|  |  | ***Municipality*** | **:** | La Trinidad | | ***Congressional District*** | | | | **:** | Lone District of Benguet | |
|  |  | ***Province*** | **:** | Benguet | | ***Region*** | | | | **:** | Cordillera Administrative Region | |
|  |  | ***CADT/CALT*** | **:** | CAR-LAT-1008-085 | | ***Name of AD*** | | | | **:** | La Trinidad | |
|  | |  | |
| **3.** | **Project Basis/es** | | **:** | IPRA, Strategic Work Flow, IP Master Plan, 11 Building Blocks, Ancestral Domain Sustainable Development and Protection Program, Program Expenditure Classification | | | | | | | | |
|  | | | | | | | | |
| **4.** | **Total Project Cost** | | **:** | Php 40,146.00 | | | | | | | | |
|  |  | ***Direct*** | **:** | Php 34, 458.65 | | | | | | | | |
|  |  | ***Indirect*** | **:** | Php 5,687.00 | | | | | | | | |
|  | | | | | | | | |
| **5.** | **Source of Fund/ Budget Year** | | **:** | GAA 2023 | | | | | | | | |
|  | | | | | | | | |
| **6.** | **Estimated Number of Partner Beneficiaries per IP Group** | | **:** | ***Direct Beneficiaries:*** | | | | ***Indirect Beneficiaries:*** | | | | |
|  | \_\_\_\_\_ IPs/IP Women/IP Youth/IPMRs of Benguet Province   |  |  |  |  | | --- | --- | --- | --- | | **Beneficiaries** | **Total** | **Male** | **Female** | | IP Group |  |  |  | | PWD |  |  |  | | Children |  |  |  | | PWD |  |  |  | | Youth |  |  |  | | PWD |  |  |  | | Adult |  |  |  | | PWD |  |  |  | | Older |  |  |  | | PWD |  |  |  | | | | | Constituents of the IPMRs/ families of the IPs   |  |  |  |  | | --- | --- | --- | --- | | **Beneficiaries** | **Total** | **Male** | **Female** | | IP Group |  |  |  | | PWD |  |  |  | | Children |  |  |  | | PWD |  |  |  | | Youth |  |  |  | | PWD |  |  |  | | Adult |  |  |  | | PWD |  |  |  | | Older |  |  |  | | PWD |  |  |  | | | | | |
| **7.** | **Core Program and Sub-program Addressed** | | **:** | Indigenous Peoples Rights Protection – Legal Services | | | | | | | | |
|  | | | | | | | | |
|  | | | | | | | | |
| **8.** | **Project Status** | | **:** | ( ) Proposed | ( ) On-going | | ( X ) Continuing | | ( ) Terminating | | | ( ) Coordinated |
| **9.** | **Project Stakeholders and Address** | | **:** | |  |  |  |  | | --- | --- | --- | --- | | Name | Office | Address | Contact Number | |  | DOJ |  |  | |  | DSWD |  |  | |  | PNP |  |  | |  | CHR |  |  | |  | LGU Cam Sur |  |  | | | | | | | | | |
| **10.** | **Proponent/s and Address** | | **:** | |  |  |  |  | | --- | --- | --- | --- | | Name | Office | Address | Contact Number | | Atty. Marlon P. Bosantog | NCIP-CAR | Baguio City |  | |  |  |  |  | |  |  |  |  | | | | | | | | | |
| **11.** | **Project Duration** | |  |  | | | | | | | | |
|  |  | ***Target date of start*** | **:** | April 2023 | | | | | | | | |
|  | | | | | | | | |
|  |  | ***Target date of completion*** | **:** | June 2023 | | | | | | | | |
|  | | | | | | | | |
| **12.** | **Mode of Implementation** | | **:** | (x) by administration | | | ( ) by contract | | | | | |
| **13.** | **Implementer and Address** | | **:** | |  |  |  |  | | --- | --- | --- | --- | | Name | Office | Address | Contact Number | | NCIP CAR-Legal Section | NCIP CAR | Baguio City |  | |  |  |  |  | |  |  |  |  | | | | | | | | | |

