

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session



COMMITTEE REPORT NO. 1593

08 FEB 2011

Submitted by the Committee on National Cultural Communities on _____
Re : House Bill No. 5180
Recommending its approval with amendments
Sponsors : Representatives Baguilat, Rodriguez (R.) and Catamco

MR. SPEAKER:

The Committee on National Cultural Communities to which was referred House Bill No. 5180, introduced by Representative Teddy Brawner Baguilat Jr., entitled:

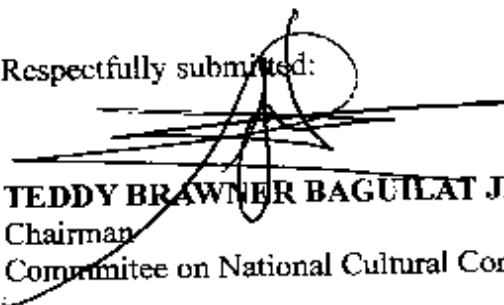
"AN ACT DECLARING AUGUST 9 OF EVERY YEAR AS THE CELEBRATION OF THE NATIONAL DAY OF INDIGENOUS PEOPLES IN THE PHILIPPINES"

has considered the same and recommends its approval with the following amendments:

1. On Section 2, lines 4 to 6, delete the entire provision and in lieu thereof, insert the following: **"SEC. 2. DECLARATION OF AUGUST 9 OF EVERY YEAR AS THE NATIONAL DAY OF INDIGENOUS PEOPLES.- AUGUST 9 OF EVERY YEAR IS HEREBY DECLARED THE NATIONAL DAY OF INDIGENOUS PEOPLES IN THE PHILIPPINES, TO BE CELEBRATED AS A SPECIAL WORKING HOLIDAY."**
2. On Section 4, lines 10 to 11, after the word **"effect"** delete the phrase **"fifteen (15) days upon its publication in two newspapers of national circulation"** and in lieu thereof, insert the phrase **"AFTER FIFTEEN (15) DAYS FOLLOWING ITS PUBLICATION IN THE OFFICIAL GAZETTE OR IN TWO (2) NATIONAL NEWSPAPERS OF GENERAL CIRCULATION IN THE PHILIPPINES."** and
3. The title of the bill shall now read as: **"AN ACT DECLARING AUGUST 9 OF EVERY YEAR AS THE NATIONAL DAY OF INDIGENOUS PEOPLES IN THE PHILIPPINES"**

with Reps. Baguilat, Rodriguez (R.), and Catamco as authors thereof.

Respectfully submitted:


TEDDY BRAWNER BAGUILAT JR.
Chairman
Committee on National Cultural Communities

THE HONORABLE SPEAKER
House of Representatives
Quezon City

FACT SHEET

House Bill No. 5180
(As Approved on October 10, 2011)

"AN ACT DECLARING AUGUST 9 OF EVERY YEAR AS THE NATIONAL DAY OF INDIGENOUS PEOPLES IN THE PHILIPPINES"

Introduced by: **REPRESENTATIVE TEDDY BRAWNER BAGUILAT JR.**
Committee Referral: **NATIONAL CULTURAL COMMUNITIES**
Committee Chairperson: **REP. TEDDY BRAWNER BAGUILAT, JR.**

OBJECTIVES:

- To assign a permanent day for the national celebration of the country's indigenous cultural communities/indigenous peoples (ICCs/IPs), honoring their contribution to the cultural, social and political developments in the country
- To synchronize the country's celebration of indigenous peoples day with the International Day of the World's Indigenous Peoples

KEY PROVISIONS:

- Declares August 9 of every year as the National Day of Indigenous Peoples in the Philippines.
- Directs the National Commission on Indigenous Peoples to promulgate the rules and regulations in order to attain the objectives of the Act

RELATED LAWS:

- 1987 Philippine Constitution
- Republic Act No. 8371, "The Indigenous Peoples Rights Act of 1997"

