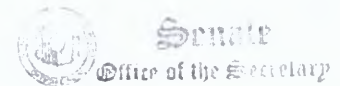


NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )



'22 AUG 31 P 4 :27

SENATE  
S. No. 1249

RECEIVED BY: \_\_\_\_\_

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Introduced by Senator Loren B. Legarda

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**AN ACT  
PROVIDING FOR A PROPORTIONATE SCHOOL ADMISSION  
AND ACCEPTANCE SHARE IN THE PHILIPPINE MILITARY ACADEMY AND  
THE PHILIPPINE NATIONAL POLICE ACADEMY FOR MEMBERS OF  
THE INDIGENOUS CULTURAL COMMUNITIES/ INDIGENOUS PEOPLES  
AND OTHER PURPOSES**

**EXPLANATORY NOTE**

Indigenous peoples in the Philippines belong to different ethnic groups and reside in various parts of the country. There are more than one hundred ten (110) indigenous communities, about 61% in Mindanao, 33% in Luzon, and 6% in the Visayas.

Article II, Section 22 of the 1987 Constitution states, "The State recognizes and promotes the rights of indigenous cultural communities within the framework of national unity and development."

To carry out this constitutional mandate, Republic Act No. 8371, or "The Indigenous Peoples Rights Act (IPRA) of 1997." The law undertakes to improve the situation of indigenous peoples and indigenous communities. The law declares that "The State recognizes its obligations to respond to the strong expression of the indigenous cultural communities (ICCs)/ indigenous peoples (IPs) for cultural integrity by assuring maximum ICC/IP participation in the direction of education,

health, as well as other services of ICCs/IPs, to render such services more responsive to the needs and desires of these communities.”

To realize the objectives of the law, indigenous peoples and communities must be given more opportunities and platforms to be involved in policies and programs for national unity and development. At present, the IPs and ICCs are still somewhat not represented at all levels of society, including the recruitment programs for the Philippine National Police Academy (PNPA) and the Philippine Military Academy (PMA).

In recognition of the honor and pride that the ICCs and IPs bring to our country by being the bearers of our nation’s cultural diversity, this bill seeks to provide proportionate recruitment share specially allocated for the ICC/IP members in the PNPA and the PMA. Under the proposed measure, the PNPA and PMA are mandated to admit and enlist members of the ICCs/IPs into their academic programs.

The bill also protects ICCs/IPs from any form of discrimination by subjecting to disciplinary action any person, public official, or employee who discriminates in any manner against members of the ICCs/IPs.

In view of the foregoing, the approval of this measure is earnestly sought.



LOREN LEGARDA

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**THE INDIGENOUS CULTURAL COMMUNITIES/ INDIGENOUS PEOPLES**  
**AND OTHER PURPOSES**

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

1 Section 1. *Short Title.* - This Act shall be known as the "Katutubong  
2 Tagapagtanggol Act of 2022."

3 Sec. 2. *Declaration of Policy.* - It is hereby declared the policy of the State:

4 a) to recognize and promote the civil, political, economic, social, and  
5 cultural rights of indigenous cultural communities or indigenous peoples in  
6 accordance with the Constitution and applicable norms and principles;

7 b) to recognize the distinct characteristics and identity of the indigenous  
8 cultural communities or indigenous peoples, which the State must take  
9 special measures to ensure that they are afforded rights, protections, and  
10 privileges with regard to recruitment and employment; and

11 c) to involve the indigenous cultural communities or indigenous peoples  
12 in the national defense and national law enforcement as part of national unity  
13 amidst diversity.

14 Sec. 3. *Definition of Terms.* - For purposes of this Act, the following term shall  
15 mean:

1           a) *Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)* - shall refer  
2 to a group of people or homogenous societies identified by self-ascription and  
3 ascription by others, who have continuously lived as an organized community  
4 on communally bounded and defined territory, and who have, under claims of  
5 ownership since time immemorial, occupied, possessed and utilized such  
6 territories, sharing common bonds of language, customs, traditions, and other  
7 distinctive cultural traits, or who have, through resistance to political, social and  
8 cultural inroads of colonization, non-indigenous religions, and cultures, became  
9 historically differentiated from the majority of Filipinos. ICCs/IPs shall,  
10 likewise, include peoples who are regarded as indigenous on account of their  
11 descent from the populations which inhabited the country at the time of  
12 conquest or colonization or at the time of inroads of non-indigenous religions  
13 and cultures or the establishment of present state boundaries who retain some  
14 or all of their own social, economic, cultural and political institutions, but who  
15 may have been displaced from their traditional domains or who may have  
16 resettled outside their ancestral domains.

17           Sec. 4. *Recruitment of ICCs/IPs in Law Enforcement and National Defense.* - The  
18 Philippine National Police Academy and the Philippine Military Academy are  
19 hereby mandated to admit and enlist members of ICCs/IPs into their academic  
20 programs. At least ten percent (10%) of the new cadets shall belong to ICCs/IPs.

21           Sec. 5. *Rights of Enlisted Members of ICCs/IPs.* - Members of ICCs/IPs admitted  
22 in the academic program shall not be discriminated by reason of their physical,  
23 social, cultural backgrounds and religious beliefs.

24           Sec. 6. *Penalties.* - Any person, public official, or employee who discriminates  
25 in any manner against members of the ICCs/IPs by reason of their membership in  
26 the ICCs/IPs shall immediately be subjected to the proper disciplinary action or  
27 proceedings of the service.

28           Willful failure, refusal, or negligence by the disciplining authority in the  
29 initiation, investigation, and disposal of disciplinary proceedings due to violations of  
30 this Act shall be a cause for dismissal from the service of the disciplining authority.



1 Any sanctions for violations provided under this Act shall be without  
2 prejudice to the criminal penalties and sanctions provided under the Republic Act  
3 No. 8371, otherwise known as The Indigenous Peoples' Rights Act of 1997.

4 *Sec. 7. Implementing Rules and Regulations.* - The Department of National Defense  
5 and the Department of Interior and Local Government shall collaborate and issue  
6 within thirty (30) days from the effectivity of this Act the Implementing Rules and  
7 Regulations for the effective implementation of this Act.

8 The implementing rules and regulations shall provide accommodations for  
9 members of the ICCs/IPs regarding their admission and avoid qualifications  
10 and disqualifications that discriminate against them due to their diverse qualities.

11 *Sec. 8. Separability Clause.* - If any provision of this Act shall be  
12 held unconstitutional or invalid, the other provisions not otherwise affected shall  
13 remain in full force and effect.

14 *Sec. 9. Repealing Clause.* - All laws, decrees, executive orders, proclamations, and  
15 other executive issuances inconsistent with or contrary to the provisions of this Act  
16 are hereby amended or repealed accordingly.

17 *Sec. 10. Effectivity Clause.*- This Act shall take effect fifteen (15) days following  
18 its complete publication in the Official Gazette or in two (2) national newspapers  
19 of general circulation.

Approved,