



Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
BANGSAMORO TRANSITION AUTHORITY
Cotabato City

Proposed Resolution No. 142

Introduced by HON. DIAMILA DISIMBAN-RAMOS

Co-authors: Hon. Abdulraof Macacua, Hon. Marjanie Macasalong, Hon. Paisalin Tago, Hon. Maisara Dandamun-Latiph, Hon. Diamla Musa, Hon. Abdullah Macapaar, Hon. Edrieza Rimbang, Hon. Said Shiek, Hon. Rasol Mitmug Jr., Hon. Susana Anayatin, Hon. Jamel Macaraya, Hon. Muhammad Zainoden Bato, Hon. Punduma Sani, Hon. Ali Solaiman, Hon. Basit Sarip Abbas and Hon. Ziaurrahman Adiong

A RESOLUTION
REQUESTING HIS EXCELLENCY PRESIDENT RODRIGO ROA DUTERTE TO RESERVE, FOR PURPOSES OF HOUSING AND SETTLEMENT, SOCIO-ECONOMIC, LIVELIHOOD OR OTHER RELEVANT PURPOSES, A PORTION OF LAND FROM THE MILITARY RESERVATION COVERED UNDER PROCLAMATION NO. 453.

WHEREAS, on 23 December 1953, President Elpidio Quirino issued Proclamation No. 453 entitled "*Reserving for Military Purposes a Portion of the Public Domain Situated in the City of Dansalan, Island of Mindanao*" thereby making 66,671,625 square meters in the City of Dansalan (roughly Marawi City, including portions of the towns of Marantao, Piagapo and Saguiaran in Lanao del Sur) as military reservation;

WHEREAS, the military purpose of the reservation of the foregoing expansive land had been changed over the years where an aggregate area of 18,152,217 square meters were carved out from military reservation to: (a) educational (9,993,560 square meters),¹(b)hydroelectric power (8,031,440 square meters),²(c) people's park and library (30,697 square meters),³ and low-cost housing (96,520 square meters);⁴

WHEREAS, we underscore that in one of the above-cited changes in purpose in Proclamation No. 439, where 96,520 square meters were excluded from the military reservation under Proclamation No. 453, was for purposes of "reserving the same for low-cost housing site for the employees of the Mindanao State University;"

WHEREAS, at present, Marawi City is in crisis in terms of settlement and housing brought about by the Marawi Siege that resulted to the destruction of thousands of residential houses and displacement of 353,636 persons.⁵This hampered economic and social lives, and damaged properties in the amount of billions of pesos;

¹ Proclamation No. 806 issued on 4 December 1961.

² Proclamation No. 1354 issued on 3 December 1974.

³ Proclamation No. 922 issued on 16 June 1992.

⁴Proclamation No. 439 issued on 9 August 1994.

⁵ Data from Task Force Bangon Marawi in a Letter dated 9 October 2019.

WHEREAS, since the issuance of the Proclamation No. 453, government authority was not able to fully occupy and possess substantial portion of the military reservation as the native residents of Marawi City are still the possessors of said reserved land in the concept of an owner as these lands were transmitted to them by their ancestors from several centuries ago;

WHEREAS, despite the Marawi City residents' possession in the concept of an owner, no certificate of original or transfer title have been issued because the subject lands are inalienable as they are reserved for military purpose and the problem of housing and settlements are still facing the residents;

WHEREAS, as cited above, there has been precedents in the past where the purpose of the reserved land were changed in an aggregate area of 18,055,697 square meters, from military to other purposes such as educational, hydroelectric power, people's park and library, and government employees benefit;

WHEREAS, the destruction of Marawi City and the housing and settlement crisis being suffered by Meranao people in Marawi City up to this day justifies a change in portion of said reservation from military purpose to settlement and housing purpose, socio-economic, livelihood, or other relevant purposes;

WHEREAS, under the law and prevailing jurisprudence, it is the President who has the power to classify and re-classify military reservations;

WHEREAS, the President may designate by proclamation any tract or tracts of land of the public domain as reservations for the use of the Republic or any of its branches, or for quasi-public uses or purposes (*Republic v. Southside Homeowners Association*, G.R. No. 156951, 22 Sept. 2006);

NOW, THEREFORE, BE RESOLVED, as it is hereby resolved, by the Bangsamoro Transition Authority requesting His Excellency President Rodrigo Roa Duterte to reserve, for purposes of housing and settlement, socio-economic, livelihood, or other relevant purposes, a portion of land from the land area reserved for military purpose as stated in Proclamation No. 453.

Adopted,

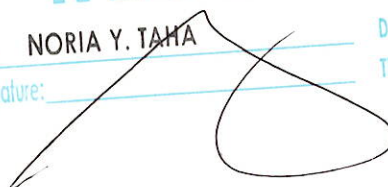


HON. DIAMILA DISIMBAN-RAMOS
Member of the Parliament

Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
Bangsamoro Transition Authority Parliament
OFFICE OF THE SECRETARY GENERAL

RECEIVED

By: NORIA Y. TAMA
Signature: _____
Date: 10-24-19
Time: 5:00PM




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HON. DIAMLA MUSA


HON. RASOL MITMUG, JR.


HON. SAID SHEIK


HON. MAISARA DANDAMUN-LATIPH


HON. ABDULLAH MACAPAAR

HON. MODAYAO SACAR


HON. EDRIEZA RIMBANG


HON. NABILA PANGANDAMAN


HON. SUSANA ANAYATIN


HON. PUNDUMA SANI

HON. SAFFRULLAH DIPATUAN


HON. JAMEL MACARAYA


HON. MUHAMMAD ZAINODEN BATO

HON. JOSE LORENA

HON. NABIL TAN


HON. ALI SOLAIMAN


HON. BASIT SARIP ABBAS


HON. ZIA ALONTO