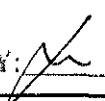


FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'11 JUN -1 A10 :06

SENATE
S.B. No. 2858

RECEIVED BY: 

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government, particularly the National Commission on Indigenous Peoples (NCIP), relies on estimates based on outdated figures.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.

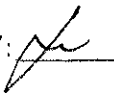
A handwritten signature in black ink, appearing to read 'LOREN LEGARDA', is written over a horizontal line.

LOREN LEGARDA

Senator

'11 JUN -1 10:05

SENATE
S.B. No. 2858

RECEIVED BY: 

Introduced by Senator Loren Legarda

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

1 **Section 1. *Short Title.*** – This Act shall be known as the "Ethnic Origin Act of
2 2011."

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

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

11 (a) "Ethnic Origin" includes race, national origin and ethno-linguistics origin.

12 (b) "Indigenous Peoples (IPs) or Indigenous Cultural Communities (ICCs)" shall,
13 as provided under Section 3 (h) of Chapter II of RA No. 8371 or the
14 "Indigenous People's Rights Act (IPRA) of 1997", refer to a group of people or
15 homogenous societies identified by self-ascription by others, who have
16 continuously lived as an organized community on communally-bounded and
17 defined territory, and who have, under claims of ownership since time
18 immemorial, occupied, possessed and utilized such territories, sharing
19 common bonds of language, customs, traditions, and other distinctive cultural

1 traits, or who have, through resistance to political, social, and cultural inroads
2 of colonization, non-indigenous religions and cultures, became historically
3 differentiated from the majority of Filipinos. ICCs/IPs shall likewise include
4 peoples who are regarded as indigenous on account of their descent from the
5 populations which inhabited the country, at the time of conquest or
6 colonization, or at the time of inroads of non-indigenous religions and
7 cultures, or the establishment of present state boundaries, who retain some or
8 all of their own social, economic, cultural and political institutions, but who
9 may have been displaced from their traditional domains or who may have
10 resettled outside their ancestral domains;

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

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

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

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

9 **Sec. 8. Repealing Clause.** - Any provision of law or regulations inconsistent
10 herewith is hereby repealed, revoked, or modified accordingly.

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

13 Approved,