



**RESOLUTION NO. 07-08.2016**  
Series of 2016

**A RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE NATIONAL COMMISSION ON INDIGENOUS PEOPLES (NCIP) AND THE PHILIPPINE HEALTH RESEARCH ETHICS BOARD (PHREB) AND AUTHORIZING THE CHAIRPERSON TO SIGN THE SAME**

**WHEREAS**, the National Commission on Indigenous Peoples (NCIP) is the primary agency that formulates and implements policies, plans and programs for the recognition, promotion and protection of the rights and well-being of ICCs/IPs with due regard to their ancestral domains and lands, self governance and empowerment, social justice and human rights and cultural integrity, thus ensuring the integrity of the free and prior informed consent (FPIC) process for research projects involving ICCs/IPs as participants in line with existing rules and regulations;

**WHEREAS**, the Philippine Health Research Ethics Board (PHREB) is the agency mandated to ensure that all phases of health research shall adhere to universal ethical principles that value the protection and promotion of the dignity of health research participants;

**WHEREAS**, the NCIP and PHREB enter into a Memorandum of Understanding for the purpose of institutional collaboration and coordination relative to health-related researches involving ICCs/IPs;

**WHEREAS**, under this agreement, the PHREB, as the national policy making body on health research ethics or its accredited Ethics Review Committees (ERCs), shall provide approval and endorsement to proposals of health research projects adhering to the National Ethical Guidelines and which have secured the free and prior informed consent (FPIC) of the concerned ICCs/IPs following existing NCIP guidelines;

**WHEREAS**, the PHREB, as mandated, shall monitor and evaluate the performance of Ethics Review Committees (ERCs) in order to promote and establish an effective human protection;

**WHEREAS**, the NCIP and PHREB shall promote the exchange of information about respective processes in the review of health research projects involving ICCs/IPs;

**WHEREAS**, separate agreements shall be entered into by the researchers/academic institutions with the concerned ICCs/IPs after the conduct of the free and prior informed consent (FPIC) process for the research projects;

**WHEREFORE**, premises considered, it is resolved as it is hereby resolved to approve the Memorandum of Understanding by and between the National Commission on Indigenous Peoples (NCIP) and the Philippine Health Research Ethics Board (PHREB) and to authorize the Chairperson to sign the same for and on behalf of the NCIP.

**RESOLVED, FINALLY**, that copies of the Memorandum of Understanding be furnished all field offices for their information.


**APPROVED** this \_\_\_\_\_ day of MAY 13 2016, 2016, in Quezon City, Philippines.

  
**HON. BASILIO A. WANDAG**  
Commissioner

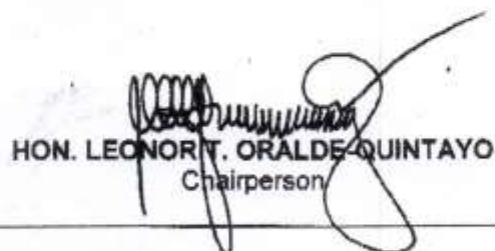
  
**HON. NORBERTO M. NAVARRO**  
Commissioner

  
**HON. ROY B. DABUIT**  
Commissioner

  
**HON. DOMINADOR M. GOMEZ**  
Commissioner

  
**HON. RAMCY C. ASTOVEZA**  
Commissioner

  
**HON. BOI ERA C. ESPAÑA**  
Commissioner

  
**HON. LEONOR T. ORALDE QUINTAYO**  
Chairperson

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### ATTESTATION

This is to attest that this Resolution was approved by the 7<sup>th</sup> Commission during its en banc session held on MAY 13 2016 in Quezon City.

  
**LEE T. ARROYO**  
OIC-Executive Director and  
Secretariat to the Commission

## MEMORANDUM OF UNDERSTANDING

### KNOW ALL MEN BY THESE PRESENTS:

This Memorandum of Understanding is made and entered into by and between:

The **PHILIPPINE HEALTH RESEARCH ETHICS BOARD (PHREB)** represented by its Chair, **LEONARDO D. DE CASTRO**, with principal office at the DOST Main Building, General Santos Avenue, Bicutan, Taguig City, hereinafter referred to as **PHREB**, and

The **NATIONAL COMMISSION ON INDIGENOUS PEOPLES (NCIP)** represented by its Chairperson, **LEONOR T. ORALDE-QUINTAYO**, with principal office at N. Dela Merced Building, West Avenue corner Quezon Avenue, Quezon City, hereinafter referred to as **NCIP**.

