

✓
COMMITTEE ON CULTURAL COMMUNITIES
(Technical Working Group)

DATE : July 30, 1996, Tuesday

TIME : 2:00 p.m.

VENUE : Velco Conference Room, Velco Center
13th Streets, Port Area, Manila

AGENDA : **SENATE BILL NO. 343, 618, 1476 and 1486**

MEMBERS PRESENT:

MS. DIDITH TAYAWA - Presiding Officer
Office of Sen. Flavier

MEMBERS REPRESENTED:

Hon. Juan M. Flavier - by Mr. Mike Mercado
Hon. Gregorio B. Honasan - by Olaf Gotladera
Hon. Heherson T. Alvarez - by Edward P. Chico
Hon. Juan Ponce Enrile - by Perpi Alipon
Hon. Franklin M. Drilon - by Lino Ong
Hon. Orlando S. Mercado - by Tiara Fontanilla
Hon. Francisco S. Tatad - by Andrin E. Frago

INVITED GUESTS/RESOURCE PERSONS:

Mr. Jey Austria - Department of Energy and
Environment (DENR) Quezon, City

Atty. Rodolfo G. Rosales - Commission on Human Rights
(CHR)

Ms. Evelyn S. Ruiz - Presidential Legislative
Liason Office (PLLO)

Datu Deogracias T. Raiz - Office of Southern Cultural
Communities (OSCC)

Datu Manahan E. Sulang - FEMMATRICS

Ms. Grace Chavez - Director III, Office of
Southern Cultural Communities

Ms. Bing Damaso - Gazton Z. Ortigas, Peace
Institute

Ms. Florence Umaming - -do-

Atty. Evelyn J. Donuan - Cordillera Peoples Forum

Mr. Tony A. Abuso - Episcopal Commission on
Indigenous Peoples

Atty. Ernesto D. Cajucom - Legal Officer, Office of
Southern Cultural Communities

(For complete list, please see Attached Attendance Sheet)

COMMITTEE ON CULTURAL COMMUNITIES
(TECHNICAL WORKING GROUP)

DFErum I-1 July 30, 1996 2:14 p.m.

1

AT 2:14 P.M., THE PRESIDING OFFICER,
MS. DIDITH TAYAWA OF THE COMMITTEE ON CUL-
TURAL COMMUNITIES (TWG), CALLED THE MEETING
TO ORDER.

THE PRESIDING OFFICER. Good afternoon ladies and gentlemen, in behalf of our principal Senator Flavier, we would like to open the hearing--technical working group meeting into order.

We would like to acknowledge the presence of our guests from the DENR Mr. Joey Austria; Miss Bing Damaso and Florence Umaming from Gazton Z. Ortigas-Peace Institute; Mr. Tony Abuso of the Episcopal Commission on Indigenous Peoples; Atty. Rodolfo Rosales of the Commission of Human Rights; Datu Deogracias Raiz of the Office of Southern Cultural Communities.

We also await the coming of Atty. Donuan of the Cordillera Peoples Forum and Atty. Girlie de Guzman of the PANLIPI. We also invited the Office of Northern Cultural Communities but they are not actually--they will not be sending representative, I guess. But we will still wait baka darating.

We would also like to acknowledge the presence of the representatives of various senators and authors of various laws which is under our consideration. From the Office of Senator Tatad; from Office of Senator Drilon; Office of Senator Honasan; and Senator Mercado and Mike is here from the Office of Senator Flavier at kasama po natin siya. Ambo--and Ambo, our--as Committee Secretary--Legislative Committee Secretary.

By way of introduction, this hearing actually is

COMMITTEE ON CULTURAL COMMUNITIES
(TECHNICAL WORKING GROUP)

DFerum I-1 July 30, 1996 2:14 p.m. 2

called to order--hearing--no, I'm sorry--meeting is called to order in order to thresh out or--what is this--to iron out a consolidated bill which we have drafted. We had conducted actually four (4) committee hearings, the first one being on October 16 of '95. In the first hearing, we only delved on two bills because there were only two bills referred to our Committee, that's bills No. 343 of Senator Arroyo and 618 of Senator Mercado. And then on April 18 of '96, we included--we added one which is the 1476 of Senator Flavier who is actually is the framework of the consolidated version; and then on the 11th and the 20th of June, we added another one which is the 1486 of Senator Tatad.

So now after conducting such hearings, we noted that--the different positions submitted by various government agencies as well as NGOs and IP representatives and came up with a draft committee report. It's actually a substitute bill with Senators Arroyo, Mercado, Flavier and we added Enrile and Honasan because during one of the hearings Senator Enrile signified his intent to be co-author of this bill and then Senator Honasan also wrote us that he will co-author the bill, the 1476. That is why Senators Enrile and Honasan are made co-authors and Senator Tatad of the 1486. Actually, yung pag ano dito yung billing because 343 was the first one--hindi, of course Senator Arroyo should be the first one na mailagay dito and the members of the Committee on Cultural Communities.

COMMITTEE ON CULTURAL COMMUNITIES
(TECHNICAL WORKING GROUP)

DFERum I-1 July 30, 1996 2:14 p.m.

3

These bills actually were referred to four various committees, namely, the Cultural Communities of the primary committee and then the Environment and Natural Resources and then Ways and Means and Finance because there is a financial aspect and a tax provision in said measure. So, we did not--because I asked the Secretariat if we would include them to be co-authors but according to--hindi na daw except kung isi-signify nila that they will be made--will co-author the bill. So, iyun yong ano iyon yong as regards the authorship. Unless yung mga co-authors, actually, they are represented like Senator Tatad and Senator Mercado, also the representative of Senator Arroyo will be coming soon.

So, basically the consolidated version or the substitute bill has the following highlights: one--actually, as for your information, the framework of this bill is 1476 because during the previous hearings conducted, it was always mentioned that we would consider 1476 and, of course, 1486 because actually 1486 originated from the same version so they are the same actually, except some grammatical or whatever phraseology and whatever.

Okay. So, first the provision--we had the provision on the different rights of the indigenous peoples so that covers Chapter III which is the Ancestral Domains Rights; Chapter V which is the Right to Self-Governance and Empowerment; Chapter IV--four pala iyong rights--Chapter V is Social Justice and Human Rights and Chapter VI is Cultural Integrity. These

COMMITTEE ON CULTURAL COMMUNITIES
(TECHNICAL WORKING GROUP)

DFerum I-1 July 30, 1996 2:14 p.m. 4

rights are--covers Sections 4 to 44 of the substitute bill, the draft substitute bill.

So--what is this? We noted--it is--the bill is considered--we consider the bill in its holistic approach that's why we included the different rights. In the various versions of Senator Arroyo and Senator Mercado's version only the Ancestral Domain Rights are inputted, so we opted for the more holistic approach to the problem of ancestral domain.

And number two is a provision on the responsibilities of the IPs to their ancestral domain. In 1476 and 1486, we don't have this provision so we got it from 343 and 618 because we noted that the IP should not only be given rights to their ADs but they should also have responsibilities. So that's why we included Section 6 to the version--to the consolidated version. And then there is the structure and we opted for the creation of a Commission. Basically, it is lifted from 1476 and 1486 wherein the composition is having five commissioners to be appointed by the President from a list of recommendees submitted by authentic IPs. And then they should come from five ethnographic areas namely, the Cordillera, Northern, Central and Southern Luzon, Island Groups including Mindoro, Palawan, Panay and the rest of Visayas; Northern and Western Mindanao and Southern and Eastern Mindanao. As to the qualification, the same, pareho yung ano kung ano ang nakalagay duon sa 1476 iyon and inadopt namin at saka 1486 iyon and inadopt. The difference being that--kasi

COMMITTEE ON CULTURAL COMMUNITIES
(TECHNICAL WORKING GROUP)

DFErum I-1 July 30, 1996 2:14 p.m.

5

duon sa hearings na mention na hindi dapat iyong Chairperson is a lawyer. So because of such concern coming from the IPs, inilagay na lang namin na at least one of the Commissioners should be a lawyer, basically because of the adjudicatory powers of the Commission. So mayroon kasi siyang adjudicatory powers so kailangan mayroon isang lawyer nakakaalam sa legal, mga legalities--legal matters, so hindi na Chairperson but at least one. And then actually, wala na yung at least 10 years yung kangyang--10 years na practicing lawyer siya. Basta his a lawyer du'n sa iyong one member--one member of the Commission.../dfe



THE PRESIDING OFFICER. ... one member of the Commission. And then, isang provision na hindi nailagay -- hindi kasama sa any version which we included is the appointment of the commissioners. We stated that they should be appointed within 60 days upon -- immediately after the effectivity of the law -- immediately after mayroon nang -- ma-appoint na 'yong commissioners because they will be the one that will make the implementing rules and regulations. So, we also included na doon sa IRR, it should be established or -- yeah, it will be established immediately after the appointment of the commissioners so -- or within 60 days immediately after the appointment of the commissioners. So, basically, 'yon 'yong essence nang consolidated version. Ngayon, we just like to ask your comments kung ano 'yong gusto ninyong i-input, ano 'yong idagdag, ano 'yong ano?

Ambo.

MR. MANALIGOD. Yeah, siguro to assist the Presiding Officer on the process of discussion, maybe we can -- before going further into the highlights or maybe into the discussion of the working draft prepared by the Technical Working Committee or the Technical Working Group, maybe we should also try to brief them on the normal process that is normally adopted during discussions especially the process of which after the Technical Working Group has come up with the draft and it is presented to the members of the Committee and then later on for deliberations on the Floor. Because

before the start of the hearing -- the working group discussion, there was already a question on the part of some of the technical representatives of the authors on the working draft.

