

Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
BANGMORO TRANSITION AUTHORITY
BARMM Compound, Cotabato City

RESOLUTION NO. 215

Introduced by: **Hon. Member of the Parliament ROMEO C. SALIGA**

**RESOLUTION REQUESTING THE INTERGOVERNMENTAL
RELATIONS BODY TO CALL FOR A DIALOGUE BETWEEN
THE NATIONAL COMMISSION ON INDIGENOUS PEOPLES
(NCIP) AND THE OFFICE OF THE MINISTRY ON INDIGENOUS
PEOPLES AFFAIRS (MIPA) TO ADDRESS THE ANCESTRAL
DOMAIN ISSUES OF THE NON-MORO INDIGENOUS PEOPLES
IN THE BANGSAMORO AUTHONOMOUS REGION IN MUSLIM
MINDANAO**

WHEREAS, Section 9, Article IV of RA 11054 otherwise known as the Bangsamoro Organic Law (BOL) provides that the Bangsamoro Government shall recognize and promote the rights of non-Moro indigenous peoples within the framework of the Constitution and national laws;

WHEREAS, Section 38, Chapter VII of RA 8371 otherwise known as the Indigenous Peoples Rights Act of 1997 (IPRA) provides that the National Commission on Indigenous Cultural Communities/Indigenous Peoples (NCIP) shall carry out the policies herein set forth, there shall be created the National Commission on ICCs/IPs (NCIP), which shall be the primary government agency responsible for the formulation and implementation of policies, plans and programs to promote and protect the rights and well-being of the ICCs/IPs and *the recognition of their ancestral domains as well as the rights thereto*;

Whereas, Par. 2, 3 and 4, Section 3, Article IX of RA 11054 provides that the Bangsamoro Government shall create a Ministry for Indigenous Peoples and shall have the primary responsibility to formulate and implement policies, plans, and programs to promote the well-being of all Indigenous Peoples in the Bangsamoro Autonomous Region *in recognition of their ancestral domain as well as their rights thereto*.

Any measures enacted by the Parliament shall in no way diminish the rights and privileges granted to indigenous peoples by virtue of the United Nations Declaration of the Rights of the Indigenous Peoples, and the other laws pertaining to indigenous peoples in the Bangsamoro Autonomous Region.

This Organic Law shall not in any manner diminish the rights and benefits of the non-Moro indigenous peoples in the Bangsamoro Autonomous under the Constitution, national laws, particularly Republic Act No. 8371, otherwise known as the "Indigenous Peoples' Rights Act of 1997";

WHEREAS, glaring from the above-stated provisions that there are overlapping of jurisdiction, programs and policies which may entailed inter-agency strife or conflict to the disadvantage of the non-Moro indigenous peoples within the Bangsamoro Autonomous Region in Muslim Mindanao.

WHEREAS, Sec 1. Article VI of RA 11054, provides that the President shall exercise general supervision over the Bangsamoro Government to ensure that laws are faithfully executed. The President may suspend the Chief Minister for a period of Six (6) Months for willful violation of the Constitution, national laws or this organic Law. **Section 2 thereof** also provides the creation of the Intergovernmental Relations Body to coordinate and resolve issues on intergovernmental relations through regular consultation and continuing negotiation in a non-adversarial manner;

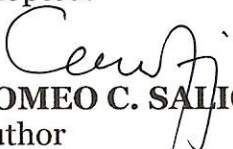
WHEREAS, the above-stated body has been formally constituted last October 14, 2019 with nine (9) members from the national government and nine (9) members from the Bangsamoro Government;

WHEREAS, the claim of the indigenous peoples to their ancestral domain was halted due to BTA Resolution No. 38 which resulted to unauthorized and unlawful intrusion of outsiders or non-ICCs/IPs, thus contributing to recurring conflicts on thereto; and

WHEREAS, intense exchange of comments on social media questioning the identity and right to claim ancestral domain of the Non-Moro Indigenous Peoples further flames or escalate animosity.

NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED to request the Intergovernmental Relations body to call for a dialogue between the National Commission on Indigenous Peoples and the Ministry on Indigenous Peoples Affairs to address the Ancestral Domain issues of the Non-Moro Indigenous Peoples in Maguindanao and North Cotabato Province for appropriate resolution.

Adopted:


ROMEO C. SALIGA
Author

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

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By: **ROYAYDA A. GLIABAL**

Signature: 

Date: March 05, 2020
Time: 1:05 p.m.