**HEREIN** referred to as the Parties in this Memorandum of Understanding;

### WITNESSETH:

**WHEREAS**, there are 110 identified major indigenous people groups in the Philippines representing 14% of the total Philippine population;

**WHEREAS**, there are challenges in using mainstream guidelines in researches involving indigenous cultural communities (ICCs)/indigenous peoples (IPs) as participants;

**WHEREAS**, **NCIP** is the primary government agency that formulates and implements policies, plans, and programs for the recognition, promotion, and protection of the rights and well-being of ICCs/IPs with due regard to their ancestral domains and lands, self-governance and empowerment, social justice and human rights, and cultural integrity;

**WHEREAS**, **NCIP** ensures the integrity of the free and prior informed consent (FPIC) process for research projects involving ICCs/IPs as participants in line with the NCIP Administrative Order No. 3 Series of 2012 or the "The Revised Guidelines on Free and Prior Informed Consent (FPIC) and Related Processes of 2012";

**WHEREAS**, **PHREB** is the national policy making body on health research ethics, created under DOST Special Order No. 091 and mandated to ensure that all phases of health-related research shall adhere to the universal ethical principles that value protection and promotion of the dignity of research participants;

**WHEREAS**, **PHREB** among other things, is mandated to monitor and evaluate the performance of research ethics committees (RECs) in order to promote and establish an effective research human protection;

**WHEREAS**, the Parties recognize the need for coordination in approving researches involving ICCs/IPs.

LEONARDO D. DE CASTRO  
Chair, Philippine Health Research Ethics Board

LEONOR T. ORALDE-QUINTAYO  
Chairperson, National Commission on Indigenous Peoples

**NOW THEREFORE**, for and in consideration of the foregoing premises, the Parties to this Understanding hereby agree to the following:

1. The NCIP, as the lead agency in protecting and promoting rights of ICCs/IPs, shall ensure the integrity of the FPIC process for health research projects involving ICCs/IPs which are endorsed by PHREB or its accredited RECs.
2. The NCIP will facilitate the participation of authorized individuals (e.g. IP experts) during deliberation of RECs in reviewing protocols of health research projects involving ICCs/IPs.
3. The NCIP shall endeavor to update PHREB regularly or as the need arises regarding the status of proposals for health research projects which are endorsed by PHREB or by its accredited RECs.
4. The NCIP shall inform PHREB and concerned REC/s regarding any violations, non-compliance to guidelines, and deviations from approved protocol which occurred during the conduct of research to ICCs/IPs.
5. The NCIP shall advise researchers, investigators, and all concerned stakeholders to secure from PHREB or its accredited RECs, ethical clearance and endorsement of proposals for health research projects involving ICCs/IPs.
6. The PHREB, as the national policy making body on health research ethics, or its accredited RECs, will provide approval and endorsement for proposals of health research projects adhering to the National Ethical Guidelines and which have secured the free and prior informed consent of the concerned ICCs/IPs following existing NCIP guidelines.
7. The PHREB shall regularly update NCIP of project proposals that have been endorsed by its accredited RECs.
8. The PHREB shall consult NCIP for issues that may arise in the review and conduct of research involving ICCs/IPs for prompt resolution of actual and potential problems.
9. The Parties will promote exchange of information about their respective processes in the review of health research projects involving ICCs/IPs.
10. The Parties will explore and facilitate collaborations to ensure efficient review of health research projects involving ICCs/IPs and to monitor faithful compliance of these projects to the guidelines set by the Parties.
11. The Parties, may formalize specific partnerships or initiatives through specific Agreements, separate from this Memorandum of Understanding, each clarifying the scope of work and responsibilities of the parties specific to the agreements.

This **Memorandum of Understanding** shall take effect upon signing of all the herein parties and shall remain in full force and effect unless otherwise terminated by operation of law or by a written mutual agreement of the parties for termination/cancellation of this Understanding.

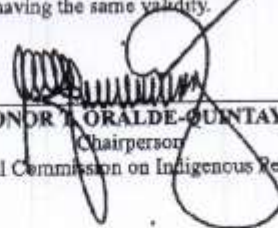
  
LEONARDO D. DE CASTRO  
Chair, Philippine Health Research Ethics Board

  
LEONOR ORALLY-QUINERO  
Chairperson, National Commission on Indigenous Peoples

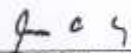
AND WITNESS WHEREOF the duly authorized signatories of the Parties signed this Memorandum of Understanding in \_\_\_\_\_ on \_\_\_\_\_ in two originals, both in English language, both having the same validity.


  
LEONARDO D. DE CASTRO  
Chair, Philippine Health Research Ethics Board

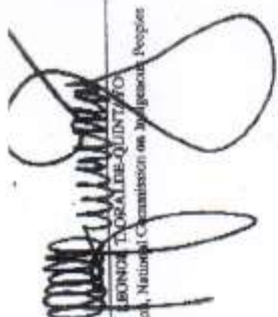
  
LEONARDO D. DE CASTRO, PHD  
Chair  
Philippine Health Research Ethics Board

  
LEONOR TORALDE-QUNTAYO  
Chairperson  
National Commission on Indigenous Peoples

WITNESSES


  
JAIMÉ C. MONTOYA, MD, MSC, PHD, CESO III  
Executive Director  
Philippine Council for Health Research  
and Development

  
LEE T. ARROYO  
OIC - Executive Director  
NCIP

  
LEONOR TORALDE-QUNTAYO  
Chairperson, National Commission on Indigenous Peoples

To me known to be the same persons who executed the foregoing Memorandum of Understanding, which instrument consists of four (4) pages including the page on which this acknowledgement is written and acknowledge to me that the same are their free act and voluntary act and deed and that of the parties they are representing.

WITNESS MY HAND and SEAL this 25<sup>th</sup> day of July 2016, at the place first above written.

  
NOTARY PUBLIC

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Page No. 021  
Book No. X  
Series of 2016