For one, in the Senate we normally have a format which we adopt that is normally used in the deliberations on the Floor. Let's say, for example, for the working draft, we indicate here, especially if the bill is a consolidation, we indicate on the right and left margins the origins of the provisions. Let's say, for example, since we are talking of four bills, we indicate there if this particular provision was taken from the bill of Senator Tatad or Senator Drilon or Senator Macapagal or Magsaysay or whatever.

So -- and then, one other thing is, normally, Technical Working Group discussions on which -- where we invite resource persons are normally for purposes of informing the resource persons if they have any additional inputs on the working drafts.

Now, in the experience of Technical Working Group discussions, resource persons are normally given several days advance copy of the drafts so that when it comes to the actual conduct of the Technical Working Group, they will just enumerate point by point which area should be tackled so that discussions will not take too long.

Now, secondly, technical staff representatives of authors are also informed of the working draft in advance. So, like for example, the authors whose or

the bill whose technical representatives are here, of course, they cannot make additional comments right now because in the working draft, it's not indicated there which provisions of their principals were included. It is just an added input so that the discussion will go smoothly as possible. Now, there maybe, like for example, for our -- for the bill on deck right now, I recall that this has been included in the State of the Nation Address of the President and it is on the fifth priority program for the Second Regular Session. So, there maybe a need to expedite or facilitate discussion for this so that the Committee can already file that as soon as possible time. I was talking to Joey a while ago but I think the President is advised that the bill of Senator -- of the Chairman is the bill being used as working draft. Although there is not yet any certification, I think, that came from Malacanang to DENR because that will actually facilitate discussion on the Floor. But we should also take note na whatever inputs gathered during Technical Working Groups na water down 'yan pagdating sa Floor. So, kung ano man ang hindi magkaroon nang ano -- nang magandang pag-aayos pagdating sa Technical Working Group discussion, we can always put that as additional amendments through the sponsorship of the Chairman. Like, for example -- because there are two more process pagdating sa Floor. We have the Committee amendments which Senators discuss the contents of the Committee Report and then on the -- on individual amendments.

That's all, I think.

THE PRESIDING OFFICER. Okay, as regards the first point of Ambo 'yong itong bakit ganito 'yong format, actually, I asked the Legislative -- the Secretariat, Atty. de Guzman, 'yong Chief ninyo yata, and I asked him whether to follow the usual procedure na ilalagay 'yong individual kung ano ang inalis, kung ano ang tinanggal. Sabi ko sa kanya, we came up with a draft consolidated substitute bill. Ang sabi niya sa akin, it's more, it's better, than 'yong ilalagay mo pa kung ano 'yong section na inalis ano 'yong ganyan-ganyan because it's a substitute bill. You can only do that if you are using the same bill, only one bill, at ilalagay mo kung ano 'yong tinanggal, ano 'yong dinagdag ganyan. Because this is a substitute bill, we drafted a new one. So this is it. Pero 'yong as regards the format na magsa-sign sila, actually ilalagay pa rin 'yon pero ito lang 'yong content noong bill. So, sila 'yong authors. I already asked the Secretariat, the Chief Legislative ano as regards such. So, um-okay naman siya, um-oo. Sabi niya, mas okay daw ito kaysa doon sa usual procedure. Parang a step forward. Okay.

Tapos 'yong sa advance copies, actually I was -- inisip ko nga na i-move because I already finished the consolidated version last Monday. So, ang ginawa ko, since natapos, I faxed the copies to various offices. So, nai-faxed ko ito, I don't know if you were able to get hold of the original -- of the fax version

pero, if not, actually, this is only the first Technical Working Group. So bale. ini-input ko lang the highlights. And then, in the succeeding Technical Working Group, actually sa Friday 'yong second. So, 'yong na ngâ. Ganoon 'yong ano -- more time to study the ano the substitute bill. Anyway, we -- everybody attended naman the -- the same people attended the previous hearings. So, I guess, they already know 'yong contents nang various versions. Since matagal naman itong na-discussed for four meetings already, then, I believe -- five, actually, five, so, I thought na napag-aralan na 'yong different versions and the authors of the various versions alam na nila kung ano 'yong essence noong bills nila. So, kung ano 'yong gusto nilang ipasok doon sa consolidated version -- so, that was my ano -- dapat napag-aralan na nila. So, ganoon 'yong inisip. So 'yon.

Siguro, for now, as regards doon sa points na na-raise kanina, maybe, since medyo may concern 'yong DENR because 'yong sa structural even then ayaw nila doon sa Commission. But according to information I gathered doon sa Social Reform Council Meeting nagkaroon na nang consensus bill. And they -- and the Secretary even draft -- what's this -- endorsed the 1476 as the consensus version.

So, Joey, maybe you can update us as regards doon SRC meeting ninyo.

MR. AUSTRIA. Yeah, noong SRC meeting, is a

quarterly type of sectoral forum, which we conduct quarterly, nagkaroon nang discussions noon and in the end the DENR withdrew its ano -- its proposal kasi dumating sa punto na the IPs decided to vote on it. So there was that tendency na madi-divide 'yong sector. So, our Undersecretary.../snt



MR. AUSTRIA. ... our undersecretary, Usec. Laviña, decided to pull out the proposal of DENR. So in the end, it was agreed that DENR will support whatever the decision of the sector and that's to support Senate Bill No. 1476. And last month, Secretary Ramos and Sector Representative Adamat signed a joint memorandum to the Social Reform Council League Convenor informing Secretary Garilao that the consensus bill is 1476. Ngayon ay hintayin pa namin kung Secretary Garilao has really indorsed the communication to Malacañang.

THE PRESIDING OFFICER. Tapos, additional information siguro, ano. I talked to the PLLO kanina, Tess Gorospe of PLLO. They are just awaiting actually the consolidated report, the committee report before it will be certified as urgent bill by Malacañang. So, pag natapos na natin ito, tapos i-ano na siya, ii-read sa floor for Second Reading, we will just ask them para i-certify. Actually, meron ditong representative ng PLLO. So actually, ganuon 'yong ano. Maybe, you join us para i-update 'yong tungkol doon sa certification ng ancestral domain bill.

MR. ROSALES. Question, Ma'am.

THE PRESIDING OFFICER. Yes, sir.

MR. ROSALES. What has happened to the employees of the Northern -- Office of the Northern Communities and the Southern Cultural Minorities? Will they be absorbed, will they re-apply or will they be reinstated out of their jobs?

THE PRESIDING OFFICER. Maybe I will answer that after 'yong input ni -- nuong PLLD as regards ng certification. Actually, I forgot to highlight that as one major point of the consolidated version.

May I request the secretariat to please furnish copies of the substitute bill 'yong sa mga bagong guests? Wala na?

MR. ROSALES. May I have your name, Ma'am?

THE PRESIDING OFFICER. Didith Tayawa po.

MR. ROSALES. From the office of ...

THE PRESIDING OFFICER. Senator Flavier, the Chairman.

Ma'am, kung ano po 'yong update doon sa certification, kung ano 'yong process.

MS. RUIZ. We are waiting for -- we will wait for your committee report. And you ask the concerned departments to submit their position papers and the request to the Executive Secretary, Secretary Torres, to certify the bill. This will be forwarded to the office of Secretary Lagustan for further studies. Amendments and proposals will be forwarded to you in writing and after which, it will be forwarded to the office of the Executive Secretary. The Executive Secretary indorses it to the President for approval and it will be sent back to the office of the Executive Secretary and be given back to PLLD.

So, we're just waiting for your committee report.

THE PRESIDING OFFICER. 'Yon. Okay. Thank you for the information.

As regards the question of Attorney Rosales tungkol doon sa, kung anong mangyari doon sa personnel ng Office of Northern Cultural Communities and Southern Cultural Communities, doon sa mga apat na committee hearings, mayroong dalawang punto. The first one is the merger issue. The other one is the abolition issue.

Now, we have consulted our principal at ang kaniyang position is for the abolition. Why? Because we, inisip namin na the Commission should have a fresh mandate. Actually, there are reports coming and reported to our office na 'yong various offices, Office of Northern Cultural Communities and Southern Cultural Communities and mayroong mga -- majority daw ng ano doon, ng employees are not IPs and we believe that the Commission should be manned by IPs because they know kung ano 'yong problema and everything as regards cultural communities. So, we wanted to have a fresh mandate. Therefore, ang aming point, ang aming position is to have -- to abolish the office and then they will re-apply. Mayroong -- magre-apply sila. But as to the -- the Civil Service rules kasi, priority actually na mag-apply na ma-absorb, hindi absorb eh, ma-appoint are the personnel of offices na na-abolish. So sila pa rin 'yong priority. So they will be prioritized but they should qualify. And then we will ask Civil Service to give guidelines as regards doon sa re-application ng mga concerned -- ng mga personnel na who opt to be re-employed sa Commission. So, ganuon po

'yong position -- ganuon po 'yong nakalagay dito sa consolidated version.

Unless 'yong DNCC and OSCC, may sasabihin as of now.

MR. RAIZ. Thank you, Didith. I just wanted to mention here regarding the word "abolition" of the offices. In the previous hearing or meeting, as we call it, last April 18, when we, the Office of Southern Cultural Communities, submitted our position papers, we stated there that instead of the word "abolition", it will be "merging". I mentioned the word "merging" because you know, although you mentioned a while ago that there members -- there are employees in the offices who do not belong to the members of the cultural communities but since that they are already organic, we want also to protect the tenure of office of the personnel.

You know, when the office will be abolished, it is a very sad part on the employees when they lose their job. It's not easy to be easy to be looking for another job.

