

An aerial photograph of a tropical river valley. The river flows through the center, surrounded by lush green forests. In the foreground, there is a small settlement with buildings and a paved area. The sky is blue with scattered white clouds.

FREE AND PRIOR INFORMED CONSENT (FPIC)

FPIC

The consensus of all members of the ICCs/IPs to be determined in accordance with their respective customary laws and practices, free from external manipulation, interference, coercion, and obtained after fully disclosing the intent and scope of activity, in a language and process understandable to the community.



In principle:

- 1. It is a tool of empowerment that allows them to freely pursue their economic, social and cultural development; and**
- 2. It is a measure of correcting historical injustice.**

ESSENTIAL ASPECTS OF THE FPIC

- **FULL DISCLOSURE REQUIREMENT:**

The legal and moral obligation of the project proponent to make a truthful disclosure of the intent and scope of the project or program, which would include:

1. Operation plan, scope and extent of the Project;
2. Cost and benefits to the ICCs/IPs and their ADs;
3. Perceived disadvantages or adverse effects to the community and environment; and
4. Measures adopted to avoid or mitigate the effects.

An aerial photograph showing a wide, winding river with a brownish hue, likely due to sediment, cutting through a dense, vibrant green forest. The river curves from the upper right towards the lower right of the frame. On the left bank, there is a small clearing with some structures and a fence. The sky above is bright blue with scattered white clouds.

- **COMMUNITY CONSULTATIONS:**

The right to an informed and intelligent participation in the formulation and implementation of any project, government or private, that will affect the AD and to receive just and fair compensation for any damages which the AD will sustain as a result of the project.

CONSENSUS-BUILDING

Decision-making process undertaken by the ICCs/IPs through their indigenous socio-political structures and practices in arriving at a collective/communal decision.



