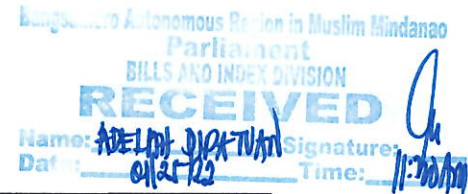


Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
Cotabato City

BANGSAMORO TRANSITION AUTHORITY

Third Regular Session

PROPOSED RESOLUTION NO. 625



Introduced by:

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A RESOLUTION DIRECTING THE MINISTRIES OF SOCIAL SERVICES AND DEVELOPMENT, INTERIOR AND LOCAL GOVERNMENT, INDIGENOUS PEOPLES' AFFAIRS TO JOINTLY FORMULATE A REGIONAL PROGRAM FOR THE MANDATORY CIVIL REGISTRATION OF THE BIRTH OF THE RESIDENTS OF THE BANGSAMORO, PARTICULARLY THE SAMA/BADJAO AND OTHER INDIGENOUS PEOPLES.

WHEREAS, in August 2018, His Excellency President Rodrigo Roa Duterte signed into law Republic Act No. 11055, otherwise known as the PhilSys Act or seeking to harmonize and integrate the several government IDs by establishing a single national identification system for all citizens and resident aliens through the collection of basic personal information and biometric data;

WHEREAS, President Duterte further directed the Philippine Statistics Authority (PSA) to register ninety-two (92) million Filipinos by the end of 2022;

WHEREAS, one of the legal documents to be presented for registration in the PhilSys is a Certificate of Live Birth from the PSA;

WHEREAS, the United Nation High Commissioner for Refugees (UNCHR), in an article published on its website on January 9, 2019 partly said: “The Philippines, a signatory to the 1954 Convention relating to the Status of Stateless Persons, has identified the Sama Bajaus as a population at risk of statelessness and the UNCHR had already expressed its apprehension that this could be true and their failure to register in PhilSys will make it difficult for them to claim Filipino Citizenship;

WHEREAS, according to the same report: “A birth certificate will help the community assert their rights” and “ensuring birth registration also supports our global initiatives to prevent statelessness.” According to its Philippine Representative, Oyunsai Khan Dendevnorov: “Every child/human has the right to a name and identity. Birth registration forms the basis of identity. It has much larger implications on children to have access to education, health care and social services. This is invaluable for the indigenous population and those at risk of stateless such as the Sama Bajau...”;

WHEREAS, it is also feared that non-registration could result in deprivation or refusal to afford them basic government services in the future, not to mention the implications on government planning, programming, delivery of basic services and to our elections;

WHEREAS, under Section 479 (b) of the Local Government Code (RA 7160), the Local Civil Registrar shall be responsible for the civil registration program in the local government unit concerned;

WHEREAS, the Cities of Cebu, Batangas, General Santos and Davao City are the leaders in actually assisting and facilitating the free registration of the birth records of the Badjao, who are mostly native residents of the Bangsamoro;

WHEREAS, recently the City of Zamboanga in partnership with the UNHCR also conducted free birth registration of Sama Badjaus;

WHEREAS, according to the result of the 2015 Population Census, the ARMM (now BARMM) had the lowest completeness of birth of Birth Registration at 57.5%;

WHEREAS, indigenous peoples living in the Bangsamoro Region are similarly situated as the Badjao in terms of compliance with birth registration requirement;

WHEREAS, as a result thereof, the Regional Legislative Assembly passed Muslim Mindanao Autonomy Act No. 293, providing free birth registration for residents of the autonomous region;


WHEREAS, pursuant to the express provision in Section 1, Article XVIII of the Bangsamoro Organic Law, "All subsisting laws enacted by the Autonomous Region in Muslim Mindanao Regional Legislative Assembly by virtue of authorities provided under Republic Act No. 6734, as amended by Republic Act No. 9054, shall be deemed valid and in effect, unless inconsistent with this Organic Law or repealed by laws passed by the Parliament.

WHEREAS, in view of the PhilSys Act and the risk of the Sama Badjaus becoming stateless in the near future, there is an urgent need to expedite the registration of the residents of the Bangsamoro, especially the Sama Badjaus and other resident-members of the Indigenous Peoples of the Bangsamoro;

THEREFORE, be it RESOLVED, as it is hereby RESOLVED, as follows:

1. DECLARE Muslim Mindanao Autonomy Act No. 293 as a subsisting law and HEREBY CALLS on the Regional and Local Government Units to fully implement the same;
2. DIRECT the Ministry of Social Services and Development (MSSD), Ministry of Interior and Local Government (MILG), Ministry of Indigenous Peoples' Affairs (MIPA) to coordinate with the PSA and to formulate programs to expedite the registration of birth of the residents of the Bangsamoro, especially the Sama Badjau and other Indigenous Peoples, including those who may be currently living outside of the Bangsamoro Territory;
3. DIRECT the MILG and MIPA to monitor the implementation of MMA No. 293 by the local government units;
4. REQUIRE the MSSD, MILG and MIPA to regularly update the parliament on the progress of the implementation of this Resolution; and,
5. ENCOURAGE the Office of the Interim Chief Minister is to allocate funds for the purpose.

ADOPTED, _____.


MP ENGR. DON MUSTAPHA A. LOONG, JD, MPSA, CESE
Member of the Parliament