But when I talked to the Chairman when I had a meeting with him, if you remember, Didith, I talked to the Chairman and asked him if the word "merging" will be possible because we want also to protect the tenure of office of the personnel. But in the selection now, and they are re-applying, that is wherein now the process must be strict, 'no. So, if a certain employee does not belong to the cultural communities, then I think they have a hard time to be re-employed in

the Commission.

So, for the time being that if the Commission is already established by the government, we are asking that the word "abolition" should be deleted and in lieu thereof, the word "merging" should be inserted.

Thank you.

THE PRESIDING OFFICER. Thank you, Datu Raiz.

Actually, we debated on so many times already on the abolition and the merger issue. And then we came up with the position because we noted that if you are to merge, then there is the question of security of tenure. You really have -- you don't need to re-apply because you only merge. So you are automatically absorbed.

So, in the word "abolition", you already cease as an organization or as an agency and then you are to re-apply because that's what we wanted to have a fresh mandate for the commission. So, very -- ganuon po 'yong -- actually, ganuon po 'yong position ng boss ko. I don't know kung during the floor deliberation, then maybe other -- we have already that stand. So kung ibang senators siguro during the floor deliberation and the senator will agree, but so far, with this consolidated version, the substitute bill, ganuon po 'yong position ni Senator Flavier. But thank you for your input. We really consider that so many times already.

Thank you.

Also, I forgot to mention earlier -- before that,

I would like to acknowledge the presence of the representative of Senator Enrile who is one of the co-authors of the consolidated bill, and of Senator Alvarez. Thank you for coming. We already started the meeting earlier. I hope you have copies of the substitute bill.

One issue also which is part of this consolidated bill is the creation of -- actually the structure of the offices, the various offices. During one of the hearings actually, if I recall it right, on the 20th, where DBM was part of the -- 20th of June, DBM noted -- actually, they agreed into the abolition. They wanted the Commission . . . /arg



THE PRESIDING OFFICER. ...They wanted the Commission, because this in line with reorganization. We no longer have to have two offices to discuss the same problem. Although you have the Southern Cultural Communities and the Northern Cultural Communities, ang sabi nila, mas maganda kung komisyon aniya, para holistic 'yon pagtingin. Saka 'yon framework, iisa lang 'yon pagpupuntahan. So, they are in agreement with the commission-type, although ayaw nila 'yon specific offices and functions of various offices.

Ewan ko kung ganoon, but ganoon 'yon pagkakaintindi ko. I don't know kung ganoon nga 'yon lumabas sa transcript, Ambo.

MR. MANALIGOD. Yeah.

THE PRESIDING OFFICER. Okay. So, they are in favor of the commission and their daw various offices. Ang ginawa namin, we insisted, actually the draft bill insisted on the different offices, because we believe that if these offices will not be indicated, baka hindi ma-implement 'yon various rights nila. Because the offices are created in accordance with the various rights, the functions and the rights as indicated in the first part of the bill. 'Yon 'yon Social Justice and Human Rights, 'yon Ancestral Domain, 'yon, 'yon mga ganoon rights ng IPs.

So, we insisted on the creation and the establishment of the different offices. We added the Legal Affairs Office which is not part of the 1476, but in spite of the 343 and 618, we adopted the version of Senators Mercado and Arroyo, doon sa pag-create ng legal Affairs Office, because the Commission has a judicatory functions. So, kailangan eh, they have the legal

expertise, para 'yon mga battle as regard 'yon conflicts of interest na ganyan, it will be resolved easily by the Legal Affairs Office because, 'yon. So, ganoon 'yon ano, 'yon intent noon pag-create ng offices, pero hindi na namin inilagay 'yon specific offices, functions, sorry, because may sinabi rin ang DBM, na baka pag nagtatrabaho na 'yon Commission, eh maha-hamper ito because it has specific functions.

Ang ginawa namin, we have a general function noon various offices to be created, tapos sees based on the rights as indicated in the first parts of the bill. Tapos 'yon ibang functions will be determined by the Commission. So, ganoon 'yon ginawa na lang namin, although kung meron input, meron yatang additional input sina Bing, as regards doon sa educational component, at saka sa scholarship later. Florence, Joey.

MR. AUSTRIA. During the previous hearings, there was somebody who suggested na magkaroon ng executive director position.

THE PRESIDING OFFICER. Yes.

MR. AUSTRIA. Mukhang wala dito?

THE PRESIDING OFFICER. Okay. Ang iyano kasi, 'yon pagka-create ng executive director, nagkaroon kami dyan ng ano, ng informal technical working group. 'Yon office, actually 'yon office as regards the creation of an executive director position, ngayon, iniano namin na kung puwedeng ilagay na lang yan doon sa IRR, because 'yon na nga 'yong ginawa ni, 'yon sinabi ng DBM na actually ayaw nila ng office, tapos dagdagan pa namin ng executive, 'yong mga positions na. So, siguro baka puwedeng ilagay na lang 'yon sa ano, sa IRR. Anyway, 'yon sa version kasi namin na 1476, wala kaming IRR. So, ngayon, nag-create na ng... magkakaroon na ng IRR, which

will be crafted by the Commission because we mandated that they will be appointed sixty (60) days immediately after the effectivity of this law, of this Act, para within sixty days magka-come-up na sila ng rules and resolutions. So, baka puwedeng ilagay na lang doon para 'yon concern ng DBM, na hindi, the structural, hindi na ano. Anyway, puwede naman 'yon gagawin ng Commission, they are mandated to do so. So, 'yon 'yon ginawa.

Datu Rais.

MR. RAIS. I was also reading this draft bill, and I also noticed the position of executive director is not here ano. I think it was Atty. Chan of the Office of Northern Cultural Communities who suggested that during the April 8 meeting in the Senate. And I think, that position is also very important. If we look at the composition of the COMELEC, they have an executive director, and the other Commissions. So, I think, if the COMELEC has an executive director, why not the Commission on Indigenouous Peoples be given also that position. What is the difference?

Thank you.

THE PRESIDING OFFICER. Okay. Actually, hindi naman po namin dine-disregard 'yon pag-create. We just not, we were not going to put it here, kasi 'yon concern nga ng DBM, na magke-create 'ka ng maraming offices, because of the reorganization effort of the government. Anyway, hindi naman po sinasabi na hindi sila puwedeng mag-gawa ng position ng executive director, because it will be created if the Commission so choose. Kasi, sila, kung minsan naman, they will have an implementing rules and regulations, ilalagay nila na mag-aano sila doon ng ano, that's approval pa rin ng DBM.

MR. RAIS. In other words that will be implemented

by the commission through the plantilla of personnel?

THE PRESIDING OFFICER. Yes, Sir.

MR. RAIS. Thank you.

THE PRESIDING OFFICER. Yes, Atty. Rosales.

MR. ROSALES. I doubt very much if the position of executive director can be created by a mere implementing rules and regulations, which should be in the... and it become itself the case of the office. It is highly doubtful if that will be authorized by the ano. It can never be created by a mere implementing rules and regulations. The office should be created by the law itself.

THE PRESIDING OFFICER. 'Yon na nga po, kasi, may mga lawyer ba tayo dito? Yes, Datu Sulang.

MR. SULANG. Puwede siguro na ano, magkaroon tayo ng research for those other commissions na, kung 'yon pag-create ng commission, immediately nandoon na 'yong executive director, or after or during implementation of rules and regulation na ba, Puwede sigurong i-research natin doon sa ibang mga....

THE PRESIDING OFFICER. Okay, thank you, Datu Sulang, for that suggestion. Siguro nga tama 'yon ano, i-research kung doon sa pag-create ng COMELEC, meron na talagang nakalagay na executive director. Nasa Constitution 'yon eh, hindi naman nakalagay na, nandoon ba? May executive director doon sa ano, na ike-create?

MR. SULANG. Constitution is a general law. Now, under the Constitution, there is... I don't know, Republic Act creating Commission on Elections. Nandoon na 'yon, like this example.

So, ang punto ko, based on the creation of the other commissions, 'yong existing commissions, puwedeng i-research natin doon sa mandate nila, na-indicate na ba 'yon executive director, o doon na ba ginawa sa IRR,

ganoon. Parang a sort of research.

Now, in the event na it necessarily be indicated in this bill na meron talaga yan, then we will put it.

THE PRESIDING OFFICER. Okay, thank you, Datu Sulang. Joey?

MR. AUSTRIA. I think, it is necessary ilagay na rin sa law, kasi baka in the end, balikan tayo ng DBM. Wala yan sa law, ba't tayo gagawa, di ba? Kasi talagang new position, new money yan.

THE PRESIDING OFFICER. Tingnan natin yan concern, Joey. Tapos, 'yon na nga, siguro tama nga 'yon sabi nila Datu Sulang na i-research like the Presidential Commission on Good Government, mga iba ibang commissions na ganyan, kung nag-create na talaga 'yon executive director, or like, kasi parang personnel, parang ano yan eh, like meron naman dito, office of different offices, ganyan, hindi naman natin sinabi kung may executive director na yan. Pero most probably, meron na yan, di ba? Grace?

MS. CHAVEZ. My suggestion na.....



COMMITTEE ON CULTURAL COMMUNITIES
(TECHNICAL WORKING GROUP)

DFerum I-2 July 30, 1996 2:54 p.m. 1

MS. CHAVEZ. ... May suggestion na--kasi dito sa--siguro my only suggestion is that we could add another section after the--asan na ba yun--Section 53--53 ba yun? Nawawala na ako.

THE PRESIDING OFFICER. Mga offices?

MS. CHAVEZ. Saan--teka, nawawala yung--nasaan na ba yun? Kasi dito siguro after--before Section 53 baka we could add another section na sasabihin lang na the NCIP shall determine the staffing pattern of the whole NCIP structures. So, after yun puwede ng pumasok tayo dito sa offices. Kasi once na NCIP will determine the staffing pattern, it carries na pati iyong Executive Director position kasama na duon.

