

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
Third Regular Session



---

**COMMITTEE REPORT NO. 1403**

Submitted by the **Committee on Indigenous Cultural Communities and Indigenous Peoples**, and the **Committee on Appropriations** on **January 11, 2022**

RE: House Bill No. **10653**

Recommending its approval in substitution of House Bills Numbered 639 and 2281

Sponsors: Reps. Loren Legarda, Junie E. Cua, Allen Jesse C. Mangaoang, Amihilda J. Sangcopan, and Eric Go Yap

---

**MR. SPEAKER:**

The Committees on Indigenous Cultural Communities and Indigenous Peoples and Appropriations, to which were referred House Bill No. 639, introduced by Rep. Loren Legarda, entitled:

“AN ACT  
PROTECTING AND STRENGTHENING THE INDIGENOUS PEOPLES AND LOCAL COMMUNITIES CONSERVED AREAS, RECOGNIZING THEIR CONTRIBUTION TO BIODIVERSITY CONSERVATION, ESTABLISHING FOR THE PURPOSE THE NATIONAL INDIGENOUS COMMUNITY CONSERVED AREAS (ICCA) REGISTRY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES”,

and House Bill No. 2281, introduced by Rep. Maria Lourdes Acosta-Alba., entitled:

“AN ACT  
RECOGNIZING, PROTECTING AND STRENGTHENING THE INDIGENOUS PEOPLES AND LOCAL COMMUNITIES CONSERVED AREAS AND TERRITORIES, ACKNOWLEDGING THEIR CONTRIBUTION TO BIODIVERSITY CONSERVATION AND PROTECTION OF KEY BIODIVERSITY AREAS, ESTABLISHING FOR THE PURPOSE THE NATIONAL ICCA REGISTRY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES”,

have considered the same and recommend that the attached House Bill No. **10653**,  
entitled:

“AN ACT

RECOGNIZING THE COMMUNITY CONSERVED TERRITORIES AND AREAS OF INDIGENOUS PEOPLES AND CULTURAL COMMUNITIES, ESTABLISHING FOR THE PURPOSE THE NATIONAL INDIGENOUS COMMUNITY CONSERVED AREAS REGISTRY, AND APPROPRIATING FUNDS THEREFOR”,

be approved in substitution of House Bills Numbered 639 and 2281, and with Reps. Loren Legarda, Maria Lourdes Acosta-Alba, Allen Jesse C. Mangaoang, Eric Go Yap, Amihilda J. Sangcopan, Junie E. Cua, Mark O. Go, Solomon R. Chungalao, Maximo Y. Dalog, Jr., Leonardo L. Babasa, Jr., Raul “Boboy” C. Tupas, Deogracias Victor “DV” B. Savellano, Joseph Stephen “Caraps” S. Paduano, Manuel DG. Cabochan III, Manuel Jose “Mannix” M. Dalipe, Rufus B. Rodriguez, Tyrone D. Agabas, Lianda B. Bolilia, John Marvin “Yul Servo” C. Nieto, Argel Joseph T. Cabatbat, Lorna P. Bautista-Bandigan, Ruffy B. Biazon, Luisa Lloren Cuaresma, Paul Ruiz Daza, Michael John R. Duavit, Rudys Caesar G. Fariñas I, Jose Enrique “Joet” S. Garcia, III, Greg G. Gasataya, Ed Christopher S. Go, Jocelyn Sy Limkaichong, Corazon T. Nuñez-Malanyaon, Manuel T. Sagarbarria, Jose “Ping-Ping” I. Tejada, Micaela S. Violago, Manuel “Way Kurat” E. Zamora, Cyrille “Beng” F. Abueg-Zaldivar, Yasser Alonto Balindong, Gabriel H. Bordado, Jr., Narciso R. Bravo, Jr., Carl Nicolas C. Cari, Sergio C. Dagooc, Cheryl P. Deloso-Montalla, Abdullah D. Dimaporo, Alan “Aldu” R. Dujali, Faustino “Inno” A. Dy V, Michael B. Gorriceta, Eduardo “Eddie” R. Gullas, Godofredo N. Guya, Ann K. Hofer, Glona G. Labadlabad, Edward Vera Perez Maceda, Maricel G. Natividad-Nagaño, M.D., Ma. Lucille L. Nava, M.D., Emmarie “Lolypop” M. Ouano-Dizon, Eddiebong G. Plaza, Hector S. Sanchez, Joy Myra S. Tambunting, Alyssa Sheena P. Tan, John Reynald M. Tiangco, Kristine Alexie B. Tutor, Samantha Louise Vargas Alfonso, Rosanna “Ria” V. Vergara, Shirlyn L. Bañas-Nogralas, Precious Hipolito Castelo, Virgilio S. Lacson, Joseph “Jojo” L. Lara, Dahlia A. Loyola, Macnell M. Lusotan, Josephine Ramirez-Sato, Rowena Niña O. Taduran, and Victor A. Yap as authors thereof.

