



HOUSE OF REPRESENTATIVES

H. No. 5837

BY REPRESENTATIVES DUMARPA, CHUNGALAO, WACNANG, VIRADOR,
BARINAGA, DOMOGAN, BERSAMIN, DOMINGUEZ AND HATAMAN, PER
COMMITTEE REPORT NO 1991

AN ACT PROHIBITING RELIGIOUS OR RACIAL PROFILING OF INDIGENOUS CULTURAL COMMUNITIES

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

1 SECTION 1. *Title.* – This Act shall be known as the “Anti-Religious
2 and Racial Profiling Act of 2006”.

3 SEC. 2. *Declaration of Policy.* – It is declared as the policy of the State
4 to value the dignity of every human person and to guarantee full respect for
5 human rights.

6 SEC. 3. *Racial Profiling, as Defined.* – The term means the practice of
7 relying to any degree, on race, ethnicity and/or religious affiliation in selecting
8 individuals for employment, for entry to an establishment, or to subject to
9 routine or spontaneous investigatory activities, and such other prohibited acts

1 as enumerated in Section 4 hereof, except when there is trustworthy
2 information, relevant to the locality and timeframe, that links persons of a
3 particular race, ethnicity, religion or national origin to an identified criminal
4 incident or scheme.

5 SEC. 4. *Prohibited Acts.* -- The following shall constitute religious and
6 racial profiling and shall be deemed punishable under this Act:

7 (a) To subject a person to unnecessary, unjustified, illegal and
8 degrading search because of his manner of clothing or by reason of his
9 religion, color, creed or ethnic identity;

10 (b) To discriminate a person who is applying for a job just because of
11 his name, religion or ethnic background;

12 (c) To disallow an individual from entering any establishment such as
13 restaurants, hotels, shopping malls and other places of similar nature or to
14 subject him to discrimination or harassment in relation to other passengers in
15 buses, taxis, ships or airplanes because he happens to don a peculiar attire such
16 as wearing of veil, turban or any traditional costumes or because of his color,
17 creed, belief and ethnicity;

18 (d) To employ religious characterization such as words of religious
19 import in print and broadcast media when geographic, political, socioeconomic
20 or other distinction might be more accurate; and

1 (e) To mimic or imitate a person's way of speaking particularly his
2 peculiar accent and diction in an insulting and degrading manner.

3 SEC. 5. *Penalties.* – The penalty of *arresto mayor* minimum to *prison*
4 *correccional* maximum or a fine of Two hundred pesos (P200.00) to Six
5 thousand pesos (P6,000.00) shall be imposed upon any person who shall
6 commit any of the acts as enumerated in Section 4 hereof.

7 SEC. 6. *Separability Clause.* – If for any reason any section or
8 provision of this Act, or any portion thereof, or the application of such section,
9 provision or portion thereof to any person, group or circumstance is declared
10 invalid or unconstitutional, the remainder of this Act shall not be affected by
11 such declaration.

12 SEC. 7. *Repealing Clause.* – All laws, executive orders, rules and
13 regulations, or parts thereof, inconsistent with the provisions of this Act are
14 hereby repealed or amended accordingly.

15 SEC. 8. *Effectivity.* – This Act shall take effect after fifteen (15) days
16 following its complete publication in at least two national newspapers of
17 general circulation.

Approved,

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