



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



TWENTIETH CONGRESS
First Regular Session
HOUSE BILL NO. 246

Introduced by Rep. Robert Nazal

**AN ACT PROVIDING FOR THE CREATION OF INDIGENOUS BARANGAYS
NATIONWIDE, AMENDING FOR THE PURPOSE SECTION 386 OF REPUBLIC
ACT NO. 7160, OTHERWISE KNOWN AS THE "LOCAL GOVERNMENT CODE
OF 1991," AND PROVIDING SPECIAL PROVISIONS FOR THE RECOGNITION,
DEVELOPMENT, AND AUTONOMY OF INDIGENOUS CULTURAL
COMMUNITIES/INDIGENOUS PEOPLES (ICCs/IPs) AND OTHER MATTERS**

EXPLANATORY NOTE

The 1987 Philippine Constitution mandates the recognition and promotion of the rights of Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) within the framework of national unity and development. This constitutional commitment is embodied in several provisions, notably:

Article II, Section 22, which states that:

"The State recognizes and promotes the rights of indigenous cultural communities within the framework of national unity and development."

Article XII, Section 5, which affirms the rights of ICCs/IPs to their ancestral lands and mandates Congress to provide for the applicability of customary laws in determining the ownership and extent of such ancestral domains.

Article XIV, Section 17, which enjoins the State to recognize, respect, and protect the rights of ICCs/IPs to preserve and develop their cultures, traditions, and institutions.

In fulfillment of these mandates, Congress enacted Republic Act No. 8371, or the Indigenous Peoples Rights Act of 1997 (IPRA). This landmark law affirms the rights of ICCs/IPs to ancestral domains, self-governance and empowerment, social justice and human rights, and cultural integrity. Under Section 13 of RA 8371, ICCs/IPs are granted the right to self-governance and self-determination, including the maintenance and development of their own indigenous political structures.

However, while IPRA acknowledges the distinct governance systems of ICCs/IPs, there remains a structural gap in integrating these systems into the formal apparatus of local government. Under Republic Act No. 7160, or the Local Government Code of 1991, the creation of barangays—the smallest political unit in the country—is based solely on population and territorial considerations. This existing framework does not provide a mechanism for establishing barangays composed predominantly of indigenous populations, nor does it grant formal status to customary governance systems within the barangay structure.

The lack of Indigenous Barangays contributes to the marginalization of ICCs/IPs in several ways:

1. Their political voices are diluted when subsumed under non-indigenous-dominated barangays.
2. They are often unable to implement customary laws and justice systems due to the dominance of mainstream governance structures.
3. Development programs are rarely tailored to their distinct cultural and social needs.
4. Their traditional leaders are not recognized in the formal local governance structure.

The proposed measure seeks to bridge this governance gap by amending Section 386 of RA 7160 to allow for the formal creation of Indigenous Barangays, defined as barangays where at least sixty percent (60%) of the population are certified ICCs/IPs as determined by the National Commission on Indigenous Peoples (NCIP). The bill also:

1. Provides a legal framework for recognizing customary laws and indigenous dispute resolution systems within the barangay;
2. Ensures political representation and participation of ICCs/IPs in municipal and city governance;
3. Mandates equitable inclusion of Indigenous Barangays in service delivery, development programming, and national funding mechanisms;
4. Grants authority to the NCIP to issue certifications and assist in the implementation of Ancestral Domain Sustainable Development and Protection Plans (ADSDPPs).

This proposed legislation finds support in DILG-NCIP Joint Memorandum Circular No. 2003-01, which provides for guidelines on the mandatory representation of ICCs/IPs in policy-making bodies, and in the findings of the Philippine Institute for Development Studies (PIDS) which has underscored the importance of culturally appropriate local governance mechanisms for ICCs/IPs.

The establishment of Indigenous Barangays is consistent with the State's duty to promote autonomy, cultural integrity, and the socio-economic development of indigenous peoples as partners in nation-building. It institutionalizes the participation of IPs in governance, respects their identity and systems, and provides mechanisms for them to chart their own development paths within the framework of the Philippine state.