Respectfully submitted:



**ERIC GO YAP**

*Committee Chairperson*  
Committee on Appropriations



**ALLEN JESSE C. MANGAOANG**

*Committee Chairperson*  
Committee on Indigenous Cultural  
Communities and Indigenous Peoples

**THE HONORABLE SPEAKER**  
HOUSE OF REPRESENTATIVES  
QUEZON CITY

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
Third Regular Session

**HOUSE BILL NO. 10653**  
(In substitution of House Bills No. 639 and 2281)

---

Introduced by

**REPRESENTATIVES LOREN B. LEGARDA, MARIA LOURDES ACOSTA-ALBA, ALLEN JESSE C. MANGAOANG, ERIC GO YAP AMIHILDA J. SANGCOPAN, JUNIE E. CUA, MARK O. GO, SOLOMON R. CHUNGALAO, MAXIMO Y. DALOG, JR., LEONARDO L. BABASA, JR., RAUL “BOBOY” C. TUPAS, DEOGRACIAS VICTOR “DV” B. SAVELLANO, JOSEPH STEPHEN “CARAPS” S. PADUANO, MANUEL D.G. CABOCHAN III, MANUEL JOSE “MANNIX” M. DALIPE, RUFUS B. RODRIGUEZ, TYRONE D. AGABAS, LIANDA B. BOLILIA, JOHN MARVIN “YUL SERVO” C. NIETO, ARGEL JOSEPH T. CABATBAT, LORNA P. BAUTISTA-BANDIGAN, RUFFY B. BIAZON, LUISA LLOREN CUARESMA, PAUL RUIZ DAZA, MICHAEL JOHN R. DUAVIT, RUDYS CAESAR G. FARIÑAS I, JOSE ENRIQUE “JOET” S. GARCIA III, GREG G. GASATAYA, ED CHRISTOPHER S. GO, JOCELYN SY LIMKAICHONG, CORAZON T. NUÑEZ-MALANYAON, MANUEL T. SAGARBARRIA, JOSE “PING-PING” I. TEJADA, MICAELA S. VIOLAGO, MANUEL “WAY KURAT” E. ZAMORA, CYRILLE “BENG” F. ABUEG-ZALDIVAR, YASSER ALONTO BALINDONG, GABRIEL H. BORDADO, JR., NARCISO R. BRAVO, JR., CARL NICOLAS C. CARI, SERGIO C. DAGOOC, CHERYL P. DELOSO-MONTALLA, ABDULLAH D. DIMAPORO, ALAN “ALDU” R. DUJALI, FAUSTINO “INNO” A. DY V, MICHAEL B. GORRICETA, EDUARDO “EDDIE” R. GULLAS, GODOFREDO N. GUYA, ANN K. HOFER, GLONA G. LABADLABAD, EDWARD VERA PEREZ MACEDA, MARICEL G. NATIVIDAD-NAGAÑO, M.D., MA. LUCILLE L. NAVA, M.D., EMMARIE “LOLYPOP” M. OUANO-DIZON, EDDIEBONG G. PLAZA, HECTOR S. SANCHEZ, JOY MYRA S. TAMBUNTING, ALYSSA SHEENA P. TAN, JOHN REYNALD M. TIANGCO, KRISTINE ALEXIE B. TUTOR, SAMANTHA LOUISE VARGAS ALFONSO, ROSANNA “RIA” V. VERGARA, SHIRLYN L. BAÑAS-NOGRALES, PRECIOUS HIPOLITO CASTELO, VIRGILIO S. LACSON, JOSEPH “JOJO” L. LARA, DAHLIA A. LOYOLA, MACNELL M. LUSOTAN, JOSEPHINE RAMIREZ-SATO, ROWENA NIÑA O. TADURAN,  
and VICTOR A. YAP**

---

**AN ACT**  
**RECOGNIZING THE COMMUNITY CONSERVED TERRITORIES AND AREAS**  
**OF INDIGENOUS PEOPLES AND CULTURAL COMMUNITIES, ESTABLISHING**  
**FOR THE PURPOSE THE NATIONAL INDIGENOUS COMMUNITY CONSERVED**  
**AREAS REGISTRY, AND APPROPRIATING FUNDS THEREFOR**

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

**CHAPTER I**  
**GENERAL PROVISIONS**

**SECTION 1. *Short Title.*** This Act shall be known as the "*Indigenous Community Conserved Territories and Areas Act*".

**SEC 2. *Declaration of Policy.*** In accordance with the provisions of the Constitution, Republic Act No. 8371, otherwise known as the "Indigenous Peoples Rights Act of 1997" (IPRA), and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), it is the policy of the State to recognize, promote, and protect the rights of Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs), particularly to their ancestral domains.

