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SENATE
P.S. Res 794

RECEIVED BY: *J*

Introduced by Senator Poe

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON CULTURAL COMMUNITIES AND OTHER APPROPRIATE SENATE COMMITTEE/S TO CONDUCT AN OMNIBUS STUDY AND EVENTUAL UPDATING, IN AID OF LEGISLATION, OF EXISTING POLICIES CONCERNING CULTURAL HERITAGE IN THE LIGHT OF THE REPORTED ROAD PROJECTS IN BENGUET WHICH ALLEGEDLY DESECRATED RECOGNIZED BURIAL CAVES OF THE TRIBES OF IBALOY, KANKANAAY AND THE KALANGAYA IN THE CORDILLERA

WHEREAS, Article 12, Section 4, of the Constitution states that: "The Congress shall, as soon as possible, determine, by law, the specific limits of forest lands and national parks, marking clearly their boundaries on the ground. Thereafter, such forest lands and national parks shall be conserve and may not be increased nor diminished, except by law. The Congress shall provide for such period as it may determine, measures to prohibit logging in endangered forests and watersheds areas";

WHEREAS, Article 12, Section 5, of the Constitution provides that: "The State, subject to the provisions of this Constitution and national development policies and programs, shall protect the rights of indigenous cultural communities to their ancestral lands to ensure their economic, social and cultural well-being xxx";

WHEREAS, Article 14, Section 16, of the Constitution state that: "All the country's artistic and historic wealth constitutes the cultural treasure of the nation and shall be under the protection of the State which may regulate its disposition";

WHEREAS, Article 14, Section 17, of the Constitution provides that: "The State shall recognize, respect, and protect the rights of the indigenous cultural communities to preserve and develop their cultures, traditions and institutions. It shall consider these rights in the formulation of national plans and policies";

WHEREAS, Republic Act Number 10066, National Cultural Heritage Act of 2009, provides for the protection, preservation, conservation and promotion of the nation's heritage and cultural institutions;

WHEREAS, Republic Act 8371, known as The Indigenous Peoples' Rights Act of 1997, provides for the establishment of National Commission on Indigenous Peoples;

WHEREAS, the NCIP is in charge of protecting and promoting the interest and well-being of the Indigenous Cultural Communities and Indigenous peoples in relation to their beliefs, customs, traditions and institutions and to the recognition of their ancestral domains as well as their rights thereto.

WHEREAS, the Philippines currently has 6 properties inscribed on the UNESCO World Heritage List¹;

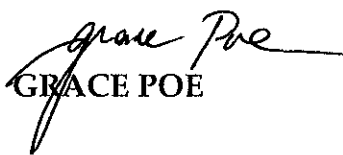
WHEREAS, an article in the *Philippine Daily Inquirer*² reported that a road project in the town of Tuba, Benguet has desecrated a burial cave of the Ibaloy, Kankanaey and Kalanguya tribes;

WHEREAS, the burial cave was filled with loose soil and mud from the said diggings and that the repair thereof could amount to as much as P10 million not including the economic cost of performing rituals in accordance with Benguet's traditions and beliefs;

WHEREAS, there is a need to update and review existing laws relating to preservation of the Philippines' cultural heritage in order to continue to uphold our country's mores and traditions; Now therefore be it

RESOLVED BY THE PHILIPPINE SENATE to direct the Committee on Cultural Communities and other appropriate committee/s to conduct an omnibus study and eventual updating, in aid of legislation, of the present laws concerning cultural heritage in the light of the reported road projects in Benguet which allegedly desecrated recognized burial caves of Ibaloy, Kankanaey and the Kalangaya in the Cordillera.

Adopted,


GRACE POE

¹ Retrieved from: <http://whc.unesco.org/en/statesparties/ph>

² Quitasol, K. (2014, June 18). Road project damages forest, burial cave. *Philippine Daily Inquirer*.