

SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

13 JUL -8 A8 36

SENATE
S.B. No. **534**

RECEIVED BY: *ja*

Introduced by Senator LOREN LEGARDA

EXPLANATORY NOTE

The 1987 Philippine Constitution mandates the recognition and promotion of the rights of indigenous cultural communities and the development of their cultures, traditions and institutions within the framework of national unity and development. It enjoins the State to protect the rights of indigenous peoples to their ancestral lands to ensure their economic, social, and cultural well-being.

The Indigenous Peoples' Rights Act of 1997 (IPRA) or Republic Act 8371 further strengthens this mandate by providing that, "the State shall, with due recognition of their distinct characteristics and identity, accord to the members of the Indigenous Cultural Communities (ICCs)/ Indigenous Peoples (IPs) the rights, protections, and privileges enjoyed by the rest of the citizenry. It shall extend to them the same employment rights, opportunities, basic services, educational and other rights and privileges available to every member of the society." Moreover, the law recognizes that, "ICCs/IPs have the right to special measures for the immediate, effective, and continuing improvement of their economic and social conditions, including areas of employment, vocational training and retraining, housing, sanitation, health, and social security."

The successful implementation of laws, however well meaning they are, is anchored on the possession of relevant and accurate data, which is the basis of sound policies that in turn are translated into effective and targeted action. To date, the government, particularly the National Commission on Indigenous Peoples (NCIP), relies on estimates based on outdated figures. More than a decade has passed since the recognition of the rights of ICCs/IPs through the passage of the landmark legislation and trailblazer that is IPRA but there is still a dearth of information and disaggregated data on the exact population of our indigenous brothers and sisters.

This bill seeks to remedy this absence by formally including the ethnicity and ethno-linguistic variable in our national census. Furthermore, it requires that there be enumerators or census data gatherers who are trained by the NCIP on the different ethno-linguistic groups all over the country and the proper manner of asking culturally-sensitive questions pertaining to ethnicity. It is only through this knowledge that we can effectively make policies that will truly promote their welfare and address their pressing needs. In view of the following, immediate passage of this bill is earnestly sought.


LOREN LEGARDA

Senator



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**AN ACT TO INCLUDE ETHNIC ORIGIN IN THE NATIONAL SURVEY
CONDUCTED BY THE NATIONAL STATISTICS OFFICE**

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

1 **Section 1. Short Title.** – This Act shall be known as the “Ethnic Origin Act of 2013.”

2 **Sec. 2. Declaration of Policy.** – It is the policy of the State to recognize and promote
3 the rights of indigenous cultural communities within the framework of national unity and
4 development. The State shall give the highest priority to the enactment of measures that
5 protect and enhance the right of all the people to human dignity, reduce social, economic and
6 political inequalities, and remove cultural inequities.

7 **Sec. 3. Definition of Terms.** – As used in this Act, the following terms shall mean the
8 following:

9 (a) “Ethnic Origin” includes race, national origin and ethno-linguistics origin.

10 (b) “Indigenous Peoples (IPs) or Indigenous Cultural Communities (ICCs)” shall, as
11 provided under Section 3 (h) of Chapter II of RA No. 8371 or the “Indigenous
12 People’s Rights Act (IPRA) of 1997”, refer to a group of people or homogenous
13 societies identified by self-asciption by others, who have continuously lived as an
14 organized community on comunally-bounded and defined territory, and who have,
15 under claims of ownership since time immemorial, occupied, possessed and utilized
16 such territories, sharing common bonds of language, customs, traditions, and other
17 distinctive cultural traits, or who have, through resistance to political, social, and
18 cultural inroads of colonization, non-indigenous religions and cultures, became
19 historically differentiated from the majority of Filipinos. ICCs/IPs shall likewise
20 include peoples who are regarded as indigenous on account of their descent from the
21 populations which inhabited the country, at the time of conquest or colonization, or at
22 the time of inroads of non-indigenous religions and cultures, or the establishment of
23 present state boundaries, who retain some or all of their own social, economic,

1 cultural and political institutions, but who may have been displaced from their
2 traditional domains or who may have resettled outside their ancestral domains;

3 **Sec. 4. Duty of the National Statistics Office (NSO).** – It shall be the duty of the
4 National Statistics Office (NSO), in coordination with the National Commission on
5 Indigenous Peoples (NCIP) to ensure the inclusion of Ethnic Origin in its national survey and
6 national census starting the year 2011 and thereafter. The NSO shall employ NCIP employees
7 as guides of the NSO enumerators. These NCIP guides taken from the different regions of the
8 country must be knowledgeable of the different ethno-linguistic groups of the Philippines,
9 and must know the dialect and appropriate manner of talking/asking culturally-sensitive
10 questions to IPs or members of ICCs. Furthermore, the NSO should ensure that all surveys
11 and documents issued by their office should be culturally sensitive.

12 **Sec. 5. Duty of the National Commission on Indigenous Peoples.** – It shall be the
13 duty of the NCIP to conduct the proper training of Enumerators all over the country to ensure
14 that they have adequate knowledge of the different ethno-linguistic groups in their area and
15 manner of asking appropriate and culturally-sensitive questions to members of indigenous
16 cultural communities. Each barangay shall have one indigenous guide who shall accompany
17 the NSO enumerator during data gathering. The indigenous guide must be knowledgeable of
18 the dialect, way of life, and culture of the indigenous cultural communities and must be able
19 to communicate with the indigenous communities in their respective areas.

20 **Sec. 6. Appropriations.** – The amount of two hundred million pesos (P200,000,000)
21 that shall be given to NCIP for the training of NSO enumerators shall be charged against any
22 available appropriation in the General Appropriations Act (GAA) of the year of its
23 implementation. Thereafter, such sums as may be necessary shall be included in the yearly
24 General Appropriations Act.

25 **Sec. 7. Separability Clause.** – If any portion or provision of the Act is declared void
26 or unconstitutional, the remaining portions or provisions hereof shall not be affected by such
27 declaration.

28 **Sec. 8. Repealing Clause.** – Any provision of law or regulations inconsistent herewith
29 is hereby repealed, revoked, or modified accordingly.

30 **Sec. 9. Effectivity.** – This Act shall take effect fifteen (15) days after its publication in
31 two (2) newspapers of general circulation.

32 Approved,
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