

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

RESOLUTION NO. 460

Bangsamoro Autonomous Region in Muslim Mindanao
Parliament
BILLS AND INDEX DIVISION
RECEIVED
Name: SONA-FA DALINO Signature: [Signature]
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Introduced by:

Hon. Member of the Parliament ROMEO C. SALIGA

A RESOLUTION STRONGLY CONDEMNING THE RECENT ARMED HOSTILITIES AT MUNICIPALITIES OF DATU HUFFER AND GUINDULUNGAN, MAGUINDANAO AND DIRECTING THE MINISTRY OF SOCIAL SERVICES AND DEVELOPMENT (MSSD), MINISTRY OF INDIGENOUS PEOPLES AFFAIRS (MIPA), MINISTRY ON LOCAL GOVERNMENT (MLG), THE AFFECTED LOCAL GOVERNMENT UNITS, AND THE 6th ID TO EXTEND IMMEDIATE ASSISTANCE TO THE AFFECTED RESIDENTS AND TO ENSURE THE PROTECTION OF THE CIVILIANS FROM FURTHER DISPLACEMENT

Whereas, varied levels of civil unrest continue within the Bangsamoro Autonomous Region of Muslim Mindanao (BARMM). The Philippines was ranked as the 9th country most impacted by terrorism in the 2019 Global Terrorism Index. Further, Conflict Alert, a subnational conflict monitoring system focused on Mindanao, reported a total of 2,655 violent conflict incidents in the five Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) in 2019;

Whereas, the 1st sentence of Sections 1 and 5 of Art. II of the 1987 Philippine Constitution provides that the Philippines is a democratic and republican State and the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy;

Whereas, the above-stated constitutional mandates are further accentuated by Sec. 9 of Art. IV of RA 11054, which 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. Further, **2nd Par. of Sec. 3 of Art. IX** of the same law mandates the Bangsamoro Government to create a Ministry for Indigenous Peoples Affairs which shall have the primary responsibility of formulating and implementing 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. Finally, **Sec. 1 of Art. IX** of the same law directed the Bangsamoro Parliament, taking into account the report of the Transitional Justice and Reconciliation Commission, shall enact a transitional justice mechanism to address the legitimate grievances of the Bangsamoro people and the indigenous peoples, such as historical injustices, human rights violations, and marginalization through unjust dispossession of territorial and proprietary rights and customary land tenure.

Whereas, Paragraph (c), Section 7 of RA 8371 provides *Right to Stay in the Territories*. — The right to stay in the territory and not to be removed therefrom. No ICCs/IPs will be relocated without their free and prior informed consent, nor through any means other than eminent domain. *Where relocation is considered necessary as an exceptional measure, such relocation shall take place only with the free and prior informed consent of the ICCs/IPs concerned and whenever possible, they shall be guaranteed the right to return to their ancestral domains, as soon as the grounds for relocation cease to exist.* When such return is not possible, as determined by agreement or through appropriate procedures, ICCs/IPs shall be provided in all possible cases with lands of quality and legal status at least equal to that of the land previously occupied by them, suitable to provide for their present needs and future development. Persons thus relocated shall likewise be fully compensated for any resulting loss or injury. Further, **paragraph (d), Section 7** of the same law provides *Right in Case of Displacement*. — In case displacement occurs as a result of natural catastrophes, the State shall endeavor to resettle the displaced ICCs/IPs in suitable areas where they can have temporary life support systems: *Provided, That the displaced ICCs/IPs shall have the right to return to their abandoned lands until such time that the normalcy and safety of such lands shall be determined: Provided, further, That should their ancestral domain cease to exist and normalcy and safety of the previous settlements are not possible, displaced ICCs/IPs shall enjoy security of tenure over lands to which they have been resettled: Provided, furthermore, That basic services and livelihood shall be provided to them to ensure that their needs are adequately addressed;*

Whereas, addressing these concerns, will complete the picture of Bangsamoro's pursuit to lasting peace in Mindanao and give life to the Bangsamoro Organic Law; and

Whereas, on June 22, 2021, massive evacuation of residents who are mostly NMIPs belonging to the Teduray tribe from upland areas of Maguindanao happened due to military operation conducted by 6th ID against lawless elements. This predicament was elevated by the death of a pregnant mother named Lengleg Daya Kinindi, when, at about 10:30 am, at Sitio Fanibingen, Barangay Limpongo, Datu Hoffer, Maguindanao, a mortar hit their house.

WHEREFORE, IT IS HEREBY RESOLVED by the Bangsamoro Transition Authority that an urgent resolution be approved strongly condemning the recent armed hostilities at Municipalities of Datu Hoffer and Guindulungan, Maguindanao and further directing the Offices of the Ministry on Local Government, the Ministry on Indigenous Peoples Affairs, the Local Government Units of Datu Hoffer and Guidulungan, and the 6th ID to extend immediate assistance to the affected residents and ensure the protection of civilians from further displacement.

Adopted, _____.

AUTHOR:


MP. ROMEO C. SALIGA
Member of the Parliament