THE PRESIDING OFFICER. May suggestion ang staff ni Senator Mercado na isama daw duon sa staff--eh du'n sa function ng Commission yung staffing--pag create ng staffing pattern. I think it's attendant eh na the Commission will ano, hindi ba?

MS. CHAVEZ. Yeah, uhmm. Basta clearly nakalagay na lang du'n.

THE PRESIDING OFFICER. Okay, sige...

MS. CHAVEZ. Katulad dito sa Regional Offices may nakalagay eh, on Section 54, Regional and Field offices shall be created wherever appropriate and the staffing pattern thereof shall be determined by the NCIP. So hindi mo na kailangan ilagay na mag-create pa tayo ng regional directors or whatever katulad rin ng Executive Director.

THE PRESIDING OFFICER. O, sige tignan

COMMITTEE ON CULTURAL COMMUNITIES
(TECHNICAL WORKING GROUP)

DFErum I-2 July 30, 1996 2:54 p.m. 2

siguro--tingnan natin yun at pag-aralan natin mabuti ano Grace?

Thank you for the input.

MS. DAMASO. Excuse me. What was your formulation again, Grace?

MS. CHAVEZ. Maybe before Section 53, baka we could just add another section stating that NCIP shall determine the staffing pattern of the entire NCIP structure before going into the ayung ano ng different offices o bahala na kung papaano n'yo gagawin pero siguro kailangan lang ng ganu'n. Kasi dito sa regional and field offices Section 54 nakalagay iyong staffing pattern or not puwede ng tanggalin ito basta as long as mayroon isang general ano provision na nakalagay na yung staffing pattern will be determined by the ano of the entire NCIP structure.

THE PRESIDING OFFICER. Okay, sige titignan din natin iyong virtue nu'ng ano ni staff ni Senator Mercado na du'n siya sa powers and functions of the Commission baka mas appropriate daw du'n sabi ni Mike.

MS. CHAVEZ. Okay, thanks.

THE PRESIDING OFFICER. And Bing as regards sa scholarship baka mayroon kayong input. Kasi we noted that du'n sa aming pag-alis nu'ng mga specific functions of various offices, hindi namin naipasok. Although it's one of the functions--ah, the rights of the IPs na magkaroon ng education and scholarship na gan-yan, we noted na hindi pala namin naipasok specifically yung concern na dapat eh mayroong representative sa

COMMITTEE ON CULTURAL COMMUNITIES
(TECHNICAL WORKING GROUP)

DFerum I-2 July 30, 1996 2:54 p.m. 3

DECS na mag-i-implement nu'ng scholarship program. So, with my discussion kay Mike, previously, na mention na baka puwede ring isama sa function ng Commission iyong pag-coordinate and supervise of education and scholarship programs of DECS. Tapos magkakaroon pa rin ng representative coming from the IPs or from the Commission na mag-o-oversee duon sa implementation in order that the various programs for the IPs will be received by them by the recipients, the IPs. So ano yung siguro kung ano yung--Datu Sulang, ano yung position?

MR. SULANG. To me iyong sinabi mo yun na yun, eh. Iyon na yun, eh. Kasi kung--during our previous committee hearing iyong sinabi ni--yung point ni Senator Flavier na pabayaan natin yung funds ng scholarship yung educational ano natin sa IP. Pero dapat magkaroon tayo ng control duon so that the program will be directly benefitted by IPs ganu'n. So iyong sinasabi mo yun na yun, eh.

MR. DAMASO. I think Didith the approach is actually joint administration of the fund. Last time, you were discussing about entering into a MOA, the Commission to enter into a MOA with CHED in order to--well, dispense the functions. But I think you are right in saying that it should be noted here as part of the function that such an approach towards the scholarship would be registered here, 'no. I don't think it should be included in that of--in Section 53 in the enumeration of function.

THE PRESIDING OFFICER. Okay, thank you, Miss

COMMITTEE ON CULTURAL COMMUNITIES
(TECHNICAL WORKING GROUP)

DFerum I-2 July 30, 1996 2:54 p.m.

4

Damaso for that confirmation and for the input, for the agreement actually.

Mayroong sasabihin si Tiara from the Office of Senator Mercado as regards du'n sa creation yung offices as Executive Director's office.

MS. FONTANILLA. According to our lawyers, sabi niya, it's inherent pa man daw na dapat mag-create nu'ng ano pero sabi niya para daw to facilitate iyong sa council dapat expressly provided daw sa ano as one of the functions.

Could I comment on Section 53 on the offices? Iyong Office on Policy Planning, Research, Culture and Education, I think, we should separate yung culture and education kasi it's a different thing, eh. Baka ma--kasi iyong--when you say policy, planning and research, dapat policies lang talaga. When you say culture and education, I think it means a different thing already.

MS. DAMASO. Ah...

THE PRESIDING OFFICER. Bing.

MS. DAMASO. That would be the seventh program office. Okay, we have no objections as long as the amplification of the IP rights would be really expressly stated here.

THE PRESIDING OFFICER. Duon sa input ni Tiara, actually, in one of our discussions siguro mamaya isususugan ito nina Atty. Dunoan at saka Atty. De Guzman who really drafted--one of the drafters of this bill, the 1476, eh, because one of the rights kasi is

COMMITTEE ON CULTURAL COMMUNITIES
(TECHNICAL WORKING GROUP)

DFerum I-2 July 30, 1996 2:54 p.m. 5

based on the rights. So iyong Social Justice and Human Rights nakasama duon iyong basic services like education--education for the youth, for the women, for iyong ganu'n elderly and all. So isinama siya duon parang isang whole aspeto ng bill yung social justice and human rights which included education and scholarship. So kaya nag-create ng isang office para duon sa implementation nu'ng rights na na-indicate sa social justice and human rights.

MS. FONTANILLA. I'm not saying na tanggalin iyong culture and education. Gusto ko lang i-segregate such that iyong focus on culture and education at saka iyong focus on policies and planning magse-separate yun para more focus on both aspects, something like that.

THE PRESIDING OFFICER. Okay, Florence. Thank you Tiara.

MS. UMAMING. I think I would agree also that we should separate cultural education and make sure that the rights as stated in the earlier provision would be and here--would really be affirmed by the office and maybe this is also the office where we can include yung ano sa scholarships and part of the office responsibility, Office of Culture and Education, kasi ang lumabas sa consultations and even in the yung Committee hearing yung basic concern na karamihan iyong mga ano yung mga--yun nga maaring maisasama din sa IRR but I think I would still think na mai-mention dito yung concern for the scholarships and even if it's done through a MOA or something baka sa IRR yun. Pero

COMMITTEE ON CULTURAL COMMUNITIES
(TECHNICAL WORKING GROUP)

DFERum I-2 July 30, 1996 2:54 p.m. 6

ma-i-spell out na talagang bantayan n'ya iyong
scholarship program even if DECS will ano will manage
that--kasi ang major concern is actually to make sure
that the recipient or beneficiaries of the scholarship
programs are truly IP ano.

THE PRESIDING OFFICER. Thank you, Miss
Umaming.../dfe



Senate Archives (LRAS)

THE PRESIDING OFFICER. ... Thank you, Miss Umaming.

Sige, pag-aralan natin 'yong punto na 'yon. But we are not actually against it -- against the idea. Actually, we are also concerned as regards such. Ang problema lang natin 'yong DBM. Kasi hindi ba umpisa pa lang sabi nila na ayaw nga nila nang mga 'yong offices -- specific offices. So, as a compromise nga 'yon inalis na lang natin 'yong specific functions pero ki-create pa rin natin 'yong various offices. Pero titignan natin 'yong kung ano ba talaga 'yong tama, pag-aralan natin ulit. And maybe, we can ask DBM to sit down with us para ma-address 'yong concern na 'yon.

MS. UMAMING. Well, I think, this is one of my personal opinions as an IP ang -- coming from the IP group ang concern ko talaga is 'yong ancestral domain.

On the other hand, we are still concerned that will receive our entitlements as far as education and all the sorts of things. And there were discussions even at the drafting na kung puwede -- kung papaano i-word na -- it's not necessarily the NCP actually implementing this programs. We do not like to see an NCP which will be implementing medical missions in that sorts of things and not actually addressing the real issue of our rights to our ancestral domains. 'Yan ang talagang very major concerns so if we can -- ano

'yong offices kasi ang isang ano diyan is to -- ang idea actually ng offices na 'yan is to make sure that government line agencies deliver the services that we are entitled to. 'Yong ang talagang basic premise 'yan.

THE PRESIDING OFFICER. Siguro 'yong di ba sinabi natin na puwedeng ilagay natin na function noong Commission 'yong pag coordinate and supervise nang education and scholarship programs of DECS, ilagay natin doon. And then they will -- sila na lang 'yong mag-farm out kung saan niya ilalagay. Anyway, it's mandated naman na ano --although 'yung concern ni Tiara na kailangan may tututok talaga, siguro baka puwede nang tutukan ng 'yong Commission as a whole. And then ilagay niya since inilagay din naman natin na nakalagay dito 'yong social justice. What's this? 'Yong office on policy planning, research, culture and education. Kasi, tingin ko kasi education and culture at saka 'yon policy, dapat iisa lang 'yan. Iisa lang dapat 'yong tatahain noong policy mo. Policy mo sa education at saka sa culture.

MS. UMAMING. Debatable.

GROUP RESPONSE. Hindi.

THE PRESIDING OFFICER. (Laughter) Okay, sige. Nakikita ko lahat umiiling. O, sige, pag-aralan natin, sige.