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House Bill No. 5180

Introduced by REP. TEDDY BRAWNER BAGUILAT

EXPLANATORY NOTE

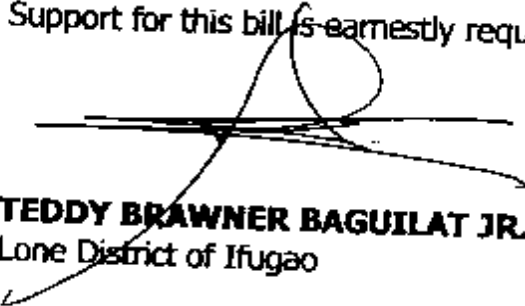
**AN ACT DECLARING AUGUST 9 OF EVERY YEAR AS THE CELEBRATION
OF THE NATIONAL DAY OF INDIGENOUS PEOPLES IN THE
PHILIPPINES**

In 1994 the United Nations General Assembly decided that the International Day of the World's Indigenous Peoples shall be observed on August 9 every year to mark the day of the first meeting, in 1982, of the United Nations Working Group on Indigenous Populations of the Subcommission on the Promotion and Protection of Human Rights. This day is being celebrated every year by the estimated 300 million population of indigenous peoples worldwide

In the Philippines August 9 is celebrated by many indigenous organizations, support groups including the United Nations offices based here in the country. Indigenous peoples in the country still remain to be part of the most marginalized and discriminated sector of the society and their plight remain piled up with the many other issues that this country is facing.

The annual observance of the National Day of Indigenous Peoples will be a key venue to advance indigenous peoples rights and welfare. This bill seeks to increase the awareness and generate support on the respect for the rights and promotion of the collective well being of indigenous peoples in our country.

Support for this bill is earnestly requested.



TEDDY BRAWNER BAGUILAT JR.
Lone District of Ifugao

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

House Bill No. 5180

Introduced by REP. TEDDY BRAWNER BAGUILAT

**AN ACT DECLARING AUGUST 9 OF EVERY YEAR AS THE CELEBRATION
OF THE NATIONAL DAY OF INDIGENOUS PEOPLES IN THE
PHILIPPINES**

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

- 1 Section 1. Declaration of Policy. It is hereby declared a policy of the government
2 to advance the rights and collective well being of indigenous peoples through the
3 annual observance of the National Day of Indigenous Peoples in the Philippines
- 4 Section 2. Special Working Holiday. The National Day of Indigenous Peoples in
5 the Philippines is hereby declared a special working holiday in the whole country
6 every year
- 7 Section 3. Implementing Rules and Regulations. The National Commission on
8 Indigenous Peoples shall promulgate the rules and regulations to implement this
9 Act.
- 10 Section 4. Effectivity. This Act shall take effect fifteen (15) days upon its
11 publication in two newspapers of national circulation.

Approved.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

**MINUTES OF THE MEETING OF THE COMMITTEE ON NATIONAL CULTURAL COMMUNITIES
HELD ON 10 OCTOBER 2011 AT 1:30 IN THE AFTERNOON, RVM BUILDING CONFERENCE
ROOM 6, HOUSE OF REPRESENTATIVES, QUEZON CITY**

MEMBERS IN ATTENDANCE:

Rep. Teddy Brawner Baguilat, Jr.	- Committee Chairperson
Rep. Nancy A. Catamco	- Vice-Chairperson
Rep. Maximo B. Dalog	- Vice-Chairperson
Rep. Eric G. Singson, Jr.	
Rep. Carlos M. Padilla	
Rep. Luzviminda C. Ilagan	
Rep. Leopoldo N. Bataoil	
Rep. Nasser C. Pangandaman	
Rep. Reynaldo V. Umali	
Rep. Rufus B. Rodriguez	
Rep. Maximo B. Rodriguez	

GUESTS:

Mr. Alberto Acosta, National Statistics Office
Ms. Aurora Reolalas, National Statistics Office
Dep. Exec. Dir. Marlene Ruth S. Sanchez, National Commission on Culture and the Arts
Ms. Prudencia Sanoy, Department of Education
Ms. Erlinda F. Leva, Department of Education
Mr. Mar Gaton, KATRIBU

