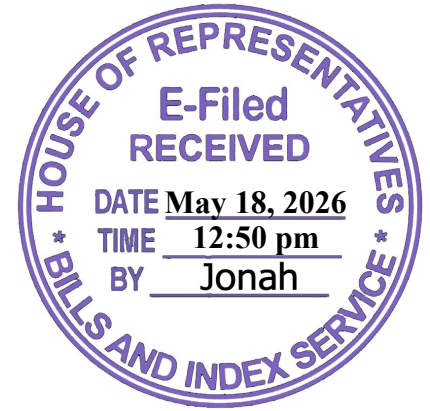


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 9288



Introduced by:

HON. CHRISTOPHERSON "COCO" M. YAP

AN ACT
STRENGTHENING ACCESS TO JUSTICE FOR INDIGENOUS CULTURAL COMMUNITIES/INDIGENOUS PEOPLES (ICCs/IPs) BY ESTABLISHING INDIGENOUS PEOPLES JUSTICE DESKS AND SPECIAL CALENDARS IN THE REGULAR COURTS, PROVIDING FOR COORDINATION WITH CUSTOMARY JUSTICE MECHANISMS AND THE NATIONAL COMMISSION ON INDIGENOUS PEOPLES (NCIP), AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Many Indigenous Cultural Communities and Indigenous Peoples (ICCs/IPs) still struggle to access justice. Courts are often far from their communities, legal processes can be confusing, and language and cultural differences make it harder for them to be heard. There is also frequent confusion about when to use their own customary laws, go to the National Commission on Indigenous Peoples (NCIP), or file cases in regular courts. Because of this, disputes are delayed, cases are filed in the wrong place, and the rights of ICCs/IPs are not fully protected.

The law already recognizes the right of ICCs/IPs to use their own justice systems and traditions in resolving disputes. It also gives the NCIP authority over certain cases, especially those involving members of the same community, after they have first tried to settle the matter using their customary practices. However, these rules are not always clearly followed in practice, leading to confusion, repeated cases, and long delays.

This bill aims to make justice more accessible and easier to understand for ICCs/IPs. It strengthens coordination between customary justice systems, the NCIP, and regular

courts to ensure that cases are handled in the proper forum. It also proposes the creation of Indigenous Peoples Justice Desks and special court schedules in areas with large IP populations to provide guidance, reduce delays, and make the legal process more responsive to their culture and needs.

By improving coordination and respecting indigenous traditions while upholding national law, this measure helps ensure faster, fairer, and more meaningful justice for ICCs/IPs. It promotes a system that they can trust and participate in.

In view of the foregoing, **ug sa ngalan sa SERBISYONG TINUORAY**, the undersigned respectfully requests the immediate passage of this measure.


CHRISTOPHERSON "COCO" M. YAP
Representative, Second District of Southern Leyte

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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 Peoples Access to Justice Act.*”

SECTION 2. Declaration of Policy. — It is the policy of the State to **increase access to justice** for Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) by strengthening culturally responsive dispute resolution, ensuring effective coordination with customary justice systems, and improving the capacity of the regular courts to hear and decide cases involving ICCs/IPs consistent with existing laws and jurisprudence.

SECTION 3. Indigenous Peoples Justice Desks and Special Calendars. —

- (a) **Creation.** There is hereby established an Indigenous Peoples Justice Desk (IPJD) in the Regional Trial Courts (RTCs) and first-level courts (MeTC/MTC/MCTC) in provinces and cities with significant ICC/IP

populations, as may be identified by the Supreme Court in consultation with the NCIP.

(b) **Functions.** The IPJD shall:

1. Facilitate **court user assistance** and language/access needs for ICC/IP litigants;
2. Coordinate referrals, where appropriate and allowed by law, to **customary dispute resolution mechanisms** and/or NCIP processes; and
3. Assist in case management for cases involving ICCs/IPs through **special calendars** and monitoring to reduce delay.

(c) **Special Calendars.** The Supreme Court may designate **Special IP Calendars** for eligible cases, to promote continuity of hearings and speedier disposition, without creating a separate court.

SECTION 4. Coordination with NCIP; Jurisdictional Guideposts. —

(a) **Consistency with jurisprudence.** In determining whether a dispute should proceed before the NCIP or the regular courts, courts and prosecutors shall be guided by the Supreme Court's rulings that NCIP jurisdiction is generally triggered only when the dispute arises between or among parties belonging to the same ICC/IP and where customary remedies have been exhausted, and that disputes involving parties from different ICCs/IPs or involving a non-ICC/IP fall under the jurisdiction of the regular courts.

(b) **No shield for crimes.** Nothing in this Act shall be construed to divest the regular courts of criminal jurisdiction or to allow customary settlements to bar prosecution for crimes under national law, consistent with jurisprudence.

SECTION 5. Recognition of Tribal Courts in Autonomous Regions (Non-derogation). —

Nothing in this Act shall be construed to diminish or impair the authority to establish or operate tribal courts as provided under existing organic acts, including:

- The Cordillera tribal court system established under RA 6766 (1989); and
- The tribal courts recognized in the Muslim Mindanao organic framework under RA 9054 (2001) and RA 6734 (1989).

SECTION 6. Rule-making; Training; Administrative Issuances. —

(a) **Supreme Court rules.** Within one hundred eighty (180) days from the effectivity of this Act, the Supreme Court shall issue such rules and administrative issuances as may be necessary to implement this Act, including criteria for designating IPJDs and Special IP Calendars, consistent with existing procedural rules.

(b) **Capacity building.** The Supreme Court, in coordination with the Philippine Judicial Academy (PHILJA) and the NCIP, shall develop continuing education modules on IP rights, customary law appreciation where applicable, and culturally responsive proceedings.

SECTION 7. Appropriation. — The amounts necessary to implement this Act shall be charged against the current appropriations of the Judiciary and concerned agencies. Thereafter, such sums as may be necessary shall be included in the annual General Appropriations Act (GAA).

SECTION 8. Separability Clause. — If any provision of this Act is declared invalid or unconstitutional, other provisions not affected shall remain in full force and effect.

SECTION 9. Repealing Clause. — All laws, rules, and regulations inconsistent with this Act are hereby repealed, amended, or modified accordingly.

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

Approved,