For these reasons, the immediate passage of this bill is earnestly sought.

A handwritten signature in black ink, appearing to be 'R. Nazal', written above the printed name.

ROBERT NAZAL
Representative

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 246

Introduced by Rep. Robert Nazal

**AN ACT PROVIDING FOR THE CREATION OF INDIGENOUS BARANGAYS
NATIONWIDE, AMENDING FOR THE PURPOSE SECTION 386 OF REPUBLIC
ACT NO. 7160, OTHERWISE KNOWN AS THE "LOCAL GOVERNMENT CODE
OF 1991," AND PROVIDING SPECIAL PROVISIONS FOR THE RECOGNITION,
DEVELOPMENT, AND AUTONOMY OF INDIGENOUS CULTURAL
COMMUNITIES/INDIGENOUS PEOPLES (ICCs/IPs)**

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

SECTION 1. Short Title. – This Act shall be known as the "Indigenous
Barangay Empowerment Act of 2025."

SEC. 2. Declaration of Policy. – It is the policy of the State to strengthen the
rights of ICCs/IPs to self-governance, autonomy, and development through the
institutional recognition of their communities as distinct barangays, enabling them to
preserve their culture, pursue community-defined development, and exercise political
participation consistent with the Indigenous Peoples Rights Act (RA 8371).

SEC. 3. Amendment to Section 386 of Republic Act No. 7160. – Section 386
of RA 7160 is hereby amended to read as follows:

Section 386. Creation and Composition. –

(a) A barangay may be created, divided, merged, abolished, or its
boundaries substantially altered by law or by ordinance of the
sangguniang panlalawigan or sangguniang panlungsod, subject to
approval by a majority of votes cast in a plebiscite to be conducted by the
Commission on Elections (COMELEC) in the political unit or units directly
affected.

(b) An Indigenous Barangay may likewise be created within a city or
municipality upon submission of a certification by the National
Commission on Indigenous Peoples (NCIP) that at least sixty percent
(60%) of the proposed barangay population are members of ICCs/IPs as
validated by its community census and field-based investigation.

(c) The land area and population requirements under Section 386(c) shall not apply in the case of Indigenous Barangays: Provided, That such creation shall not adversely affect the delivery of basic services or fiscal viability of the parent LGU.

SEC. 4. Recognition of Customary Laws and Indigenous Governance. – Indigenous Barangays shall recognize customary laws and indigenous justice systems, subject to the Constitution and national laws. Customary leaders may be integrated as advisers to the Barangay Council. The Barangay may enact ordinances reflecting indigenous dispute resolution, traditions, and development priorities.

SEC. 5. Conversion of Existing Barangays. – Existing barangays with at least sixty percent (60%) ICCs/IPs as certified by the NCIP may file a petition for conversion into an Indigenous Barangay. The petition must be supported by a resolution of the Sangguniang Barangay and ratified in a local plebiscite.

SEC. 6. Role of the NCIP. – The NCIP shall:

1. Formulate the guidelines for certifying Indigenous Barangays;
2. Assist in the development of Ancestral Domain Sustainable Development and Protection Plans (ADSDPPs);
3. Coordinate with the DILG and relevant agencies for technical assistance and public service delivery.

SEC. 7. Development Support and Funding. – Indigenous Barangays shall be included in the equitable allocation of the Internal Revenue Allotment (IRA) and other national or local funds. Special funding mechanisms shall be provided to strengthen community-based education, health, livelihood, and cultural preservation programs.

SEC. 8. Implementing Rules and Regulations. – The DILG, in coordination with the NCIP and NEDA, shall issue the necessary rules and regulations within ninety (90) days from the effectivity of this Act.

SEC. 9. Separability Clause. – If any provision of this Act is declared invalid or unconstitutional, the remainder shall not be affected.

SEC. 10. Repealing Clause. – All laws, decrees, or rules inconsistent with this Act are hereby repealed or amended accordingly.

SEC. 11. Effectivity. – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation.

Approved.