A. INITIAL CONSIDERATION OF HOUSE BILL NO. 4701, "AN ACT PROVIDING FOR THE FREE BIRTH REGISTRATION OF INDIGENOUS PEOPLES," by Rep. Rufus B. Rodriguez and Rep. Maximo B. Rodriguez, Jr. and

Rep. Rufus Rodriguez said that House Bill 4701 is an affirmative action for the country's indigenous peoples (IPs), many of whom cannot have their civil acts and events registered due to the physical distance of their places of abode from the municipal and city centers. Because they hardly deal with government offices and are seldom beneficiaries of government programs and projects, many IPs do not see the importance of complying with the civil registration law, especially if they are made to pay for the transaction, he added. He stressed that it should be the government, working with the private sector, that should initiate programs and education campaigns to encourage the IPs to participate in the civil registration program. Finally, he said that since the cost of registration is a major constraint in IP civil registration, HB 4701 calls

for free birth registration, both timely and late, and will penalize government officials who will ask for payment.

Ms. Reolalas of the National Statistics Office (NSO) said that pursuant to Republic Act No. 3753, the Law on Registry of Civil Status, her office is mandated to issue all regulations pertaining to civil registration. She said that as a result of their studies and consultations with various government agencies, the NSO issued on May 14, 2004 Administrative Order No. 3, Series of 2004, the **RULES AND REGULATIONS GOVERNING REGISTRATION OF ACTS AND EVENTS CONCERNING CIVIL STATUS OF FILIPINO INDIGENOUS PEOPLES**, which governs the registration of acts and events concerning the civil status of indigenous peoples, such as registration of births, deaths, marriages, dissolution of marriage and revocation of dissolution of marriage. The law also takes into consideration the customs and traditions followed by the different IP groups, she added.

Ms. Reolalas said that the Pantawid Pamilyang Pilipino Project or the 4Ps, supports the civil registration program because proof of registration of birth is required in order to avail of the conditional cash transfer. She said that the 4Ps program has immensely improved the rate of civil registration among the IPs. Instead of a new law, she called for massive education campaign by government agencies, to be spearheaded by the NCIP, to convince IPs about the importance of civil registration.

Mr. Alberto Acosta, also of the NSO, said that civil registration is done at the local civil registry office, a part of the local government unit which collects the registration fees and penalties for timely and delayed registration. He said that although NSO is eventually the depository of the documents coming from the local civil registrars, it is the Department of the Interior and Local Government (DILG) which supervises the local civil registrars. Noting the provision on the waiver of fees, Mr. Acosta recommended that the Committee also invite the representatives of the local civil registrars and the LGUs, which directly supervise the local civil registrars, to comment on the potential impact of the measures on the financial position of LGUs, especially in areas thickly populated by ICCs/IPs.

Citing his background as a former Mayor, Chairperson Baguilat concurred with the observation of Mr. Acosta on the financial impact of the proposal. He said that free civil registration for IPs might be opposed by LGUs from the Cordilleras and other areas where 80 to 90 percent of the population are IPs, but saw no problem with the LGUs in other areas where IP groups are the minority.

Rep. Rufus Rodriguez noted that compared to his measure, which is limited to free registration of birth, House Bill No. 5184 of Rep. Ilagan would pose a problem with the LGUs because it also covers registration of death, marriage, etc., and would therefore imperil fiscal positions.

On motion of Rep. Rufus Rodriguez, seconded by Rep. Catamco, the committee agreed to constitute a technical working group composed of the NCIP, NSO, League of Cities, League of Municipalities and the Department of the Interior and Local Government to

conduct pertinent studies and prepare a consolidated version of the measures.