1. **BACKGROUND AND RATIONALE**

**Sample 1**

The 1987 Philippine Constitution recognizes and promotes the rights of the indigenous peoples and indigenous cultural communities (ICCs/IPs) over their ancestral land and domains. Expressly, it provides that the State recognizes and promotes the rights of indigenous cultural communities within the framework of national unity and development.[[1]](#footnote-1) It provides further, that the State, subject to the provisions of the Constitution and national development policies and programs, shall protect the rights of indigenous cultural communities to their ancestral lands to ensure their economic, social, and cultural well-being.[[2]](#footnote-2)

On October 29, 2020, Republic Act No. 8371, or the Indigenous Peoples Rights Act (IPRA) of 1997, a remarkable social legislation was passed into law primarily to correct historical injustices. In said legislation, the rights and obligations of the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) are provided, and that the National Commission on Indigenous Peoples is created with a mandate to protect and promote the interest and well-being of the ICCs/IPs with due regard to their beliefs, customs, traditions and institutions. IPRA specifically provides for the four bundles of rights namely, rights to ancestral domains, rights to self-governance and empowerment, rights to social justice and human rights, and the rights to cultural integrity. There are 36 specific rights afforded to ICCs/IPs in the country under the IPRA.

However, after 24 years of existence, it cannot be denied that IPs’ rights are still being violated, which fact may be attributed to the lack of knowledge of and/or appreciation of the four bundles of rights (36 specific rights) prescribed in the IPRA and other related laws, as well as the lack of awareness of what are the various applicable remedies they have in case these rights are violated and abused, and the different jurisdictions (courts, prosecution offices, quasi-judicial and administrative bodies, and other government agencies) where they may lodge their complaints for such violations.

It is for the above reason and to fully fulfill the spirit of IPRA, there is a need to increase the awareness and capacity of our ICCs/IPs of their rights enshrined primordially under the 1987 Philippine Constitution, which were specifically laid down in the IPRA.

While it cannot be discounted that the NCIP, in performing its mandate and despite the limited budget every year, continuously educates or conducts IECs to our ICCs/IPs, there is still a necessity to expand the coverage of such IECs and Paralegal Training.

This proposed paralegal training program/project seeks to educate and inform ICCs/IPs of their rights, the various applicable remedies they have in case these rights are violated and abused, and the different jurisdictions (courts, prosecution offices, quasi-judicial and administrative bodies, and other government agencies) where they may lodge their complaints for such violations.

The communities shall also be trained by NCIP-\_\_\_\_\_\_\_ in order for them to assist other members of their communities in reporting violations of their rights and gathering pieces of evidence, as well as assist NCIP or their private lawyers in legal concerns brought to them for proper action. Adequate and appropriate training is a must for paralegals in order that they may be able to assist other members of the community in accessing justice. Paralegals must not only be aware of the basic provisions of laws relating to IPs but must also be aware of their roles and limitations in assisting people. They must also be trained on keeping records and be provided exposure to various government agencies so that they are able to help others approach these agencies for accessing justice.

With the above, the ICCs/IPs would be able to assert more their rights and stand their grounds in cases of violations. In this way, our ICCs/IPs will have the courage to assist the government in order for various violators (may be individual, a group of persons, or organization/s) to be made liable for their actions in accordance with law. Thus, correcting historical injustices.

Further, the ICCs/IPs’ capacitation will greatly contribute in the effort to achieve the objectives of Executive Order No. 70, entitled, Institutionalizing the Whole-of-Nation Approach in attaining Inclusive and Sustainable Peace, creating a National Task Force to End Local Communist Armed Conflict, and directing the adoption of a National Peace Framework. The capacitation of members of the ICCs/IPs to know their rights and defend the same will render their ancestral domains free any form of intrusion or manipulation or violation, hence, their lands would be a considered as peaceful where basic services from government can already be felt and realized.