The State also recognizes the existing customary and traditional governance by ICCs/IPs of their ancestral domains and lands as an effective measure of conserving key biodiversity areas. By this recognition, the State acknowledges the significant contribution of ICCs/IPs to the country's efforts in the protection of the environment, the conservation of biodiversity, and in the promotion the community resilience.

Towards this end, the State shall adopt measures to recognize and respect the designation and declaration by ICCs/IPs of the conserved areas within their ancestral domains and to promote their rights to manage, maintain, and sustainably develop the natural resources by applying their indigenous knowledge systems and practices within these areas under their indigenous political structures and traditional governance systems.

For this purpose, a national registry for all ICCs/IPs conserved territories and areas shall be established to be the repository of information on these conserved territories and areas.

**SEC. 3. *Definition of Terms.*** – As used in this Act:

- a) *Environmentally critical areas (ECAs)* refer to areas identified under Presidential Proclamation No. 2146, Series of 1981 and herein further classified as Strict Protection Zones (SPZ);
- b) *Indigenous Community Conserved Territories and Areas (ICCA)* refer to areas within ancestral domains and lands, and parts thereof, that are identified, protected, conserved, and sustainably used by ICCs/IPs pursuant to their indigenous knowledge, systems, and practices, and in accordance with customary laws and other effective means since time immemorial continuously to the present, subject to the limitations imposed by the Constitution.

These are characterized by natural or modified ecosystems, containing significant biodiversity, beneficial ecological qualities and is of great cultural and spiritual value to the community.

- 1 c) *Key biodiversity areas* refer to the sites of global significance for biodiversity  
2 conservation that are identified using globally standard criteria and thresholds, based  
3 on the scale of the need for safeguards. These criteria are based on the framework of  
4 vulnerability and irreplaceability used in systematic conservation planning;
- 5 d) *National ICCA Registry* refers to the national information management system that  
6 contains records of the pertinent information on ICCAs;
- 7 e) *Sustainable Traditional Resource Rights (STRR)* refer to the rights of ICCs/IPs to  
8 sustainably use, manage, protect and conserve 1) land, air, water, and minerals; 2)  
9 plants, animals and other organisms; 3) collecting, fishing and hunting grounds; 4)  
10 sacred sites; and, 5) other areas of economic, ceremonial and aesthetic value in  
11 accordance with their indigenous knowledge, belief systems, and practices.

12 **SEC. 4. *Scope and Coverage.*** This Act shall apply to all ancestral domains and lands  
13 publicly known to have been held under a claim of ownership, possession and occupation based  
14 on native title since time immemorial continuously and up to the present, or formally  
15 recognized under a Certificate of Ancestral Domain Title (CALT) or Certificate of Ancestral  
16 Land Title (CADT) issued pursuant to Republic Act No. 8371.

17 **CHAPTER II**  
18 **INDIGENOUS CULTURAL COMMUNITIES AND INDIGENOUS PEOPLES**  
19 **CONSERVED TERRITORIES AND AREAS**

20 **SEC. 5. *Guiding Principles.*** The following guidelines shall be observed in recognizing  
21 the indigenous cultural communities and indigenous peoples conserved territories and areas  
22 (ICCAs):

- 23 a) The rights to land and self-determination include the full recognition of the  
24 traditional resources, rights and practices of ICCs/IPs, as well as their right to  
25 access, maintain, protect, conserve, regulate ICCAs and exclude unauthorized  
26 intrusion into these areas;
- 27 b) The customary laws and indigenous knowledge systems and practices (IKSPs) in  
28 the governance and management of ICCAs shall be recognized and respected  
29 provided that they are within the framework of national unity and development as  
30 envisioned under the Constitution.
- 31 c) The ICCs/IPs shall govern their conserved territories and areas and ensure the  
32 preservation, restoration, and maintenance of ecological balance and biodiversity  
33 therein in consonance with existing environmental policies and with the assistance  
34 of government agencies;
- 35 d) The identification and declaration of ICCAs shall consider duly formulated  
36 national, regional, provincial and municipal policies, plans and programs;
- 37 e) The ICCs/IPs shall receive a fair and equitable share in the benefits derived from  
38 the ecosystem services provided by ICCAs and other activities as authorized by the  
39 ICCs/IPs themselves in accordance with existing environmental policies, rules and  
40 regulations; and
- 41 f) In case of conflict between ICC/IPs' customary laws and indigenous knowledge  
42 systems and practices on the one hand, and existing environmental laws, rules and

1 regulations, on the other, earnest efforts shall be exerted to adopt an interpretation  
2 that will give effect to both. Only when it is clear that the two are truly irreconcilable  
3 will environmental laws, rules and regulations prevail, but such construction shall  
4 always be supported by evidence attesting to the fact that the customary laws and  
5 IKSPs have no sound scientific basis and shall be guided by the pertinent provisions  
6 of the Constitution.