B. Initial Consideration of HOUSE BILL NO. 5184, "AN ACT PROVIDING FOR A FREE AND CULTURE-SENSITIVE CIVIL REGISTRATION SYSTEM FOR INDIGENOUS PEOPLES AND FOR OTHER PURPOSES," by Rep. Luzviminda C. Ilagan, Rep. Emmi A. de Jesus, Rep. Teodoro Brawner Baguilat, Jr., and Rep. Mel Senen S. Sarmiento

Rep. Ilagan called for a culturally sensitive society. She said that being culturally-sensitive is being aware that IPs have their own culture, their own traditions and their own way of looking at things. In the case of civil registration, she said that IPs do not follow the western way of reckoning time, and have their own concept of territorial boundaries, which should be respected and not discriminated. Thereafter, she said that since most of the IPs could not afford to pay for the fees and other expenses in order to comply with the processes of the civil registration law which is being imposed on them in order to avail of government services and programs, government should make the process free for them in the same manner that the majority should be sensitive to the unique cultural practices of the IPs.

Ms. Marlene Ruth S. Sanchez, Deputy Executive Director of the National Commission on Culture and the Arts (NCCA), extolled the merits of the bill particularly on the call for cultural sensitivity. She said that many IPs don't refer to the calendar when making recollections about events but relate events in their lives to the seasons, i.e., "the weather was cold" or "it was raining when my child was born." In the preparation of the implementing rules and regulations, what should be given emphasis is how to capture such kind of recollection as basis for registering events in the lives of the IPs, she added.

Chairperson Baguilat invited the NCCA as part of the technical working group which was constituted during the deliberation of the Rodriguez bill. He also commended the NCCA's efforts to devote their resources for the benefit of the IPs, even to the point of mandating their legal staff to provide legal services or assistance to the IPs.

Ms. Sanchez volunteered a member of the NCCA Subcommittee on Cultural Communities to sit as member of the TWG.

Mr. Francis Allen dela Cruz of the Department of Education reported his agency's programs for the IPs, particularly their ongoing celebration of IP month and as implementing partner of members of Congress for IP and Muslim Education Framework.

Ms. Reolalas reiterated that in implementing NSO's AO No. 3, series of 2004, the rules provide for the utilization of actual events in registering the civil status of IPs.

Chairperson Baguilat said that the task of the TWG would include reviewing existing administrative policies.

Rep. Maximo Rodriguez recommended the expansion of the coverage of the bills to include the Muslims who are themselves IPs and are also victims of poverty. The lack of birth certificates is one of the reasons why many of the Muslim brothers find difficulty in

securing passports, he said.

On the manifestation of the NCCA said that Muslim groups such as the Maranaws are also considered IPs, Rep. Dalog said that the bill should specify that it will cover all IPs regardless of religion, specially the Muslims.

The NSO, through Ms. Reolalas, said that its list of IPs in the Philippines contain 176 ethnic groups, which include the Maguindanao, Tausog, Maranaw, etc. for the Muslims.

Mr. Acosta of NSO also said that the registration of members of Muslim communities are covered by a separate administrative order, AO 1083.

Chairperson Baguilat stressed that the consolidated bill to be crafted would provide that the implementing rules and regulations will specify the steps that would capture the various ways by which the different IP groups recall the dates of the various events in their lives.

C. Initial consideration of HOUSE BILL NO. 4563, "AN ACT AMENDING REPUBLIC ACT 8371 OTHERWISE KNOWN AS THE INDIGENOUS PEOPLES RIGHTS ACT AND FOR OTHER PURPOSES," by Rep. Teodoro Brawner Baguilat Jr.

Citing the results of several public hearings and consultations all over the country on the state of indigenous cultural communities/indigenous peoples after the passage of Republic Act No. 8371, otherwise known as the Indigenous Peoples Rights Act of 1997 (IPRA), Chairperson Baguilat said that there is a prevailing impression that the National Commission on Indigenous Peoples (NCIP), which was created by the IPRA to implement the provisions of the law, has not been able to meet the expectations of its constituents. Thus, he called for the approval of House Bill No. 4563, which aims to create a Congressional Oversight Committee, to ensure budgetary allocation for congressional monitoring activities on the programs and activities of the NCIP. He cited the tedious task of creating a technical working panel each time an IP-related issue arises and the difficulty of finding immediate resources to mobilize a study team. He added that most comprehensive laws affecting other sectors have joint congressional oversight committees.

On motion of Rep. Ilagan, with no objection from the other members, the Committee approved House Bill No. 4563. The Committee also unanimously approved her motion that the members present be made as co-authors.

