

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

FIRST REGULAR SESSION

PROPOSED RESOLUTION NO. 90,

Introduced by: MP ROMEO C. SALIGA

**A RESOLUTION URGING THE DIFFERENT MINISTRIES OF THE
BANGSAMORO AUTONOMOUS REGION IN MUSLIM
MINANAO, NATIONAL LINE AGENCIES, ALL LOCAL
GOVERNMENT UNITS AND OTHER PRIVATE ENTITIES TO
OBSERVE AND RESPECT THE RIGHTS OF THE
INDIGENOUS PEOPLES TO FREE, PRIOR, AND INFORMED
CONSENT IN THE IMPLEMENTATION AND FORMULATION
OF POLICIES, PROGRAMS, AND ACTIVITIES WITHIN
THEIR FUSAKA INGED/NATIVE TITLE**

WHEREAS, Free, Prior and Informed Consent is an international guaranteed rights as stipulated in Article 19 of the United Nation Declaration on the Rights of the Indigenous Peoples (UNDRIP) that stated "States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them;

WHEREAS, Section 3 of Article IX of RA 11054 otherwise known as the Bangsamoro Organic Law also stipulates that the Bangsamoro Government recognizes the rights of the Indigenous Peoples including among others their rights to **Free, Prior and Informed Consent** and shall adopt measures for the promotion and protection of the said rights;

WHEREAS, Free, Prior Informed Consent as defined in Letter g), Article 3 of RA 8371 otherwise known as the Indigenous Peoples Rights Act (IPRA) of 1997 means the consensus of all members of the ICCs/IPS to determine in accordance with their respective customary laws and practices, free from any external manipulation, interference and coercion, and obtained after fully

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Bangsamoro Transition Authority Parliament
OFFICE OF THE SECRETARY GENERAL

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Signature:  Time: 1:24

disclosing the intent and scope of the activity, in a language and process understandable to the community;

WHEREAS, securing the prior, and informed consent of the affected communities will ensure cooperation and support among the local communities, foster peaceful co-existence and will avoid disputes that may intensify into open and deadly conflicts thereby hindering development and progress of the affected communities;

RESOLVED AS IT WAS HEREBY RESOLVED, to urge the different ministries of BARMM and local government units to recognize and respect the right to Free, Prior and Informed Consent as a framework in the formulation and implementation of any policies programs and activities within the Fusaka Inged/Native Title of the indigenous peoples;

RESOLVED FURTHER, that the Ministry on Indigenous Peoples Affairs shall provide for the appropriate mechanism for its implementation.

RESOLVED FINALLY, that this resolution shall be furnished to all concern offices and local government units for their information, reference and compliance.

ADOPTED this _____ of 2019.

Sponsored by:


ROMEO C. SALIGA
Member
Bangsamoro Parliament