7 **SEC. 6. Recognition of ICCAs.** The ICCs/IPs shall define and declare the conserved  
8 areas within their ancestral domains and lands in accordance with their indigenous political  
9 structures, cultures and traditions provided that the identified area is not earlier proclaimed or  
10 declared as a protected area under Republic Act No. 7586, otherwise known as the “National  
11 Integrated Protected Areas System Act of 1992” as amended by Republic Act No. 11038,  
12 otherwise known as the “Expanded National Integrated Protected Areas System Act of 2018”  
13 and other presidential proclamations.

14 The declaration of ICCAs shall be respected as an exercise of the self-governance, self-  
15 determination and sustainable traditional resource rights of the ICCs/IPs. It shall be recognized  
16 by all national agencies and local government units (LGUs) as another category of protected  
17 areas that are owned, controlled, governed and managed by ICCs/IPs themselves. The ICCAs,  
18 their respective locations, names in indigenous language, and components therein, shall be  
19 respected used, and promoted in all official documents.

20 No provision in this Act granting or recognizing the rights and privileges of ICCs/IPs  
21 in the ICCAs shall be construed to diminish their rights and privileges in non-ICCA areas of  
22 the ancestral domains or lands.

23 **SEC. 7. Protection of ICCAs.** Subject to the provisions of the Constitution, Republic  
24 Act No. 8371, and Republic Act No. 7586, as amended, the ICCAs shall be reserved for the  
25 exclusive use of ICCs/IPs exercising their sustainable traditional resource rights. It shall be the  
26 duty of the ICC/IPs to govern, conserve, manage and protect ICCAs with the assistance of  
27 government agencies.

28 **SEC. 8. Environmental Impact Assessment (EIA) System.** For the purposes of this  
29 Act, all ICCAs shall be considered as environmentally critical areas.

30 All projects outside the ICCA that have potential adverse impacts on the conserved  
31 territories and areas are subject to EIA.

32 The participation of the National Commission on Indigenous Peoples (NCIP) and the  
33 Department of Environment and Natural Resources (DENR) is required in the conduct of the  
34 EIA outside the ICCAs but within the ICC/IPs ancestral domain.

35 The customary laws, the IKSPs of the ICCs/IPs and the social acceptability of the  
36 project shall be considered in the assessment of such projects.

37 In the interest of transparency and full disclosure, the EIA should be concluded and  
38 reported for consideration during the Free and Prior Informed Consent (FPIC) process, as  
39 provided for under Section 3 (g) of Republic Act No. 8371.

40 **SEC. 9. ICCAs in Key Biodiversity Areas (KBAs).** Subject to the Constitution, the  
41 ICCs/IPs shall govern, maintain, restore and sustainably develop the ICCAs’ key biodiversity  
42 areas (KBAs) in accordance with their customary laws, IKSP, and in a manner consistent with  
43 the sustainable use and conservation of biodiversity found therein and in accordance with  
44 existing environmental policies, rules and regulations.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41

**CHAPTER III**  
**NATIONAL INDIGENOUS CULTURAL COMMUNITIES AND INDIGENOUS**  
**PEOPLES CONSERVED TERRITORIES AND AREAS REGISTRY**

**SEC. 10. *The National ICCA Registry.*** To ensure the availability of official information on ICCAs, a National ICCA Registry, hereinafter referred to as the “*Registry*,” is hereby established. The Registry shall be the official information management system that shall contain all pertinent records on the ICCAs that are voluntarily submitted by the ICCs/IPs as the ICCA registrant. The Registry shall contain the following information:

- a) Name of the ICCs/IPs;
- b) A map generated from the delineation of the ICCAs with the corresponding technical description by the DENR;
- c) Brief description of governance structure;
- d) Policies on resource conservation and sustainable use;
- e) CADT and CALT, if applicable;
- f) Relevant portions of the Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) containing information on the ICCAs; and
- g) Contact persons.

**SEC. 11. *Operational Structures of the Registry.*** The DENR, through the Biodiversity Management Bureau (BMB), shall be the main repository and administrator of the Registry. It shall organize, store, and update all information that may be contained in the Registry, and shall be responsible for the documentation, administration and maintenance of the Registry.

All information and data in the Registry shall be obtained from the ICCs/IPs who registered and provided such information. The information and data submitted shall be considered as part of the community’s intellectual property rights.

The intellectual property rights of the ICCs/IPs shall be protected and respected.

**SEC. 12. *Creation of a Steering Committee.*** A Steering Committee is created to define policy, provide directions and perform oversight functions in the administration and maintenance of the Registry.

It shall be chaired by a representative from the NCIP.