MR. MANALIGOD. Hindi, siguro, Didith. Didith, siguro, in addition, the concerns naman are valid. For one lang is, what makes it only more important is

that it will be in conformity with the usual laws that calls for creation of the offices. Like, for example, every agency and every department and every government office has its own policy planning and has its own special office on research and education. I think that's also the idea there.

MR. MERCADO. I am not agreeing with the DBM's proposal to remove the offices. But looking at it also differently, perhaps, that's also the point the danger in making exclusive enumeration because we might be limited by what has been enumerated. So, but -- ang ano ko nga is, ang question ko is, if we, for example, failed to mention a certain office in this enumeration, would it preclude the Commission from creating it? Like, halimbawa, hindi mo na-mention ito then in the future you see that kailangan pala ang bureau na ito. Would it preclude the Commission from 'yon? So, that's also -- because though I don't like the idea of DBM, that's probably the reason also what -- that's why we should not be also very ano ang limitation on enumeration.

MR. MANALIGOD. Siguro, in addition doon sa comment ni Mike, the DBM kasi is more inclined with 'yong pag streamline noong existing agencies and in the bureaucracy. Now, on the question of creating new offices nga, definitely what is -- has been mentioned kanina, what is excluded is not included definitely. Although kahit sabihin natin na there is a provision there that it states that there will be a need for an

implementing rules and regulations on the aspect of the newly created office, but it is always based on the expressed provisions of the law.

THE PRESIDING OFFICER. Tiara.

MS. FONTANILLA. Could I make some suggestion? Probably what -- I don't know if this is a very good idea para -- but why not we delete Section 53, then we insert among the powers that the Commission has the power to create offices and its own staffing patterns to address some different issues which you would like to -- but not limited to something like -- then enumerate all your concerns. Most probably that's the most feasible. I don't know if that is legally possible or not.

THE PRESIDING OFFICER. Actually ganoon nga 'yong sinabi ng DBM. Oo, hindi mo ilagay siya as an office pero ilagay mo siya as a function of the Commission. Pero itatanong ko sa mga IPs kung ganoon ba ang gusto.

Datu Sulang.

MR. SULANG. Actually, ano eh -- totoo 'yong it should be expressly mentioned in the law. So, para sa akin nakikita ko rin ito. Actually, hindi ako nagbabasa dahil ang pinag-basehan ko kasi 'yon series of consultations 'yong ano. Kaya parang, I thought, memorize ko na 'yong ano -- pero dito sa comment dito sa ano -- 'yong pinagsama 'yong dalawang office or offices 'yong office on policy planning, research, culture and education, kung titignan natin 'yong existing offices ngayon 'yong OSCC and ONCC mayroon

tribal -- mayroon silang 'yong Bureau of Cultural Affairs. 'Yong function ng Bureau of Tribal Affairs is entirely different from the policy planning. Because plus policy planning is the wholistic bureau that could plan out the office 'yong mga functions. While 'yong research specifically on the research, ganoon. So, probably, kung pagsamahin nga natin ito baka ma-defeat 'yong isang purpose 'yong research, ganoon. Kasi may power doon sa planning kasi 'yon talaga ang kailangan sa office. So, siguro, whatever language that we will use, so long as na hindi mawala 'yong itong intention nang mga -- 'yong output natin itong office on policy planning, research, culture and education. Pero, kung sasabihin natin why not to say it na the Commission has the power -- has the function to do this, to do that, pagdating sa punto, we need to ask the DBM for approval. Another effort na naman natin. So what kung sabihin ng DBM, "Hindi muna natin gawin 'yon kasi doon muna tayo -- tutukan muna natin 'yong provision sa batas." So kailangan natin, in the first place, kailangan i-foresee na natin 'yong mga loopholes na mangyayari.

Kaya para sa akin, if possible, we will separate this provision into two provisions. Maybe Section 53, paragraph b, magkaroon tayo ng paragraph c, ganoon. And, i-adjust natin, ganoon. Parang ganoon siguro. Now, balikan natin 'yong -- so parang ganoon 'yong punto ko. Kasi kung malabo 'yong pagkaka-mention natin, baka sabihin ng DBM, "Naku, wala tayong pondo,

wala tayong pera." Parang ganoon. So, another lobbying, another pakikiusap sa DBM. Parang ganoon. Kasi nangyari 'yon sa office natin. 'Yong existing offices ngayon sa OSCC, ONCC, if ever na magkaroon nang expansion of the offices. We use to ask the DBM to approve pero ayaw ng DBM. Sabi ng DBM, "Wala tayong funds." While kung nandito na ito, maybe the DBM cannot skip. Oo, except to approve.

THE PRESIDING OFFICER. Okay, thank you Datu Sulang.

Atty. Rosales.

MR. ROSALES. We also have a sad experience with the DBM.../snt



MR. ROSALES. ... with the DBM. We, in the Commission on Human Rights, we recommended for the upgrading of our regional field officers to regional directors. It was turned down by the DBM.

THE PRESIDING OFFICER. So, actually, 'di ba if you note, kaninang umpisa pa lang ay minensiyon (mention) namin na we did not accede to DBM's proposal na alisin 'yong specific offices because of the concern na nakalagay doon sa -- para ma-implement 'yong various rights na na-indicate doon sa bill. 'Yon nga lang 'yong ina-ano ko ho kanina na pag magkri-create pa tayo ng isang office, baka mas lalong magalit or something like that.

Anyway, we will consider that kasi titingnan natin 'yong ano.

We would like to acknowledge the presence of Attorney Donuan from the Cordilleras People's Forum.

Ma'am, we actually -- if you want an update, we have already discussed the different highlights of the consolidated version. We consolidated 343, 618, 1476 and 1486 with 1476 as the frame work. So, we inputted various positions and -- yeah, positions of various guests during the previous committee hearings which the Committee on Cultural Communities had conducted.

Mike, may sasabihin ka ba?

MR. MERCADO. Actually, this is just -- we were discussing yesterday, Didith and I, two points. 'Yong -- may provisions kasi rito regarding the primacy of the cultural practices and indigenous practices over

Commission can decide to do it. But as a question of law because even though you don't put it here, the the IPs itself. Well, you don't have to put it in the inherent function, should be planned and inputted by So, what the Commission should do aside from its down who will operate on a day-to-day basis.

with specific plans because hindi dapat tayo maglalagay you think we should mandate the Commission to come up DOH, we have the national health plan. We should -- do whole sector like -- usually, like when we were in the there a need to have a sort of master plan for the subsumed as a particular effort. I asked Didith, is And second, perhaps this first one will be to that effect. I just see the importance.

know -- sabi ni Didith, there have already been efforts them in writing or to compile or anything. I don't should be a conscious effort for the Commission to have just also working on the thought that perhaps, there the assumption that it is going to be legal but I'm question kung legal ba 'to. Hindi. I am working on precedents over some of our laws. I don't want to provision about these particular practices taking think it is critical when we mention in this law conscious effort to make a compilation. Because I codify because that is lawmaking power but to have a written down and I verbalized the need really not to has -- still in the oral stage that it has not been are these practices like -- I know that a lot of these some matters. Ngayon, ang tanong ko kay Didith, what



policy, I was suggesting to Didith if they should be mandated so that the Commission will have no choice but to make a plan every five years and do it after consultation or after inputs so that there would be a vision for whoever will serve in the Commission so that we guard against having officers who will just go there and do their thing everyday without any idea on where they want the community or the sector to go after five years. Then, probably, every after five years, we go back to the people and reassess and we input another plan and make a new one to cover the succeeding years.

So, as I have said, pag hindi nakalagay dito 'yan, it doesn't mean it cannot be done. But as a question of policy, perhaps we should think of mandating the Commission or forcing them to do one. And as I have said, probably the need to compile those particular customs governing the various cultural communities can be part of that continuing effort of the Commission. I don't know how it would be called. In the DOH, we call it national health plan, that we have a period for ten (10) years or five (5) years. So, more or less, may idea na kung ano 'yong gustong puntahan in that short or medium period. That's only a suggestion that we are thinking and we want to find out what's your idea in having one.

MR. RAIZ. You know, when we mention of customs and traditions of the cultural communities, we have been practising that since time immemorial. It should not be embodied anymore on a certain planning or whatever,

proposal because we are doing that. We, the members of the cultural communities, are really practising our customs and traditions. So, no need of putting that into writing. Unless there are certain group of people who will be asking us what are the different traditions and customs of the indigenous people, then we can tell them. I think there is no problem regarding that.

MR. MERCADO. Actually, hindi naman po 'yong -- well, actually, the plan or the supposed to be whole idea about the sector is a different thing from compiling it. I am just saying that perhaps the compilation can only be a part of the plan but even though the plan itself can go on without an effort to compile these particular customs. When I said the plan, it's more of what do you want to happen within the particular sector within a particular period of time.

MR. RAIZ. Well, I think if the Commission is already established, then the people running the Commission will implement that if that is necessary.

MR. MERCADO. That's -- ayon nga po 'yong sinasabi ko. Is it a -- does it become a question of policy which we want the Commission to do? Because sabi ko nga, kahit wala ho po dito sa law 'yan, if the Commission thinks it's worthwhile, they will do so. If they don't think it is worthwhile, even though we think that it is worthwhile if they don't believe so, they will not do it also.

MR. RAIZ. Because in the present composition now

of the ONCC and the OSCC, the customs and traditions are already being practised. No question about that.

MR. MERCADO. Sir, it's over and above the custom and tradition. What I'm trying to point out is, it's the whole plan for the sector. Two issues po bale ang sinabi ko. Number one is regarding the need to put it down because we talked about conflict of rights here ...

THE PRESIDING OFFICER. ...with the non-IPs.