Furthermore, with the IBP and NCIP having entered into A Memorandum of Agreement (MOA) on March 21, 2021 to provide ICCs/IPs legal assistance to ICCs/IPs in criminal, civil and administrative cases, whether as complainants, defendants, respondents, or accused, the needed legal assistance for the ICC/IPs to protect, realize and promote their 4 bundles of rights with 36 specific rights under the IPRA will be attained. However, there is need to cascade said MOA and orient and make the ICCs/IPs aware o such engagement in order for them to be encouraged and revitalized that justice can still be served through the NCIP and IBP as well as other agencies’ coordination and participation.

1. **GENERAL**

Generally this project is expected to achieve the following:

* + 1. To empower IPs/ICCs through Paralegal Training
    2. To capacitate IPs on how to address legal issues and concerns within their communities
    3. To protect IP rights through training and/or capacity development on the process of addressing violations of the IPRA and NCIP Guidelines

1. **SPECIFIC**

Specifically this project is expected to achieve the following:

1. To provide basic legal information based on the training curriculum/module to IP paralegals so that they can use this knowledge to help the members of their community and;
2. To educate and inform ICCs/IPs of their rights, the various applicable remedies they have in case these rights are violated and abused, and the different jurisdictions (courts, prosecution offices, quasi-judicial and administrative bodies, and other government agencies) where they may lodge their complaints for such violations;
3. To orient the participants on how to assist other members of the community, the NCIP, or their private lawyers on legal concerns brought to them for legal action;
4. To train and inform the ICCs/IPs in order that their community in gathering pieces of evidence and/or how to keep records;
5. To provide exposure to various agencies so that they are able to help others approach these agencies in accessing justice;
6. To help them identify the useful evidence in pursuing claims and defenses. This will be useful in assisting other members of the community before legal assistance is available to them.
7. **PROJECT DESCRIPTION**

This project is designed to provide Paralegal Training to the ICCs/IPs in line with the provisions of RA 8371, the mission and vision of NCIP, Strategic Work Flow, IP Master Plan, 11 Building Blocks, Ancestral Domain Sustainable Development and Protection Program, and Program Expenditure Classification.

This entails serving of invitation, coordination with the IBP, LGU and resource speakers, purchase of materials for the training, and preparation/printing of the training materials for the Paralegal Training.

This training itself shall consist of lectures, presentations, and other activities that the resource speaker may deem appropriate. For purposes of evaluation, exercises or applications by the participants may likewise be given. The training may incluse the following:

* IPRA 101 – pre-IPRA, IPRA, 11 building blocks
* NCIP latest guidelines and issuances
* Other laws/ guidelines applicable to the participants

1. **PROJECT IMPLEMENTATION AND MONITORING AND EVALUATION STRATEGIES**
   1. **Project Implementation**

Pre-implementation Phase:

* + - 1. Coordination with LGU, Barangay Officials on the venue to be used to conduct the training;
      2. Coordination with partner-agencies/institutitons as well as resource speakers for the training;
      3. Securing consent from the IPs/ICCs/IP women/IP Youth/IPMRs to be trained that such an activity will be conducted (or Extending of invitations to the IPs/ICCs/IP women/IP Youth/IPMRs for the conduct of the Paralegal Training)
      4. Purchase of supplies and materials to be used in coordination with the Regional Office
      5. Preparation/Printing of Paralegal Training Modules

Implementation Phase:

1. For the conduct of paralegal training, the legal officers shall be facilitators-lecturers. There will be series of lectures and workshops to be conducted during the training. In order to assess the impact of the training, there will be group works/presentations to be accomplished by the participants and evaluation form to assess the training itself.
2. Drafting of legal documents may be done if applicable/needed for the training’
3. Conduct of Pre- and posts test;
4. Photo documentation
   1. **Monitoring and Evaluation Strategies**

In order to assess the impact of the training, a pre and post test shall be given. Also, there will be group works/presentations for the participants to apply what they have learned. An evaluation form shall be handed out for the particpants to accomplish in order to assess the training itself.