D. Initial consideration of HOUSE BILL NO. 5180, "AN ACT DECLARING AUGUST 9 OF EVERY YEAR AS THE CELEBRATION OF THE NATIONAL DAY OF INDIGENOUS PEOPLES IN THE PHILIPPINES," by Rep. Teodoro Brawner Baguilat Jr.

Chairperson Baguilat said that the basis of his bill is the fact that there is no IP day being celebrated in the country, a day that will give focus on the IPs, their achievements, problems, and their aspirations. He said that the rationale of his bill was inspired by the clamor of the guests and participants during the celebration of IP Day in the House

of Representatives last August 9.

Mr. Dela Cruz said the DepEd issued various press releases announcing their celebration of IP month. He said that they are being guided by Presidential Proclamation No. 1906 which states that October 29 of every year is Indigenous Peoples Thanksgiving Day.

Chairman Baguilat said that October 29 celebrates the signing of the IPRA while August 9 follows the global celebration, International Indigenous Peoples Day.

Ms. Sanchez said that it was the NCCA which initiated the issuance of Proclamation No. 1906 and Proclamation No. 486, celebrating Indigenous Peoples Month and Indigenous Peoples Thanksgiving Day. He said that the NCCA-sponsored Dayaw Festival, an IP-centered celebration every October, is a convergence activity and includes teaching sessions with the IPs about their rights and providing legal and technical assistance to the IPs.

Rep. Ilagan said that having a special day for IPs would have greater advantage because it would be considered as a signal for agencies of the government, say DepEd or CHED, to devote a day that will focus on IP concerns and issues which could be integrated into the subject matter on that particular day.

Ms. Sanchez said that in the NCCA, every first Monday they are required to wear traditional IP dress and they even have a contest with prizes as incentives for the best dressed of an IP costume.

Ms. Prudencia Sanoy of the DepEd said that her office has issued the necessary instructions for the celebration of the IP festival.

After the clarificatory questions from Rep. Dalog, the Committee agreed that there is no conflict with celebrating August 9 of every year as IP Day, which will usher various celebrations and activities from different agencies and will culminate in October 29, the IPRA day thanksgiving celebration.

Upon motion of Rep. R. V. Umali, seconded by Rep. Nasser Pangandaman, the Committee approved House Bill 5180, declaring August 9 of every year as the celebration of national Day of Indigenous Peoples in the Philippines.

E. Other Matters.

1. Mr. Paul Viray of the NCCA, on query of Rep. Umali, said that his office is engaged in various programs and projects for the IPs, such as the School for Living Traditions or SLTs all over the country. The intention of the program, he said, is to teach the younger IP generations about their heritage to ensure the cultural preservation of each tribal group.

Rep. Umali encouraged the various agencies to tap the resources of international funding institutions which are very supportive of projects that benefit IP groups. He

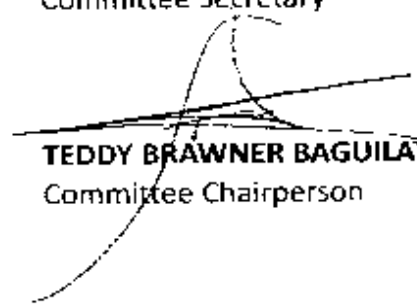
said that in his district, a tram line is being constructed which will provide access to the tribal community in the hinterlands without destroying the environment that building a road would result. Thereafter, he asked the NCCA to submit its plans and programs for the IPs, particularly for the Mangyans in Mindoro.

2. Chairperson Baguilat invited the members to attend the IP Congress in Butuan City which the committee was co-sponsoring with the Manobo Tribe of Agayon Hawudon Datu Tagleong on October 19-21.

There being no other matters to discuss, the meeting was adjourned at 3:00 p.m.

I hereby certify to the correctness of the aforementioned minutes.

Prepared by: 
MARLON T. VALENCIA
Committee Secretary

Noted by: 
TEDDY BRAWNER BAGUILAT, JR.
Committee Chairperson

11-11-2011 11:57 AM