MR.. MERCADO.. With non-IPs possibly which would happen. It would be easy if the conflict could be between IPs of the same group. So it would be easier to resolve. But paano po 'yong if there would be a conflict between an IP and a non-IP?

MR. RAIZ. Non-IP.

MR. MERCADO. Because the assumption nga -- oo, 'yong sa Civil Law Relations, may mga conflicts po na possible na mangyari. So, actually, sabi ko nga, maybe we can do away with it. That's one issue.

'Yong second issue po na nire-raise ko is, which is separate and distinct from the customs and traditions that we are talking about is a plan for the whole -- for the sector. Kasi, I don't know about the present setup but I have the feeling that in a lot of government offices, when we appoint people, the number one thing that is being done is how to run the Commission on a day-to-day basis. And since we have a lot of political appointees, well, my boss before was also a political appointee. More often than not in the

government, they would just think, ano 'yong gagawin ko bukas but not within the period of five years. And you need the pro-active people to be able to project, and ba dapat ang pupuntahan ng sector within five years.

So, it so happened that Senator Flavier, when he was at the Department was pro-active, we made a plan, a national health plan. Ang problema, pag hindi na mandated 'yon ng batas, may umupo, he can do away with it already. But if you mandate them to make a plan, then they have to follow the plan which they have to develop with the people also.

THE PRESIDING OFFICER. Joey and then Attorney Donuan.

MR. AUSTRIA. 'Yong point ni Mike . . . /arg



MR. AUSTRIA. 'Yong point ni Mike is very meritorious, 'yon dapat, Dahil unang-una, the IPs should, themselves, should show to the other sectors kung ano ba 'yon rule nasa society. Anong maging contribution ng national domains issue, national economy sa peace process. So, we should make a plan kung ano talaga... within this year, anong ma-achieve natin, within another two years, ano ang ma-achieve, ano ang dapat gawin natin. So, 'yon ang comment ko doon, so, dapat lang meron plano.

Pangalawa, doon sa issue ng ano, question noon na the customary laws and practices, ano. Tama ang sinabi rito na mangingibabaw 'yon customary laws and practices, pero alin sa mga 'yon. So, we suggested in Section 67, another sentence should be added. Nakalagay dyan eh, okay, after the word "dispute", period. "To this end, the NCIP shall endeavor to compile the customary laws and practices of each ICC or IP." Ganoon lang, compilation lang, not complication.

MS. DAMASO. Excuse me, relevant to that, because we are joint.

THE PRESIDING OFFICER. Miss Damaso.

MS. DAMASO. Let's go back to that discussion on the creation of a separate office on planning and policy, and research.

I think, it's more germane to mention those points that Mike has enunciated earlier -- that this be the primary functions on that office. And the Medium Term Development Plan, if it's so-called, could be one of the well, vital programs that it should undertake, plus continuing documentation of customary law and other usage, 'no, for complete mediation or resolution which would be derived from the culture base of the IPs.

'Yon lang. Joey, if you are amendable to putting

that under the Office on Policy, Planning and Research, and to make sure that these products of research and documentation would be properly utilized.

THE PRESIDING OFFICER. Okay, nag-agree na si Joey doon sa proposal ni Miss Damaso.

Atty. Donuan.

MS. DONUAN. I just like to make few comments.

First, it's true as my fellow cultural community members have pointed out that since time immemorial, the different cultural communities all over the country have their distinct and separate customs and traditions, custom law if you wish. And this need not be written down or codify because the people, themselves, what their laws are, what their traditions are. But this should not close the door to any group which would like to put these customs and traditions into writing or to sort of document them.

The second point is on the proposal to involve the IPs in the formulation of a master's plan. I think, that somewhere in the provisions, if I am not mistaken, somewhere along the right to self-governance or empowerment, there is a provision to the effect that the IPs should be represented as a sector in all levels of decision-making, policy making and planning. So, perhaps to reinforce that provision, we can adopt the proposal of Joey and Bing also, as regards the formulation of various terms of plan-making under the bureau or office on policy making, education, information, research, and so forth. But at the same time, it might be very good to add to the powers and functions of the NCIP, the power to convene periodic conventions or assemblies of IPs, precisely for them to review, assess, as well as proposed policies or plans. This would become mandatory, and it would not

just be at the will of the NICP commissioners to conduct and enact.

THE PRESIDING OFFICER. Yeah, I think, it's already part of the powers and functions of the commission. Section 51(b), "to review and assist the conditions of ICCs, IPs, including laws and policies pertinent thereto." Pero, siguro specify natin.....

MS. DONUAN. But this is the power of the members of the commission as a whole. Now, we are envisioning for the people themselves, come in as active participants.

What we are envisioning here in Section (b), I mean paragraph (b) of Section 51, is that, it is the NCIP which reviews and assess that probably we need to add that members of the IPs, themselves, have to participate in that process of reviewing and assessing.

THE PRESIDING OFFICER. Actually, our vision of course of the commission, is for the IPs themselves, to man it. So, maybe they will be involved already in the assessment and the final formulation of policies. 'Yon siguro, specify nga natin as what Mike is mentioning, na at what level? Paano ba 'yon?

MR. MERCADO. Kasi 'yon suggestion ko na five year, for example, mandatory creation of the plan that would undergo a process in such a way that every five years, this commission should go back to the IPs and ask, and assess, and ask what do to next.

So, as Atty. Donuan said, we don't just give them the power. We should compel them to go to the people every five years, hindi 'yon discretionary on the part of the commission, for example, na if they feel that they want to go, then saka lang sila pupunta for the planning.

Kasi, it's easy to empower, but how about if you

give them a periodic period so that they will go for a consultation. I don't know whether you want it every month, or every year, or every five years. But the point as Doctora Donuan, ay Atty. Donuan, which I agree is, it should be periodic in nature. I just don't know how you would want to define periodic.

THE PRESIDING OFFICER. Maybe we will just rephrase, 'yon doon po sa function ng commission. And then, meron doon kaninang nakalagay sa Section 53, paragraph (b), 'yon.....

Ah yes, Miss Donuan.

MS. DONUAN. Suggestion. By the way, input lang ano. At present, 'yong DENR under the SRA program, conduct some sort of a sectoral forum with the IPs, and they do that quarterly. I don't know whether it is feasible to have it that often, but a similar process like that where you convene representatives of the different ICCs coming together.....

THE PRESIDING OFFICER. Ah 'yon, sigue po, we will.....

MS. DONUAN. Parang consultative ano...

THE PRESIDING OFFICER. We will input that. We acknowledge Senator Enrile's representative, and she has a question to me. 'Yon sa comment daw.

MS. ALIPON. It will just be one plan for the entire sector?

MR. MERCADO. Actually, I really don't know. I am more concern of the going back to the people. It's like... I really can not say whether it's for the whole sector, or you subdivide it according to certain cultural group. I really cannot tell what will the plan, or if you want to call it a plan look like. What I am interested or what I envisioned is, there would be a

periodic time for the commissioners or the commission as a body to go to the people at a certain period, whether, I don't know, yearly or monthly so that they would really be giving inputs on the plan for the whole sector.

Senate Archives (LRAS)



COMMITTEE ON CULTURAL COMMUNITIES
(TECHNICAL WORKING GROUP)

DFErum I-3 July 31, 1996 3:34 p.m. 1

MR. MERCADO. ...on the plan for the whole sector. I really don't know whether how it would be devised but it would depend on--it's more of the process, eh. I'm more concerned about the process eh of going back to the people.

MS. ALIPON. I'm just thinking there are at least a thousand tribal groups and so to formulate--well, because I also--I'm researching into it and there...

THE PRESIDING OFFICER. When?

MS. ALIPON. According to my research and my resources, there are at least a thousand and 16 million, so 16 million people, tribal people...

THE PRESIDING OFFICER. Ten to twelve thousand. Anyway...

MS. ALIPON. Anyway, my resources kasi are people who worked in the field. So, I don't know how accurate that is. I take their word for it since they've been there, I haven't. So, if let's say, there are only a hundred, I mean a hundred still a hundred, so it might not be feasible to formulate just one plan because these are groups of different cultures and different practices and customs, so you would have, I would think to make it more prudent, you would have to formulate one plan for each that would approximate or at least take into consideration their ideology. And I think that's why sometimes are national plan does not coordinate well with them. Because we have a different framework and they have a different framework, so instead of giving them the input might as well get it

COMMITTEE ON CULTURAL COMMUNITIES
(TECHNICAL WORKING GROUP)

DFErum I-3 July 31, 1996 3:34 p.m.

2

from them.

THE PRESIDING OFFICER. Ah, Tony.

MR. ABUSO. Siguro ang ibabahagi ko para duon sa naintindihan kong mga suggestions parang isa magkaroon parang additional provision duon sa mga functions ng Commission na kung saan magko-convene sila ng mga representatives ng indigenous peoples na periodic yun either once a year or twice a year o kaya sa national at saka sa regional na kung saan duon ilalabas yung mga kung ano man iyong gustong mangyari nung mga indigenous peoples. So parang isang particular na provision na idadagdag du'n sa mga functions ng Commission na magko-convene sila ng mga indigenous peoples representatives na nagrerepresenta at mga tunay na mga peoples organizations sa different lugar ng bansa either sa region or du'n sa national.

So yun lang.

THE PRESIDING OFFICER. Iyun siguro--okay. Tungkol du'n sa aspect du'n sa periodic convention or consultation, do you have any suggestion as to how long or ilalagay or how often o ilalagay na lang natin sa IRR kung ano basta imandate na lang natin na magkaroon ng periodic? And then we will put in the IRR kung every so often--okay. Okay, there is an agreement.

MR. SULANG. Puwede Edith.