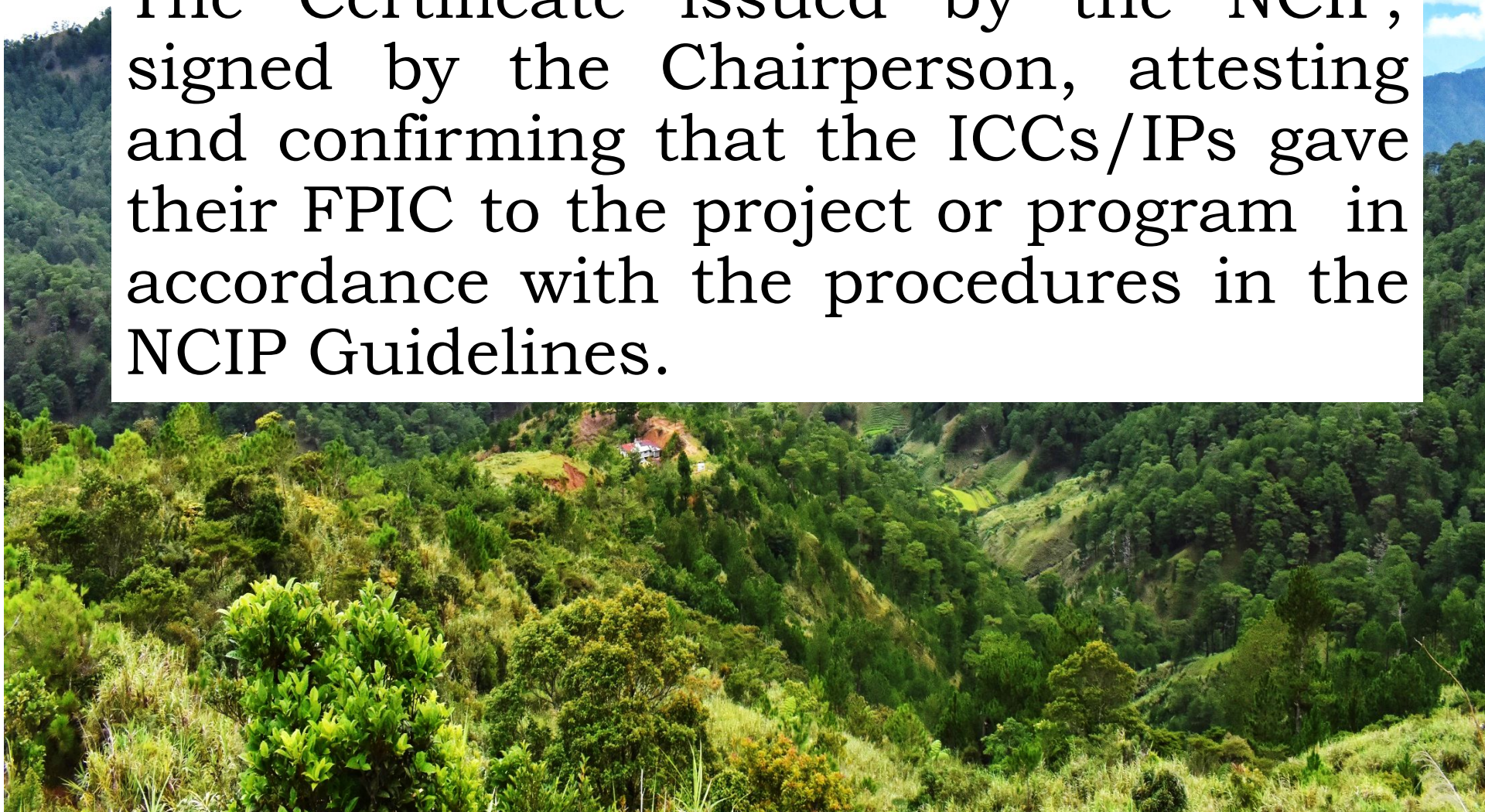
MEMORANDUM OF AGREEMENT **(MOA)**

Contents:

- **Benefit-sharing (royalties)**
- **Obligations of the project proponent**
- **Obligations of the ICCs/IPs,**
- **Mitigating measures for adverse effects of the project**
- **Community development projects/programs**

• **CERTIFICATION PRECONDITION**

The Certificate issued by the NCIP, signed by the Chairperson, attesting and confirming that the ICCs/IPs gave their FPIC to the project or program in accordance with the procedures in the NCIP Guidelines.