The Steering Committee shall be composed of the following:

- a) A representative from the DENR;
- b) A representative from the NCIP;
- c) A representative from the Department of the Interior and Local Government (DILG);
- d) A representative from the Department of Human Settlements and Urban Development (DHSUD);
- e) A representative from the Philippine Statistics Authority (PSA);
- f) A representative from recognized civil society organizations (CSOs); and
- g) Three (3) representatives of the ICCs/IPs who are themselves members of the indigenous cultural community; and
- h) A representative from the Union of Local Authorities of the Philippines (ULAP).

1           **SEC. 13. ICCA Registration.** The ICCs/IPs shall initiate the documentation and  
2 registration of their ICCAs in the Registry with appropriate financial and technical support  
3 from the NCIP, the DENR, or other assisting organizations.

4           If the ICCs/IPs seek the assistance of the NCIP and the DENR in the registration of the  
5 ICCAs, the following steps shall be undertaken:

- 6           a) The NCIP shall assist the community in documenting the ICCAs and, with the  
7 support of the DENR, delineate the metes and bounds of the said ICCA;
- 8           b) The NCIP shall facilitate the formulation of a Community Conservation Plan in  
9 collaboration with the DENR and the municipal and provincial local government  
10 units; and
- 11           c) The NCIP shall submit the documentation of the ICCAs and other pertinent  
12 documents to the DENR for inclusion in the Registry.

13           In case the ICCs/IPs decide to undertake the documentation by themselves with the  
14 support of assisting organizations, the NCIP, DENR and the municipal and provincial local  
15 government units concerned, shall verify and affirm the documentation and pertinent  
16 documents submitted before the ICCAs may be included in the Registry.

17           The map, the technical description of the specific ICCA, and a brief description of the  
18 natural features and landmarks of the ICCA sought to be registered and included in the Registry  
19 shall be posted at the local, provincial, and regional office of the NCIP, and shall be published  
20 in a newspaper of general circulation once a week for two (2) consecutive weeks to allow  
21 concerned parties to formally submit their written opposition within fifteen (15) days.

22           **SEC. 14. Procedure for Delisting from the Registry.** If the ICCs/IPs determine that the  
23 ICCA no longer serves the purpose for which it was defined and declared, the ICCs/IPs may  
24 cause the delisting of the same through a procedure to be provided in the rules and regulations  
25 to be issued by the NCIP and the DENR to implement this Act.

26           **SEC. 15. Inclusion of ICCAs in the LGUs Plan.** The LGUs shall include in their  
27 Regional Physical Framework Plans, Provincial Physical Framework Plans, Comprehensive  
28 Land and Water Use Plans, Community Development Plans, Forest Land Use Plans, Barangay  
29 Development Plans, the Ancestral Domains Sustainable Development and Protection Plan, and  
30 other relevant harmonized plans on the ICCAs that have been declared and recorded in the  
31 Registry by the ICCs/IPs.

32           **SEC. 16. ICCA Governance.** The ICCAs shall be governed by the ICCs/IPs in  
33 accordance with their customary laws, indigenous knowledge systems and practices, structures  
34 and mechanisms: *Provided*, That any co-management with, or relinquishment of management  
35 by the ICCs/IPs, shall be temporary in nature and subject to regular renewal by the ICCs/IPs in  
36 accordance with Section 58 of Republic Act No. 8371, and Section 13 of Republic Act No.  
37 7586, as amended.

38           The application of customary laws, indigenous knowledge systems and practices,  
39 structures, and mechanisms by the ICCs/IPs within and outside their ICCAs shall enjoy the  
40 presumption of being indigenous and a sustainable traditional resource right, and shall not  
41 require prior approval or validation provided that such customary laws, indigenous knowledge  
42 systems and practices and sustainable traditional resource right has been earlier acknowledged  
43 and recognized by the NCIP. Towards this end, the NCIP shall endeavor to codify these  
44 customary laws, indigenous knowledge systems and practices and sustainable traditional

1 resource right in accordance with Section 46 (b) of Republic Act No. 8371 and NCIP  
2 Administrative Order No. 1, Series of 2012.

3 Any conflict on matters of governance that may arise within the ICCAs shall be  
4 primarily resolved through customary laws and traditional conflict resolution mechanisms.

#### 5 **CHAPTER IV** 6 **INCENTIVES**

7 **SEC. 17. *Incentive Scheme.*** The ICCAs listed in the Registry shall be prioritized for  
8 biodiversity conservation, preservation of forest cover, protection of ancestral waters, and as  
9 reforestation project sites. Where appropriate and available, government financial institutions  
10 and other government agencies shall provide financial and technical assistance to ICCs/IPs for  
11 the protection and promotion of their registered conserved territories and areas, particularly in  
12 the establishment and implementation of payment schemes for ecosystem services provided by  
13 the ICCAs.

