

SENATE OF THE PHILIPPINES)
SIXTEENTH CONGRESS)
First Regular Session)



13 AUG 29 P4:40

SENATE

Senate Bill No. 1426

RECEIVED BY: *ji*

Introduced by **SENATOR JOSEPH VICTOR G. EJERCITO**

EXPLANATORY NOTE

The Constitution mandates the State to recognize, respect, and protect the rights of Ingenious People to preserve and develop their cultures, traditions, and institutions. Republic Act 8371 or the Indigenous Peoples Rights Act (AFRA) of 1997, guarantees the rights of IPs to ancestral domain, self-governance and empowerment, social justice and human rights, education and cultural integrity. Under The Indigenous Peoples Rights Act (IPRA) of 1997, ancestral domains refer to "all areas generally belonging to IPs composed of lands, inland waters, coastal areas, and natural resources held under a claim of collective or individual ownership, continuously occupied or possessed by IPs by themselves or their ancestors since time immemorial.

As of 2000 a total of 234,188 hectares of ancestral lands certificates and/or agreements have been issued to indigenous communities and a total of 3.64 million hectares are covered by existing corporate agreements for mining explorations. The mining applications alone cover some 10.6 million hectares which reportedly include ancestral lands, compared to only 2.7 million hectares covered by claims to ancestral domain. There are pending applications for ancestral domain certificates but the same has not been resolved to this date. From 2002 to 2010, a total of 20 certificates of ancestral domain title (CADT) for indigenous peoples (IPs) were awarded to indigenous peoples by the National Commission on Indigenous Peoples (NCIP) covering a cumulative area of 336,660.06 hectares. As of October 2010, Benguet has the largest CADT area at 257,550.50 hectares or 76.5 percent of all ancestral domains in the region. Ifugao is second at 47,187.53 hectares or 14.0 percent while Apayao is third at 11,268.03 hectares or 3.3 percent. No CADTs were awarded in CAR for the years 2003 and 2007.

This bill intends to reinforce the rights of IP over their ancestral lands and to have an option to secure a Certificate of Title under Commonwealth Act 141, as amended, or the Land Registration Act 496 as provided for under Section 12 of Republic Act No. 8371 and a

grant of a new five (5)-year period to the National Commission on Indigenous Peoples (NCIP) within which to take appropriate legal action for the cancellation of officially documented titles which were acquired illegally.

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



JOSEPH VICTOR G. EJERCITO
Senator

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Office of the Secretary

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Introduced by **SENATOR JOSEPH VICTOR G. EJERCITO**

AN ACT EXTENDING THE PERIOD FOR INDIGENOUS CULTURAL COMMUNITIES/INDIGENOUS PEOPLES TO EXERCISE THE OPTION TO SECURE TITLE TO THEIR ANCESTRAL LANDS UNDER LAND REGISTRATION ACT 496 AND GRANTING A NEW FIVE (5)-YEAR PERIOD TO THE NATIONAL COMMISSION ON INDIGENOUS PEOPLES (NCIP) TO TAKE APPROPRIATE LEGAL ACTION FOR THE CANCELLATION OF OFFICIALLY DOCUMENTED TITLES WHICH WERE ILLEGALLY ACQUIRED, AMENDING FOR THE PURPOSE SECTIONS 12 AND 64 OF REPUBLIC ACT NO. 8371, OTHERWISE KNOWN AS "THE INDIGENOUS PEOPLES RIGHTS ACT OF 1997"

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

SECTION 1. The option to secure a Certificate of Title under Commonwealth Act 141, as amended, or the Land Registration Act 496 as provided for under Section 12 of Republic Act No. 8371 is hereby extended for another twenty (20) years effective upon the expiration of the first period.

SECTION 2. The National Commission on Indigenous Peoples (NCIP) is hereby granted a new five (5)-year period within which to take appropriate legal action for the cancellation of officially documented titles which were acquired illegally, as provided for under Section 64 of Republic Act No. 8371.

SECTION 3. This Act shall take effect fifteen (15) days after its publication in any newspaper of general circulation.

Approved,