An after activity report shall be done and submitted to the Regional Office. Documentation (photos and data) shall be kept for future reference.

After the activity proper, the implementing unit shall likewise be in close monitoring and coordination with the IPs through their IPS/IPO/IPMRs or council of elders tp continuously assess the effect of the training. The implementing unit shall be monitoring the impact and absorption of the concepts learned in the paralegal training.

Further, the implementer shall maintain lists/data of the project beneficiaries towards development of a database to be used as reference for another follow-throughs or phases when necessary and in the implementation of similar projects in the future.

Furthermore, the PMET and RMET will both monitor the project to ensure the satisfaction of particiapnts and its sustainability for the recognition, promotion, and protection of IP rights and welfare, if applicable.

1. **POTENTIAL RISK**

The implementation of this project may be affected by the restrictions caused by this Pandemic:

1. Travel restriction will hinder the IPs to go to the assembly place where the Paralegal Training shall be conducted;
2. Prohibition of gathering in the conduct of face-to-face Paralegal Training;
3. Funds not ultilized on the targeted time due to postponement of the conduct of the Paralegal Training

Other risks:

* + - 1. Lack of lawyers to conduct the said training
      2. Mobility of the IPs, the resource speakers, and the facilitators in places with armed conflict

1. **SUSTAINABILITY PLAN**

The paralegal training is conducted in order to inculcate to the IPs their rights, and how to protect these rights. The training will likewise capacitate the IPs how to address instances when their rights are violated and what agencies to coordinate with in cases beyond the jurisdiction of the NCIP. By doing so, the IPs themselves will be able to act or to report violations, abuses done against them. This will empower the IPs to access justice in situations they needed it.

Through continuous coordination and follow-throughs with the IPS/IPO/IPMRs or councils of elders, knowledge of the IP rights and how to safeguard such rights will be sustained. Likewise, empowering and cacapcitating the IPs to be paralegals themselves will move them to semi-independence, if not full independence from lawyers, on legal issues and concerns as they can already be the legal frontliners (the first responders on legal concerns).

1. **BUDGET REQUIREMENTS**

Hereunder is the presentation of cost to be incurred to fully undertake the project.

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| --- | --- | --- | --- |
| I. | Direct Cost | | Amount |
|  | 1. | Direct costs:  Donation  Supplies and Material  Subtotal |  |
| II. |  | Indirect Cost |  |
|  |  | 8% PIC  4% PMET  5% RMET |  |
|  |  | **Total Direct Cost** |  |

1. **ATTACHMENTS**
   1. Project Procurement Management Plan (PPMP)– PPF 1a (Annex B)
   2. Project Implementation Plan/Gantt Chart – PPF 1b (Annex C)
   3. Summary of Expenditures – PPF 1c (Annex D)
   4. List of Beneficiaries – PPF 1d (Annex E)
   5. Other attachments – page/portion of the plan as project basis; plan, bills of materials and vicinity map for Infrastructure, Return of Investments for livelihood and other similar projects

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Prepared by: |  | Evaluated by: |  | Confirmed by: |
|  |  |  |  |  |
| **CSC Staff** |  | **Provincial Officer** |  | **IPS/IPO Heads/IP Leader/Elder** |

|  |  |  |
| --- | --- | --- |
| Validated by: |  | Endorsed by: |
|  |  |  |
| **Regional Staff** |  | **Regional Director** |

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| --- |
| Recommending approval: |
|  |
| **Executive Director** |

|  |
| --- |
| Approved: |
|  |
| **Chairperson** |

1. Section 22, Article II, 1987 Philippine Constitution [↑](#footnote-ref-1)
2. Section 2, Article VII, 1987 Philippine Constitution [↑](#footnote-ref-2)