

Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
BANGSAMORO TRANSITION AUTHORITY
Sharrif Kabungsuan Cultural Center, Cotabato City

FIRST REGULAR SESSION

RESOLUTION NO. 197

**RESOLUTION CALLING FOR THE IMMEDIATE TURN-OVER OF
COTABATO CITY TO THE BANGSAMORO GOVERNMENT PURSUANT
TO THE PROVISIONS OF RA 11054**

WHEREAS, The effectivity of RA 11054 otherwise known as Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao (OLBARM) or Bangsamoro Organic Law (BOL), the determination of its territorial jurisdiction and the inclusion of new areas lie only in its ratification pursuant to Section 1, Article XV;

WHEREAS, Section 1, Article XV of the Bangsamoro Organic Law provides:

“Section 1. Establishment of the Bangsamoro Autonomous Region. - The establishment of the Bangsamoro Autonomous Region and the determination of its territorial jurisdiction shall take effect upon ratification of this Organic Law by majority of the votes cast in a plebiscite in the following:

Xxx

(7) The City of Cotabato;

WHEREAS, the composition and extent of the territorial jurisdiction of the Bangsamoro Government is enshrined in Section 2, Article III of the same which provides:

“Section 2. Composition. The territorial jurisdiction of the Bangsamoro Autonomous Region, subject to the plebiscite as provided in Section 3, Article XV of this Organic Law Shall be composed of:

xxx

(d) The City of Cotabato;

xxx”

WHEREAS, Section 3, of Article XV of R.A. No. 11054 state in paragraph (d) “The City of Cotabato shall form part of the Bangsamoro Autonomous Region if the majority of the votes cast in the city shall be in favor of its inclusion.’

WHEREAS, it is clear in Republic Act No. 11054 that the only condition for the inclusion of Cotabato City in the BARMM is the approval of the majority of its constituents;

WHEREAS, the cardinal rule in statutory construction is that when the law is clear and free from any doubt or ambiguity, there is no room for construction or interpretation and calls only for its faithful application;

WHEREAS, the people of Cotabato City overwhelmingly ratified and affirmed its inclusion in the Bangsamoro Region in the January 21, 2019 Plebiscite with 36,682 "YES" votes versus 24,994 "NO" votes;

WHEREAS, on January 25, 2019 the Commission on Elections (COMELEC) seating as National Plebiscite Board of Canvassers proclaimed and certified the results of the plebiscite for the ratification and the inclusion of Cotabato City in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM)

WHEREAS, until now Cotabato City is yet to be turned-over to the BARMM and there are unfounded information being circulated claiming Cotabato City's alleged non-inclusion in the newly-founded Bangsamoro Government, contrary to the provisions of law;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, the Bangsamoro Transition Authority calls upon the Department of Interior and Local Government (DILG) to immediately cause the turn-over of Cotabato City to the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) and place it under the supervision of the BARMM Ministry of Local Government (MLG) pursuant to the provisions of Republic Act 11054;

RESOLVED FURTHER, the BARMM Public Information Offices is encouraged to exert effort though mass media to dispel wrong information being circulated by unscrupulous individuals on the status of Cotabato City as not part of the BARMM

RESOLVED FINALLY, that copies of this Resolution be furnished to the Department of Interior and Local Government, the BARMM Ministry of Local Government.

Adopted, this ____ day of February, 2020 by the BTA Parliament in session at the Sharrif Kabungsuwan Cultural Complex, BGC, Cotabato City.

AUTHOR:


ATTY. OMAR YASSER C. SEMA
Member, BTA Parliament

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

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