14 In all cases, the rights, interests and well-being of the ICCs/IPs shall be of paramount  
15 concern.

#### 16 **CHAPTER V** 17 **ROLE OF GOVERNMENT AGENCIES**

18 **SEC. 18. *Role of the NCIP.*** The NCIP shall be the primary government agency  
19 responsible for the full implementation of this Act. It shall protect and promote the interest and  
20 well-being of the ICCs/IPs in the context of biodiversity conservation and community  
21 resilience.

22 The NCIP shall create the Ancestral Domain Protection and Sustainable Development  
23 Office, and shall coordinate with the DENR on all activities related to the documentation,  
24 community conservation, planning, and registration of ICCAs. It shall provide full and  
25 effective financial and technical assistance on the following:

- 26 a) Capacity building and enhancement in the identification, documentation, and  
27 recognition of ICCAs;
- 28 b) Preparation of Community Conservation Plans (CCP), and integrating them in the  
29 ADSDPP; and
- 30 c) Interfacing of the ADSDPP into other relevant planning frameworks.

31 The NCIP shall also be responsible for the verification and affirmation of information  
32 submitted by the ICCs/IPs who undertake the documentation by themselves, for inclusion in  
33 the Registry of ICCAs.

34 The NCIP shall take into account the issues and concerns on ICCAs in all management  
35 planning and decision-making processes of the ICCs/IPs.

36 The NCIP shall also be represented in the Protected Area Management Board (PAMB)  
37 created for each protected area pursuant to Republic Act No. 7586, as amended.

38 The NCIP, through its provincial offices, shall have original and exclusive jurisdiction  
39 over all claims and disputes involving ICCAs: *Provided, however,* That no such dispute shall  
40 be brought to the NCIP unless the parties have exhausted all remedies provided under their

1 customary laws: *Provided further*, That the indigenous conflict resolution should not apply if  
2 one of the parties is a non-member of an ICC/IP, and such dispute may be filed directly with  
3 the NCIP.

4 The decision of the provincial office can be appealed to the regional office and the  
5 Commission proper.

6 **SEC. 19. *Role of the DENR.*** The DENR shall, upon the formal request of the ICCs/IPs,  
7 provide financial and technical support for delineation and mapping, and biodiversity  
8 assessment of ICCA and in the listing or registration of ICCA with the Registry and similar  
9 global platforms or networks.

10 Enforcement of the preventive mechanisms and penal provisions of this Act shall also  
11 be vested in the DENR.

12 The agency shall also take into account the issues and concerns on ICCAs in all  
13 management planning and decision-making processes of the ICCs/IPs.

14 The government shall provide funds for the publication of the list of verified ICCAs.

15 **SEC. 20. *Role of Other Government Agencies and LGUs.*** Consistent with their  
16 respective mandates and upon formal request by ICCs/IPs, national government agencies and  
17 LGUs shall provide financial and technical assistance in building and strengthening the  
18 capacity of the requesting ICCs/IPs to manage their ICCA.

19 The NCIP and the DENR, in partnership with the DILG, shall devise an incentive  
20 scheme for LGUs that will adopt and include ICCAs in the harmonized Regional and Provincial  
21 Physical Framework Plans, Comprehensive Land and Water Use Plans, Community  
22 Development Plan, Forest Land Use Plan and other relevant plans and programs.

23 The NCIP and the DENR shall, in partnership with the Department of Information and  
24 Communications Technology (DICT) and the Philippine Statistics Authority (PSA), create or  
25 improve on existing data gathering methods for a complete and centralized ICCA registry.

26 The NCIP shall, in coordination with the DENR, the National Economic Development  
27 Authority (NEDA), the DILG, the Housing and Land Use Regulatory Board (HLURB), and  
28 the Department of Budget and Management (DBM), formulate guidelines for the prioritization  
29 of programs and projects that support ICCAs.

30 **SEC. 21. *Engagement with the Private Sector and Civil Society to Recognize ICCAs.***  
31 The ICCs/IPs, the NCIP and the DENR shall actively engage and collaborate with the private  
32 sector and civil society in raising public awareness and recognition of ICCAs, and in obtaining  
33 specialized assistance and services, subject to FPIC requirements of the concerned ICCs/IPs.  
34 Public participation in the protection, conservation, and sustainable use of ICCAs in  
35 accordance with the ICCs/IPs customary law and IKSP, especially at the local level, shall be  
36 encouraged to maximize conservation and community benefits.

37 **SEC. 22. *Sustainable Livelihoods.*** Subject to the provisions of the Constitution, the  
38 NCIP, the DENR, and other relevant government agencies shall support sustainable livelihood  
39 opportunities, including biodiversity-friendly livelihoods that are identified and defined by  
40 ICCs/IPs consistent with traditional practices and resource use in accordance with ICCs/IPs  
41 customary law and IKSP that contribute to the sustainable use and proper management of the  
42 ICCAs.