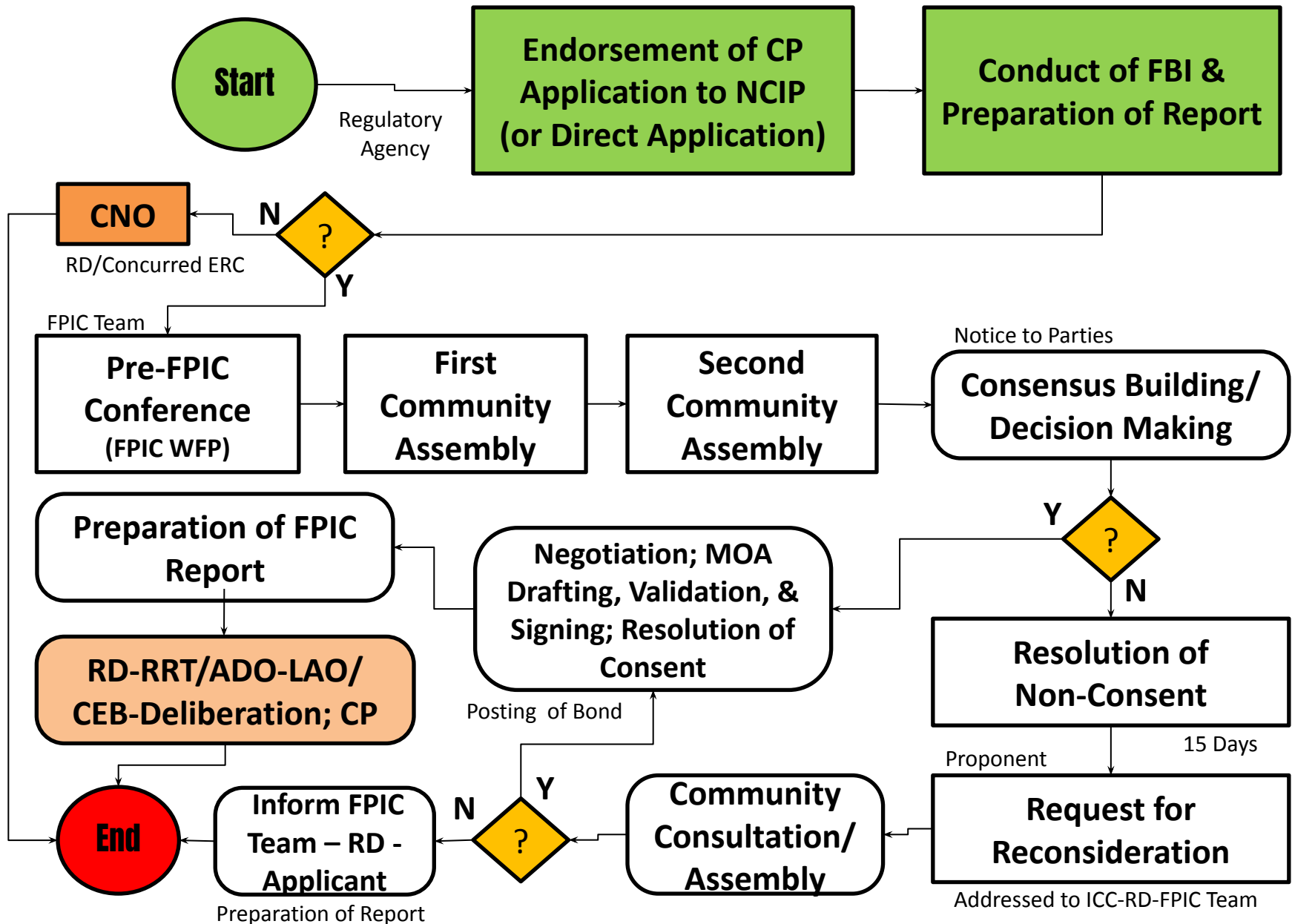


Composition of the FPIC

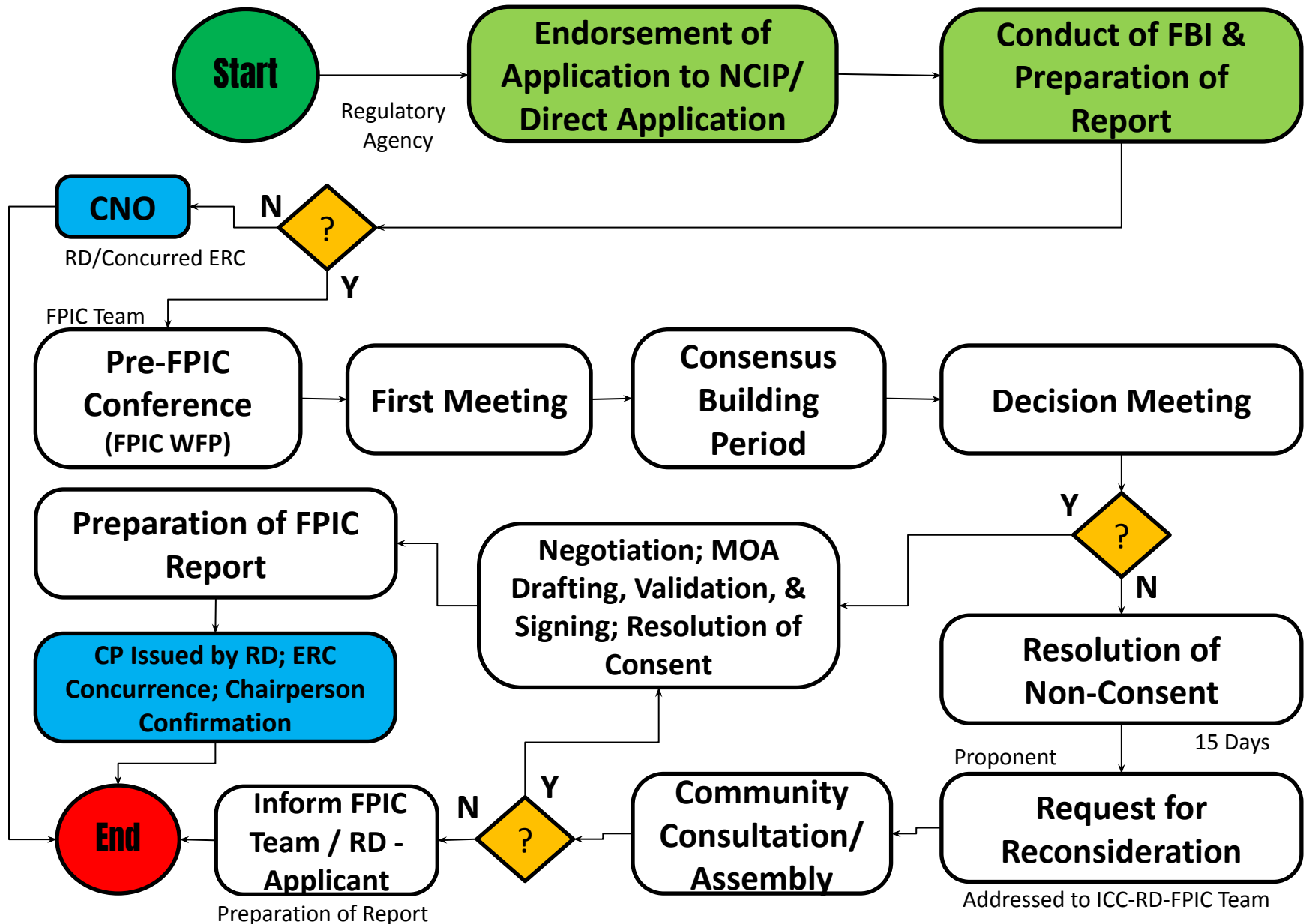
Team

- Provincial Officer (PO), as Team Leader;
- Provincial Legal Officer (PLO);
- One (1) Engineer from the PO or RO;
- The head of the FBI Team; and
- Two (2) elders/leaders selected by the community in the first assembly.

Flow Chart – Extractive/Intrusive/Large Scale Activities (NCIP A.O. 3, S. 2012)



Flow Chart – Non-Extractive/Small Scale Activities (NCIP A.O. 3, S. 2012)



An aerial photograph of a lush tropical valley. A river flows through the center of the valley, surrounded by dense green forest. The sky is blue with scattered white clouds. The text "THANK YOU!" is overlaid in large white letters across the middle of the image.

THANK YOU!