THE PRESIDING OFFICER. Oh, yes, Datu Sulang.

MR. SULANG. Gusto ko lang balikan iyong customary laws. Kasi most of the religious people in South ipina-practice talaga iyong customs and traditions. In

COMMITTEE ON CULTURAL COMMUNITIES
(TECHNICAL WORKING GROUP)

DFerum I-3 July 31, 1996 3:34 p.m. 3

fact, sa amin hanggang ngayon life, life yun. Pero, sometimes we cannot deny the fact na we are a government of laws, di ba? Kasi may--one time kasi na there were more than 100 children of indigenous people na hindi tatanggapin sa school sa elementary. In the first place, wala silang live birth registration. Kasi iyon ang customs and traditions natin. And we argue that before the principal pero walang nangyari sa amin because according to them mayroon tayong batas ngayon ganu'n. So, we were forced to register that children in the local civil registrar. And another point, mayroon din nangyari na kasi sa amin, age doesn't matter when it comes of marriage activities. Mayroon puwedeng mag-asawa sa amin iyong 10, 12 up, legal iyon sa amin. But in the regional laws, at least 18 di ba? 18 ganuon. So nangyari sa amin mayroong foreigner na kapag umasawa sa amin, it happened na yung babae 17 years old. So through affidavit executed by the solemnizing officer sa tribo namin, we thought legal na iyon. Pero pagdating du'n sa civil--Local Civil Registrar dine-disregard yun. And in fact, nuong dumating sa U.S. Embassy nagalit pa nga iyong foreigner. Sabi nila, "Ano bang nangyari dito, sabi nu'ng mga indigenous people may force and effect iyong customary laws nila. Bakit ito hindi tatanggapin ng U.S. Embassy?"

So ganu'n iyong mga makes--sad experience natin. So maybe through that study research of our customs and traditions or practices, we could possibly look iyong how to make that or to codify. Like for example, in

COMMITTEE ON CULTURAL COMMUNITIES
(TECHNICAL WORKING GROUP)

DFerum I-3 July 31, 1996 3:34 p.m. 4

the muslim community, sila mayroon silang Shari'a di ba? Allowed sila, eh. Oo, allowed sila no matter kung ano recognize iyong ano nila. Pero, the indigen- nous people iyong 100 tribes, wala. Hanggang sabi lang natin na, "This is our customs and traditions". Pero pagdating sa legal battle, we're always defeated. Parang ganu'n iyon. So, mas importante rin o impor- tante rin iyong sinasabi natin na research and study, compile it if possible then study it kung puwede bang applicable in the whole community. When we say whole community, it includes iyong mga migrants. Like for example in our case, we cannot say na intact kami sa isang community. Deog Raiz is a living witness of ours, nakapunta siya. Mayroon mga non-indigenous people du'n marami sila and yet, through our--through the leadership of our former Datu, these non-indigenous peoples were able to follow, obey our customs and traditions. Pero, hindi tuloy-tuloy iyon. Depend- e iyon sa leadership. Kaya mas importante pa rin iyong expressly mentioned in the law, parang ganuon. Then iyon ang input ko. Para at least ma open iyong ano natin. That's why I am with the idea of Atty. Duncan that we should not close the door from other people to really research our customs and traditions.

THE PRESIDING OFFICER. You were mentioning iyong other groups. What about the Commission? Should they be mandated to do the research and to, you know, to compile such laws. Kasi iyong nakikita ko duon sa idea ni Mike is, like for example, kung may conflict iyong

COMMITTEE ON CULTURAL COMMUNITIES
(TECHNICAL WORKING GROUP)

DFErum I-3 July 31, 1996 3:34 p.m. 5

IPs and non-IPs, paano mo sasabihin, although sasabihin natin na yung customary law nga yung nag-go-govern, pero paano natin ipro-prove--although we have to recognize na mayroon ngang ganuong mga problema. Sabihin natin it's an oral practice, it's an oral customary law pero mas maganda siguro kung iyon na nga kung i-compile mo tapos eto ganito iyon. So mayroon na tayong pang...

MR. MERCADO. For example po on practical ground, I think ang power is lodged with the Commission which is collective in nature iyong mga adjudicatory power. Assuming not all of them would belong to one tribe, they would come from different sector, so--assuming that I am not part of that particular group. I know that it is being practiced and it's not written down, so I have to make decision also as a part of that Commission--as a Commissioner based on something, so I also have to acquaint myself on the practices of other groups because that is part of the power of the Commission to adjudicate. For practical purposes, that is practical purposes only, how would I know.../dfe



MR. MERCADO. ... how would I know the practices of the particular groupings, which I am supposed to adjudicate, assuming that we only have 113 tribes or groupings and we have five commissioners. Those other five or those other commissioners who are not aware of that particular practice, to what will they depend their judgement on. So, there is also a need for this five commissioners to be familiar with the practice of other groups because they will make decisions also.

MS. DAMASO. Yeah, Mike, I think, your point is to compile, meaning to document.

MR. MERCADO. Document only, hindi ho isasa-batas.

MS. DAMASO. But not to codify. It's a different ball game actually to codify.

MR. MERCADO. Actually, kaya ko ginamit ko 'yong term, nag-usap kami ni Didith, sabi ko, "It's compile only." Because, it's beyond the power of this Commission to make codifications. But 'yong point kanina ni Datu Sulang is actually going a step further. Kunwari, like sa Muslims, bakit nare-recognize na 'yong three marriages. Because there is four marriages because they have specific law for that. If we will not compile it, mahihirapan tayong ma-attain 'yong level na 'yon na sana mas maganda kung 'yong all practices, for example, on marriage sa iba't ibang tribes ma-recognize na rin ng law. Pero if we will not document the practices, hindi natin maa-attain 'yong level na 'yon. Kaya mas maganda kung mayroon tayong documentation that when legislators, if and when they

decide to make it a law, mayroon na silang existing na gagamitin. It's not because you are not doing it that it is a fake practice. But with the end view na para mabigyan nang equal footing. Bakit 'yong mga Muslims lang? Because they have a well documented practices.

THE PRESIDING OFFICER. Si Grace muna and then Miss Umaming.

MS. CHAVEZ. Couldn't NCIP hire or form a consultative body from which each tribe will be represented by a co-tribal consultant aside from the documentation of the customary laws? Puwede ba 'yon ganoon? Kasi kahit na may documentation...

THE PRESIDING OFFICER. Baka puwede nang isama sa IRR, implementing rules and regulations 'yong mga tribal, tribal consultancy.

MS. CHAVEZ. Sa IRR.

THE PRESIDING OFFICER. Puwede naman na siguro 'yong gawin. Anyway, specifics na 'yon. General lang 'yong functions na ilagay natin.

Miss Umaming.

Mamaya, we would like also to hear the views of the representative of the authors of the various bills.

MS. UMAMING. I think, I tend to agree na kailangan 'yon na ma-document 'yong mga customary laws and practices na 'yan, if we are to recognize, kasi alam namin talaga within our tribe alam namin 'yong mga customary laws 'yan ginagawa na 'yan but it's also important also for our own continuing use kasi kahit sinasabi natin na ano 'yong process nang change nagmo-

move. So, for references as saka 'yong mga -- anong tawag nito -- 'yong for non-IPs na...

THE PRESIDING OFFICER. 'Yong mga nagre-research na ng IPs tungkol sa customary law di mayroon na silang basis.

MS. UMAMING. Oo.

MS. DAMASO. Just input 'no. The Law Center of the University of the Philippines has a major project documenting all the customary laws of major IPs in the Philippines. So that body of work could be made available if only the Law Center would so desire because that has been completed. And, as I was saying, public -- siguro public disclosure 'yon ang kailangan doon.

THE PRESIDING OFFICER. Thank you for that information.

May I ask the representative of Senator Tatad to say something kasi kasama sa integration 'yong bill ninyo?

MS. FRAGO. Yeah, I was asking Ambo nga a while ago kung what -- kung ano 'yong mga -- kung dito sa bill ni Senator Tatad naka-indicate dito sa substitute bill natin. And, he was saying nga na questioning nga raw niya on your part. Now, what I am going to do is, perhaps, siguro is look into this. Titignan ko muna kung talaga ano siya -- kung naka-integrate already.

THE PRESIDING OFFICER. Anyway, I will assure you na 'yong version natin -- 'yong version ninyo at

version namin almost similar.

MS. FRAGO. Well, anyway, we were informed nga, it's similar and it came from one source.

THE PRESIDING OFFICER. So, representative of Senator Mercado.

Ko-consult pa niya sa kaniyang principal.

The representative of Senator Honasan or Senator Drilon. You have something to say?

Reserve your right to object.

Senator Enrile's office. Co-author naman 'yong boss mo.

Atty. Rosales, as regards the input on the human rights aspect of the bill because if you note during the previous hearing, the 11th of June, we asked your office to submit your position. So, I would know it for official -- for purposes of record.

MR. ROSALES. I was instructed by our Chairman to inform this body that our position paper is being consolidated by one commissioner because all of them would like to put their own inputs into the position paper. So, he is asking for at least one week to finish the position paper.

THE PRESIDING OFFICER. Sir, in general po, ano po 'yong ano -- kasi we already gave you more than 15 days which you asked us to do so. And, actually, more than one month na nga. So, ano po ba 'yon ano ninyo -- in general, is the Commission objecting into some portions or ano po?

MR. ROSALES. Essentially, the Commission is in

favor of the passage of the Flavier's bill. We were not aware of the fact that these bills -- the four bills were consolidated. So, we concentrated on the Flavier's bill in the preparation of our position paper. Now, as soon as I come back, I will tell them that that there is now a consolidation version of the bill.