1  
2

**CHAPTER VI  
PENAL PROVISIONS**

3           **SEC. 23. *Prohibited Acts.*** Any act inconsistent with the policies of conservation and  
4 protection, and prohibited in Republic Act No. 8371 and Republic Act No. 7586, as amended,  
5 is prohibited.

6           **SEC. 24. *Penalties.*** Any individual, corporation, partnership, association or juridical  
7 entity who commits any acts in violation of Section 23 of this Act shall upon conviction, be  
8 punished by imprisonment of not less than six months but not more than six (6) years or a fine  
9 of not less than Fifty thousand pesos (P50,000.00) but not more than Fifty million pesos  
10 (P50,000,000.00), or both, at the discretion of the court.

11           After finding of a probable cause, the proper court where the information is filed shall  
12 immediately conduct a summary hearing to determine the propriety of issuing a Temporary  
13 Environmental Protection Order (TEPO) and shall simultaneously hear the criminal case to  
14 determine the urgency of issuing of a writ of *kalikasan*. This is without prejudice to the other  
15 provisional remedies provided under Rule 127 of the Revised Rules on Criminal Procedure.

16           The offender, upon conviction, shall also provide restitution commensurate to the cost  
17 of the destroyed ecosystem and the cost of rehabilitation of the same as agreed upon with the  
18 ICCs/IPs.

19           If the offender is a government official or employee, the offender shall, in addition to  
20 imprisonment and fine, be perpetually disqualified to hold public office.

21           Any object and instrumentality used in committing any of the prohibited acts under  
22 Section 23 of this Act shall be confiscated and forfeited in favor of the government.

23           If the offender is a juridical entity, the penalty of imprisonment and fine shall be  
24 imposed upon its manager, director, representative or employee responsible for the violation  
25 without prejudice to the cancellation or revocation of the license or accreditation of the  
26 offender, issued by any licensing or accredited body of the government.

27           If the offender is an alien, the offender shall be deported immediately after service of  
28 the sentence.

29           The prosecution of offenses under Section 23 of this Act shall be without prejudice to  
30 any liability for violation of Republic Act No. 8371 or other criminal and civil liabilities under  
31 existing laws.

32  
33

**CHAPTER VII  
FINAL PROVISIONS**

34           **SEC. 25. *Annual Report.*** The Chairperson of the NCIP shall submit to the President  
35 of the Philippines and to the Congress an annual progress report on the implementation of this  
36 Act. The report shall be posted in the website of the NCIP.

37           **SEC. 26. *Construction.*** The provisions of this Act shall be construed liberally in favor  
38 of ICCs/IPs and the protection and conservation of biodiversity. In no way shall it be  
39 interpreted as an instrument to exploit ICC/IPs or undermine the intent of this Act to conserve  
40 and protect ICCAs.

1           This Act shall not in any manner adversely affect the rights and benefits of the ICCs/IPs  
2 under Republic Act No. 8371, international conventions, recommendations, international  
3 treaties, national laws, awards, customs and agreements.

4           **SEC. 27. Appropriations.** The amount necessary to cover the initial implementation of  
5 this Act shall be charged against the current year's appropriations of the concerned departments  
6 or agencies. Thereafter, such sums as may be necessary for its continued implementation shall  
7 be included in the annual General Appropriations Act.

8           **SEC. 28. Implementing Rules and Regulations.** Within ninety (90) days from the  
9 approval of this Act, the Chairperson of the NCIP and the Secretary of the DENR shall, in  
10 consultation with appropriate government agencies and with the full participation of ICCs/IPs,  
11 issue the necessary rules and regulations for the effective implementation of this Act.

12           **SEC. 29. Separability Clause.** If any part or provision of this Act is declared invalid  
13 or unconstitutional, the remaining parts or provisions not affected shall remain in full force and  
14 effect.

15           **SEC. 30. Repealing Clause.** All laws, decrees, orders, rules and regulations and other  
16 issuances, or parts thereof, which are inconsistent with the provisions of this Act are hereby  
17 repealed or modified accordingly.

18           **SEC. 31. Effectivity.** This Act shall take effect fifteen (15) days after its publication in  
19 the *Official Gazette* or in a newspaper of general circulation.

