

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**SEVENTEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 4401**



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**INTRODUCED BY REP. NANCY A. CATAMCO, REP. MANUEL F. ZUBIRI,  
REP. JOSE T. PANGANIBAN, JR., REP. KAKA J. BAG-AO, REP. TEDDY  
BRAWNER BAGUILAT, JR., REP. NOEL L. VILLANUEVA**

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**EXPLANATORY NOTE**

Republic Act 8371 otherwise known as the Indigenous Peoples Rights Act of 1997 (IPRA) provides for the sustainable development and protection of the country's Indigenous Cultural Communities and Indigenous Peoples' (ICCs/IPs) through the recognition of their rights to self-governance and self-determination.

The State likewise recognizes and promotes the basic and inherent rights of the Indigenous Cultural Communities (ICCs) within the framework of national unity and development and guarantees the protection of the rights of Indigenous Peoples (IPs) to their ancestral domains to ensure their economic, social and cultural well-being.

The right of self-determination of peoples is a fundamental principle that is widely given recognition even in international law. This right is explicitly stated:

"All peoples have the rights of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development." (*Art. 1, Par. 1, Charter of the United Nations and the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights*)

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) also states that:

"Indigenous peoples have the right to determine and develop priorities and strategies for the development of their lands or territories and other resources." (*Art. 32, UNDRIP*)

It is for the aforementioned reasons that a relevant measure such as the "Creation of IP Barangays" shall be considered, with the primary objective of enhancing the delivery of basic services in the Indigenous Cultural Communities (ICCs), and giving the Indigenous Peoples (IPs) more participation in shaping up their own destiny as a people, and as viable partners of national growth, unity, and progress.



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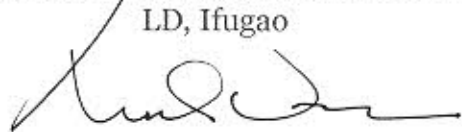
**REP. JOSE T. PANGANIBAN, JR.**  
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**AN ACT CREATING BARANGAYS FOR INDIGENOUS CULTURAL  
COMMUNITIES AND INDIGENOUS PEOPLES (ICC/IP), PROVIDING FUNDS  
THEREFOR AND FOR OTHER PURPOSES**

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

**SECTION 1. Short Title.** This Act shall be known as the “**IP Barangays Act of 2016**”.

**SECTION 2. Creation.** There shall be created an Indigenous Cultural Communities and Indigenous Peoples (ICC/IP) barangays pursuant to Sec. 386 of Republic Act 7160, otherwise known as the Local Government Code of 1991,

**SECTION 3. Declaration of Policy.** It is hereby declared the policy of the State that the territorial and political subdivisions of the State shall enjoy genuine and meaningful local autonomy to enable them to attain their fullest development as self-reliant communities and make them more effective partners in the attainment of national goals.

**SECTION 4. Conduct of Plebiscite.** Pursuant to Sec. 10 of Republic Act 7160, otherwise known as the Local Government Code of 1991, a plebiscite is to be conducted by the Commission on Elections (Comelec) in the affected areas where a majority vote by the qualified voters shall determine the creation of the IP barangays within ninety days (90) from the effectivity of the Act.

**SECTION 5. Set of Officials.** The first set of IP barangay officials shall be appointed by the National Commission on Indigenous People (NCIP), and shall hold office until such time an election is held and new sets of officials are elected.

**SECTION 6. Public Facilities.** All public facilities, infrastructures and equipment previously administered by the barangays prior to the approval of this Act shall be turned over and made available to the new IP barangays without cost or compensation.

**SECTION 7. Internal Revenue Allotment Share.** IP barangays shall enjoy its Internal Revenue allotment share pursuant to Sec. 285 of Republic Act 7160, otherwise known as the Local Government Code of 1991.

**SECTION 8. Appropriations.** The amount necessary to conduct plebiscites as provided for in this Act shall be borne by the Municipalities where the affected areas are located.

**SECTION 9. Separability Clause.** If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

**SECTION 10. Effectivity Clause.** This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

**Approved,**