

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

BANGSAMORO TRANSITION AUTHORITY

Third Regular Session

Proposed Resolution No. 624



Introduced by: **MP Akmad I. Abas, MP Abdullah Ebus Gayak, MP Romeo K. Sema, MP Abduladzis M. Esmael, and MP Ibrahim D. Ali**

A RESOLUTION STRONGLY CONDEMNING THE ACTS OF VIOLENCE AND INDISCRIMINATE KILLING OF INNOCENT AND UNARMED CIVILIANS IN BARANGAY GUKOTAN, PIKIT, NORTH COTABATO AND REQUESTING THE CHIEF MINISTER TO CALL FOR THE CONDUCT OF A PROMPT AND IMPARTIAL INVESTIGATION OF THE CASE

WHEREAS, the 1987 Philippine Constitution provides that:

Section 5, Article II, Declaration of Principles and State Policies - 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; and

Section 1, Article III, Bill of Rights - No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws”;

WHEREAS, Article V, Section 3 of R.A. No. 11054 otherwise known as the “Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao” (*OLBARM* for brevity) states;

*Section 3. General Welfare. The Bangsamoro Government shall exercise the power expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance and those which are **essential to the promotion of general welfare**. Within its territorial jurisdiction, the Bangsamoro Government shall ensure and support, among other things, the preservation and enrichment of culture, **promote health***

and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among its residents, **maintain peace and order**, and preserve the comfort and convenience of its inhabitants.

WHEREAS, Title VIII, Chapter 1, Section 2 of the Bangsamoro Autonomy Act No. 13 or otherwise known as the "Bangsamoro Administrative Code" provides;

*Sec. 2. Mandate - The Ministry of the Interior and Local Government shall exercise general supervision over the constituent local governments units of the Bangsamoro Government, and **ensure public safety** and disaster preparedness, local autonomy, decentralization, and community empowerment.*

WHEREAS, there is a law enforcement operation conducted by the composite team of Police Regional Office -12 with Law Enforcement Support from 602nd Brigade, 6th ID, PA to serve Warrant of Arrest due for murder case against a certain Maula Manampan in a remote part of Brgy. Gukotan, Pikit, North Cotabato.

WHEREAS, it was reported that:

At around 2:00am of 29 December 2021, the leading operatives from the PRO 12 together with forces from 602nd Brigade, 6ID arrived at the vicinity of the Brgy. Gukotan. Heavy gunfires were heard at around 4:00am which lasted for about 2 hours.

This assault resulted to six (6) fatalities and one (1) wounded identified as follows: Ustads Badrudin Dalid (64 y/o, member of 108th BC), Mujahid Hamsa (38 y/o, member of 128th BC), Abdulkahar Masulut (42 y/o) and Sharif Kabunto (18 y/o) members of 129th BC, all of BIAF-MILF; and Arbaya Dalid (31 y/o), a mother of three and also a student, who all died due to gunshots. Also, Hairon Timan (17 y/o) got wounded in this operation.

Another fatality was the Bde Cmdr of 129th BC, BIAF-MILF namely Abdul "Piraw" Macagpa who died due to drowning in the nearby river while carrying his firearms after receiving an instruction from his base commander to reposition their forces from the concerned areas.

Three (3) more civilians were accused as members of the suspected group and arrested by the operatives namely Rahib Dalid (31yrs old, married), Samrah Tumalao (18yrs old, married), and Mohidin Dalagunan Mantok (47yrs old and member of 129th BC, BIAF-MILF). These personalities were turned-over by the operatives to Pikit Municipal Police Station.

Assorted high-powered firearms, ammunitions, and other properties were also seized from the different households in the area. Moreover, there were also four (4) wounded men from the GPH Operating Units;

WHEREAS, there is no evidence established that the supposed high-valued target, Mr. Maula Manampan, is present in the area of operation;

WHEREAS, it was verified through the Joint GPH-MILF Ceasefire Mechanisms that PRO 12 Regional Director PGen Alexander Tagum confirms during his interview on December 29, 2021 there is no coordination made with Coordinating Commission on Cessation of Hostilities, Ad Hoc Joint Action Group (AhJAG), and the Local Government Units, as required under Ceasefire Protocols of the Peace Process;

WHEREAS, Brgy. Gukotan, Pikit, North Cotabato is one of the 63 Barangays which is under the Special Geographic Area of the Bangsamoro Autonomous Region in Muslim Mindanao;

WHEREAS, there is an urgent and pressing need to address these serious issues of killings of MILF personalities and other Moro civilian constituents in Brgy. Gukotan, Pikit, North Cotabato, to bring the perpetrators to justice and to provide the general community of Moros in the area with sustainable peace and security and to uphold their rights to be provided protection by the government;

WHEREAS, the brazen and continuing flagrant and horrific attacks on the Bangsamoro people and the failure to condemn, investigate, and prosecute these acts of violence and bring the perpetrators to justice is an act of injustice in itself and erode the public's trust and confidence in our justice system;

NOW, THEREFORE, be it RESOLVED, to strongly condemn the killings of and acts of violence against the Bangsamoro people;

RESOLVED, further, to request the Chief Minister to call for the conduct of a prompt and impartial investigation of the case;

RESOLVED, finally, that the Bangsamoro Commission on Human Rights (BCHR) should also conduct its own independent investigation.

Adopted, _____.

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