20           *Approved,*

**FACT SHEET**

**HOUSE BILL NO. 10653**

**“AN ACT**

**RECOGNIZING THE COMMUNITY CONSERVED TERRITORIES AND AREAS OF INDIGENOUS PEOPLES AND CULTURAL COMMUNITIES, ESTABLISHING FOR THE PURPOSE THE NATIONAL INDIGENOUS COMMUNITY CONSERVED AREAS REGISTRY, AND APPROPRIATING FUNDS THEREFOR”**

*Introduced by: Reps.* Loren Legarda, Maria Lourdes Acosta-Alba, Allen Jesse C. Mangaoang, Eric Go Yap, Amihilda J. Sangcopan, Junie E. Cua, Mark O. Go, Solomon R. Chungalao, Maximo Y. Dalog, Jr., Leonardo L. Babasa, Jr., Raul “Boboy” C. Tupas, Deogracias Victor “DV” B. Savellano, Joseph Stephen “Caraps” S. Paduano, Manuel DG. Cabochan III, Manuel Jose “Mannix” M. Dalipe, Rufus B. Rodriguez, Tyrone D. Agabas, Lianda B. Bolilia, John Marvin “Yul Servo” C. Nieto, Argel Joseph T. Cabatbat, Lorna P. Bautista-Bandigan, Ruffy B. Biazon, Luisa Lloren Cuaresma, Paul Ruiz Daza, Michael John R. Duavit, Rudys Caesar G. Fariñas I, Jose Enrique “Joet” S. Garcia, III, Greg G. Gasataya, Ed Christopher S. Go, Jocelyn Sy Limkaichong, Corazon T. Nuñez-Malanyaon, Manuel T. Sagarbarria, Jose “Ping-Ping” I. Tejada, Micaela S. Violago, Manuel “Way Kurat” E. Zamora, Cyrille “Beng” F. Abueg-Zaldivar, Yasser Alonto Balindong, Gabriel H. Bordado, Jr., Narciso R. Bravo, Jr., Carl Nicolas C. Cari, Sergio C. Dagooc, Cheryl P. Deloso-Montalla, Abdullah D. Dimaporo, Alan “Aldu” R. Dujali, Faustino “Inno” A. Dy V, Michael B. Gorriceta, Eduardo “Eddie” R. Gullas, Godofredo N. Guya, Ann K. Hofer, Glona G. Labadlabad, Edward Vera Perez Maceda, Maricel G. Natividad-Nagaño, M.D., Ma. Lucille L. Nava, M.D., Emmarie “Lolypop” M. Ouano-Dizon, Eddiebong G. Plaza, Hector S. Sanchez, Joy Myra S. Tambunting, Alyssa Sheena P. Tan, John Reynald M. Tiangco, Kristine Alexie B. Tutor, Samantha Louise Vargas Alfonso, Rosanna “Ria” V. Vergara, Shirlyn L. Bañas-Nogralas, Precious Hipolito Castelo, Virgilio S. Lacson, Joseph “Jojo” L. Lara, Dahlia A. Loyola, Macnell M. Lusotan, Josephine Ramirez-Sato, Rowena Niña O. Taduran, and Victor A. Yap

*Committee Referral: **COMMITTEE ON INDIGENOUS CULTURAL COMMUNITIES AND INDIGENOUS PEOPLES, AND COMMITTEE ON APPROPRIATIONS***

*Committee Chairpersons: **REP. ALLEN JESSE C. MANGAOANG**  
**REP. ERIC GO YAP***

**OBJECTIVE:**

- To recognize, promote, and protect the rights of Indigenous Cultural Communities/ Indigenous Peoples (ICCs/IPs) to their community conserved territories and areas (ICCAs) by acknowledging their contribution to the conservation of biodiversity areas through the establishment of a National Indigenous Community Conserved Area Registry under the National Commission on Indigenous Peoples (NCIP).

**KEY PROVISIONS:**

- Recognizes the rights of ICCs/IPs to their ancestral domains, self-determination, cultural identity and fundamental human rights;
- Provides for the protection of ancestral domains against threats from a variety of sources, namely, tenurial insecurity, extractive industry and inappropriate development, imposition of inappropriate land uses including top-down government protected areas and industrial agriculture, internal inequalities and injustices;
- Mandates the NCIP and the Biodiversity Management Bureau of the Department of Environment and Natural Resources to recognize existing customary and traditional governance by ICCs/IPs of their ancestral lands and domains as an effective measure of conserving key biodiversity areas;
- Categorizes the punishable acts and stipulates penalties for corresponding violations;
- Directs local government units to include ICCAs in the Regional and Provincial Physical Framework Plans, Comprehensive Land and Water Use Plans, Community Development Plan, Forest Land Use Plan and other relevant plans and programs.

## **RELATED LAWS**

- R.A. No. 8371, or “The Indigenous Peoples Rights Act of 1997”
- R.A. No. 7586, or the “National Integrated Protected Areas System Act of 1992” as amended by R.A. No. 11038, or the “Expanded National Integrated Protected Areas System Act of 2018”
- R.A. No. 9147, or the “Wildlife Resources Conservation and Protection Act”
- P.D. No. 705, or the “Revised Forestry Code of the Philippines”
- United Nations Convention on Biological Diversity
- Universal Declaration on the Rights of Indigenous Peoples