THE PRESIDING OFFICER. Okay, thank you.

Anyway, please note na 'yong framework is the 1476, and of course, 'yong 1486 kasi the same source naman 'yon.

Atty. Cajucom.

MR. CAJUCOM. I just would like to tell the importance of the compilation of the laws, traditions and practices of the cultural minorities. Because if we try to find out, if we try to compel the present laws now, there are so many inconsistent laws or laws detrimental to the rights of the cultural minorities. So, sooner or later, we have to compel these laws in relation to the laws of the State.

Like, for instance, the law on marriages. There is always an inconsistent provision there. While most of the tribal people do not recognize the age limit, like for instance, there is such thing as according to Datu Sulang that 'yong provision na 'yong 18 years of age but according to the Family Code at least...

THE PRESIDING OFFICER. Excuse me, please speak near the microphone for purposes of documentation.

MR. CAJUCOM. So, sooner or later, we have to compare and we have to modify some laws of the State. Like, for instance, the laws on marriages and some other practices. So, I believe that it should be mandated there in the law itself that the Commission, at least, should really try to make a compilation of all the laws of the cultural minorities.

THE PRESIDING OFFICER. Okay, thank you, Atty. Cajucom.

Miss Umaming, mayroon po kayong additional input? Nagre-raise kayo ng hand kanina.

MS. UMAMING. Not anymore.

THE PRESIDING OFFICER. Not anymore.

Okay, yes. Si ano muna - PLLD.

MS. RUIZ. This is not in connection with the bill but this is something to do with whether or not it will be passed in the Session or no. Because as you all know, we have the GAA forthcoming hearings. And the Sessions will definitely concern deliberating on this GAA. So, if you really want to have it passed within this year, I suggest that the Technical Working Group hasten it more than you schedule your meeting.

So, that's all that I could say.

THE PRESIDING OFFICER. Okay, ah ...

MS. RUIZ. Also, I am sorry, Miss Chairperson.

During the.../snt

MS. RUIZ. ... During the LEDAC, the President will emphasize this that it was shown on the -- in the screen, yeah. And it was mentioned in the SONA that the ancestral domain is one of its top priority agenda. So, it's really very important that we have it passed as soon as possible.

THE PRESIDING OFFICER. Anyway, it's the 5th agenda in the Senate, sa Senate, 'yong ancestral domain.

So, okay, 'yon, kailangang madaliin natin. Kanina, nagre-raise si Grace Chavez, tapos si Joey. Ma'am, Ate Bing. Si Grace muna.

MS. CHAVEZ. This has to do with Chapter X. Are we okay with the title as Ancestral Domains Fund or an NCIP Fund or whatever? Okay na ba 'yon? Kasi, if it's an ancestral domain fund, how about the programs on education policies ...

THE PRESIDING OFFICER. We scheduled for the purpose of the financial aspect, the funding, the tax provision. We intended to discuss such in a separate meeting which is actually on August 2, at 10:00 A.M., also in this room.

So, si Joey.

MR. AUSTRIA. It's just a question, ano. Sana, nandito si Ambo, ano.

Supposing, 'di magkaroon ng joint bicameral conference, ano, sa Senate at saka ano. And then, doon sa lumabas na bill, version, na-water down. So the IPs do not want that. Ano ang dapat gawin ng IPs? Kasi,

just like the case of CARP, ano, 'yong CARL, ano. Na-water down pero pumasa pa rin.

THE PRESIDING OFFICER. Gagawin natin. Siguro, iga-guard natin. 'Yon na nga, actually, the Senator, my principal, Senator Flavier, asks your support actually to lobby to all senators para naman hindi na umabot doon sa pag-water down ng bill. Anyway, we already have -- ilan na 'yong co-authors ng bill, eh. So, siguro para ma-guard 'yong fear na iwa-water down pa siya sa floor deliberation, sana magtulungan tayo na mag-lobby and then 'yong mga ganuong ano.

Anyway, we will inform you as to kung kailan siya idi-discuss sa floor para -- kasi, mayroon nuon request si Senator Flavier na kung puede 'yong mga IPs, pupunta sila na naka-costume para -- full force para makita na 'yong bill na ito ay ipinoporsige talaga.

Bing.

MS. DAMASO. Yeah. I appreciated the input of the PLLD representative because I was going to ask the time frame also.

The other thing is, back to the discussion on the positions, 'no, the debate on the Executive Director and other officers. Perhaps, we can add a general clause somewhere which would mandate the Commission to create such other offices as maybe necessary to ano, which is the same act niya.

Also, the point of liberal interpretation, 'no, na all things good that -- I don't know kung na-specify 'yon dito, that interpretation of the ...

THE PRESIDING OFFICER. It's here. Interpretation should be in favor of the IPs.

MS. DAMASO. Kasi, 'yong kuwan natin, eh, full back natin.

THE PRESIDING OFFICER. Nakalagay diyan, naka-indicate diyan. Hindi ko lang alam kung anong specific section but I read it and I put it here.

Yes, go ahead.

MS. DAMASO. Also, from the point of view of our NGO, PO lobby group, we want so much to be advised, 'no, as to the actions that are taking place in the various offices which need to do 'yong documentation like the SRC. Unfortunately, they are not present now, the SRC people. And because within our own means, we can have facilitate this paper pushing, 'no.

So -- and if there is any way by which we could help in terms of completing the staff work, we are willing to do that.

THE PRESIDING OFFICER. Thank you very much. We need that.

Attorney Rosales.

MR. ROSALES. By the way, Didith, is there a counterpart bill in the House, in the Lower House?

THE PRESIDING OFFICER. Okay. For the information of everyone, I think they have House Bill 33. This is already their committee report, 'yong House Bill 33. However, there is an assurance, commitment from Congressman Andolana that the version, the IP Rights Act version or the 1476 will be part of their committee

amendment during the floor deliberation.

So, si Bing, actually kasi, sila 'yong nakipag-usap kay Congressman Andolana.

MS. DAMASO. Yeah, that's a good question. I think the answer lies in that certified bill na version. Because once it will be forwarded to the House, then that would take priority over the other versions that they have there.

Even if a substantial portion of the -- or Senate Bill 1476 is not included in the House version, they would be enjoined to discuss it and also expedite the debates.

THE PRESIDING OFFICER. Okay. So, Joey.

MR. AUSTRIA. This is addressed to PLLQ, ano. The consensus bill is 1476, ano, na-indorse na sa SRC and we are hoping that Secretary Garilao will indorse it to the President.

THE PRESIDING OFFICER. Sabi nila, ipinadala na daw.

MR. AUSTRIA. Okay. Ngayon, with this bill, this is a consolidation, will the law require another memorandum from us because on that original memo, it's 1476 ang subject?

THE PRESIDING OFFICER. Anyway, I talked -- actually, before siguro, I talked to Tess Gorospe, also from PLLQ. Sinabi ko sa kaniya, 'yon na nga 'yong 1476 'yong inindors (indorse) ng DENR, DAR, SRC.

Ngayon, ang sabi niya sa akin, pero 'yong consolidated version na ito daw, pag nai-report na ito,

'yon ang ise-certify ni Presidente. Do, so ganuon

'yon.

So, siguro, mayroon kasing session, ira-wrap up na natin. Attorney Sulang. Datu Sulang.

MR. SULANG. Promoted. Thank you very much for the promotion.

Anyway, ang gusto ko lang ipaabot 'yong mga feelings ng mga IPs. I'm speaking of our federation, Federation of Batik Salog Mundo tribal councils na sana naman, 'yong mga senators na mayroon silang Senate bill version separate from the Senate Bill 1476, sana magkaroon tayo ng consensus dito at joint effort para magkaroon tayo ng -- as early as possible, this bill could be passed into law.

So, ang ano ko, like for example, in the office of Senator Tatad na sana kung mayroon tayong mga ano doon sa mga -- itong consensus, I hope na this will be the real consensus bill na wala namang disagreement. Kasi, kung titingnan natin, matagal na ito, eh. Nahihirapan na 'yong IP. And believe me or not, 'yong mga ibang IP ngayon, nagkakaroon na ng mga tension dahil mayroon na tayong SPCPD. Sabi ng ibang mga tribal leaders, baka naman ma-defeat na ang ancestral domain law because there is already a proposal na OSCC, OMA, affected by the SPCPD area must be merged, parang ganuon. So, 'yon ang mga fear, 'yon ang mga ano natin. So, hopefully, kami, nakikiusap kami sa mga ibang mga authors, co-authors at saka 'yong nag-author ng mga iba't-ibang bill na sana this will be the first step

and this should not be taken into consideration na hanggang dito na 'yong pagsama-sama natin.

I hope there will be continuous companionship discussion about the bill so that there will be an immediate passage of the bill into law.

THE PRESIDING OFFICER. May comment daw 'yong isang author ng bill.

MS. FONTANILLA. I would like to assure the IPs, the representative of the IPs that my principal is very supportive of the concerns of the IPs. . . . /arg



MS. FONTANILLA. of the concerns of the IPs. In fact, we are one of the first to file a bill on the protection of the ancestral domain. So, fear not, kasi, sabi ko lang na I'll study it, kasi ako lang 'yon, it's my first time to handle, kasi the one who's handling it is not around. So, sabi ko, I will study it.

THE PRESIDING OFFICER. Anyway, ano yan, mag-a-agree na sila, di ba, Tiara?

So, if, Atty. Donuan, kung wala ng magsasalita, I think, the meeting is adjourned and thank you for coming over. May TWG pa tayo sa Tuesday, ah Friday.

AT 4:05 P.M., THE MEETING WAS ADJOURNED.



SENATE ARCHIVES (LRAS)

EX-100-15000

SEP 1 1996