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SENATE

S.B. NO. 2795

INTRODUCED BY SENATOR MANNY VILLAR

EXPLANATORY NOTE

The more distinctions there are, the greater room for discrimination. This has been perhaps the generally accepted paradigm in dealing with our multicultural society so much so that there are no cohesive policy in terms of ethnic identification among individuals comprising the various cultural communities of our archipelagic and diverse State. In line with this ideal, culture and ethnicity has been accorded to as a collective identity but not as an official individual identity as evidenced by the lack of official recognition in the data gathering instruments adopted by the national government.

Obscured in the conventional description of the Filipino nationality are the indigenous or tribal Filipinos¹. This has resulted in the homogenous treatment of the identity of the Filipino which is in complete contravention of the *raison d'être* behind the State Policies instituted under Section 2 of Republic Act 8371 otherwise known as the Indigenous Peoples Rights Act of 1997. Sub-paragraphs (e) and (f) in Section 2 of the law provides that:

e) The State shall take measures, with the participation of the ICCs/IPs concerned, to protect their rights and guarantee respect for their cultural integrity, and to ensure that members of the ICCs/IPs benefit on an equal footing from the rights and opportunities which national laws and regulations grant to other members of the population and

f) The State recognizes its obligations to respond to the strong expression of the ICCs/IPs for cultural integrity by assuring maximum ICC/IP participation in the direction of education, health, as well as other services of ICCs/IPs, in order to render such services more responsive to the needs and desires of these communities.

In order to give life to the letter of the law we must set forth an ideal which is that of multiculturalism is consonance with equal opportunity, a fundamental right and a basic democratic principle,²

¹ E. San Juan, Jr. *The Paradox of Multiculturalism: Ethnicity and Identity in the Philippines*, Department of Comparative American Cultures Washington State University Pullman, WA, USA, 1995

² *ibid*

In the past each of the indigenous cultural communities in the Philippines can be identified through their distinctive clothing, patterns of weaving, language and other forms of cultural expression. Because of the contact with the dominant Filipino society and the need to access government services and economic opportunities our indigenous peoples has been forced to lose their identity though acculturation and assimilation.³ It is my firm belief that that the collection of ethnic data will help in reversing this trend. Recognizing the ethnicity of our peoples will be a beneficial instrument in shaping policies against discrimination and promoting equal opportunities in terms of economic gain and access to government services.⁴

This proposed law therefore is a recognition of the obligation of the legislature to set forth legislative measures to establish and institute the necessary mechanisms to enforce and guarantee the realization of the rights of our indigenous peoples.

The aim of this proposed Act is to make the ethnic data collected as an instrument of recognizing ethnicity and as a monitoring tool to assess the implementation of policies that have been put in place by the government. The data gathered will also serve as a check as to whether these policies are sound and effective, so that any necessary changes and adjustments may be made.

In view of the reasons stated, the passage of the attached bill is sought.



MANNY VILLAR

³ **Indigenous Peoples/ Ethnic Minorities and Poverty Reduction – Philippines**, Asian Development Bank, http://www.adb.org/Documents/Reports/Indigenous_Peoples/PHI/chapter_3.pdf May 2, 2011 11:00 AM

⁴ Patrick Simon, *"Ethnic" statistics and data protection in the Council of Europe countries*, Institut National d'Etudes Démographique, Strasbourg, 2007



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AN ACT
TO INCLUDE ETHNIC ORIGIN IN NATIONAL SURVEYS, CENSUSES AND OTHER
DATA-GATHERING METHODS CONDUCTED BY THE NATIONAL STATISTICS OFFICE
(NSO)

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

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 national unity
5 and development. The State shall give the highest priority to the enactment of measures
6 that protect and enhance the right of all the people to human dignity; reduce social,
7 economic and political inequalities; and remove cultural inequities.

8 **SEC. 3. Definition of Terms.** – As used in this Act, the following terms shall mean:

9 (a) “Ethnic origin” includes race, national origin and ethno-linguistic origin.

10 (b) “Indigenous peoples” shall, as provided under Section 3(h), Chapter II of
11 Republic Act No. 8371 or “The Indigenous Peoples Rights Act of 1997”, refers to
12 a group of people who are regarded as indigenous on account of their descent
13 from the populations which inhabited the country, at the time of conquest or
14 colonization, or at the time of inroads of non-indigenous religions and cultures,
15 or the establishment of present state boundaries, who retain some or all of their
16 own social, economic, cultural and political institutions but who may have been
17 displaced from their traditional domains or who may have resettled outside their
18 ancestral domains.

19 (c) “Muslim Filipinos” refers to a group of peoples of the Moro ethno-linguistic groups
20 who largely reside in Mindanao but also have communities in parts of Visayas
21 and Luzon.

22 **SEC. 4. Duty of the National Statistics Office (NSO).** – It shall be the duty of the
23 National Statistics Office (NSO) to ensure the inclusion of ethnic origin in its national
24 surveys, censuses and other data-gathering methods.

1 Upon the approval of this Act, the NSO, in coordination with the National
2 Commission on Indigenous Peoples (NCIP), the National Commission on Muslim Filipinos
3 (NCMF) and the National Statistical Coordination Board (NSCB), shall conduct a special
4 survey to ascertain the actual number and other demographic data of indigenous peoples in
5 the Philippines.

6 **SEC. 5. Appropriations Clause.** – The amount necessary to effectively carry out
7 the provisions of this Act shall be included in the annual General Appropriations Act.

8 **SEC. 6. Separability Clause.** – If any portion or provision of this Act is declared void
9 or unconstitutional, the remaining portions or provisions hereof shall not be affected by such
10 declaration.

11 **SEC. 7. Repealing Clause.** – Any provision of law or regulation inconsistent
12 herewith is hereby repealed, revoked or modified accordingly.

13 **SEC. 8. Effectivity.** – This Act shall take effect fifteen (15) days after its publication
14 in two (2) newspapers of general circulation.

15

16 **Approved,**