

Republic of the Philippines
BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO
BANGSAMORO TRANSITION AUTHORITY
Cotabato City

First Regular Session

BTA RESOLUTION No. 150



RESOLUTION URGING THE BANGSAMORO GOVERNMENT THROUGH THE MINISTRY OF ENVIRONMENT, NATURAL RESOURCES AND ENERGY, MINISTRY OF HUMAN SETTLEMENTS AND DEVELOPMENT, MINISTRY OF AGRICULTURE, FISHERIES, AND AQUATIC RESOURCES, MINISTRY OF HEALTH, MINISTRY OF SOCIAL SERVICES AND DEVELOPMENT, AND MINISTRY OF INDIGENOUS PEOPLE'S AFFAIRS TO UNDERTAKE IMMEDIATE CONCERTED ACTIONS THAT WILL ADDRESS THE IMPACT OF TYPHOON PAENG THAT CLAIMED THE LIVES OF NON-MORO INDIGENOUS PEOPLES

Introduced by:

FROILYN T. MENDOZA

Co-authored by:

MP Hatimil E. Hassan, MP Nabila Margarita P Pangandaman, MP Tawakal B. Midtimbang, MP Benjamin T. Loong, MP Bai Maleiha B. Candao, MP John Anthony L. Lim, MP Mohammad Kelie U Antao, MP Faisal G. Karon, MP Eddie M Alih and MP Abdulazi M. Amenodin.

WHEREAS Article IX. Basic Rights, of the Bangsamoro Organic Law (BOL) provides:

Social Justice

Section 8. *Right of Access to Basic Services.* The Bangsamoro Government shall provide, maintain, and ensure the delivery of basic and responsive health programs, quality education, appropriate services, livelihood opportunities, affordable and progressive housing projects, power and electricity, and water inhabitants of the Bangsamoro Autonomous Region.

It shall maintain appropriate disaster-preparedness units for immediate and effective relief services to victims of natural and man-made calamities. It shall ensure rehabilitation of calamity-affected areas and victims of calamities. **WHEREAS** the Bangsamoro Organic Law (BOL) further provides:

Article IV, General Principle and Policies

Section 9. *Rights of Non-Moro Indigenous Peoples.* – The Bangsamoro Government shall recognize and promote the rights of non-Moro Indigenous peoples within the framework of the Constitution and national laws.

Article IX, Basic Rights

Section 3. *Indigenous Peoples Rights.* – The Bangsamoro Government recognizes the rights of the indigenous peoples and shall adopt measures for the promotion and protection of the following rights:

- (a) Native titles or *fusaka inged*;
- (b) Indigenous customs and traditions;
- (c) Basic services;

WHEREAS, in October 2022, Typhoon Paeng devastated Mt. Minandar and its surrounding, a part of the *Fusaka Inged* of the Teduray and Lambangan, claiming the lives of indigenous peoples and destroying homes and properties. This area has significance to the culture and beliefs of Non-Moro Indigenous Peoples that warrants respect and observance of customary protocols;

WHEREAS, after the typhoon, the report entitled "Geohazard Assessment of Mount Minandar, Barangay Kusiong, Datu Odin Sinsuat, Province of Maguindanao" was prepared by the Mines and Geosciences Services Office was submitted to the Office of MP Froilyn T. Mendoza on December 9, 2022 regarding the Geohazard assessment in Mt. Minandar. The report indicated that "the multiple landslides observed in the sides of Mt. Minandar was caused primarily by the nonstop heavy rains on the night of October 27 until October 28, 2022. Other contributing factors considered were the steep slopes and scarce vegetation on Mt. Minandar. Rocks, soil, vegetation from several landslide scarps mixed with water formed a slurry that moved downslope bulldozing the houses on its path.";

WHEREAS, the report made the following recommendations: i) evacuate the houses affected by the debris flow landslide; ii) relocation of the residential houses near the incident area; iii) consult civil or geotechnical engineers of the Ministry of Public Works and other experts for proper drainage diversion channels and other engineering mitigation measures; iv) the site is not suitable for permanent

habitation but may be developed for alternative uses subject to implementation of appropriate mitigation measures after performing site-specific geotechnical studies; v) warning signages must be placed within the vicinity of the area; vi) observe for and/or monitor presence and indicators of similar mass movement (e.g.) landslip, tension cracks) along nearby slopes and report situation of the MDRRMO of Datu Odin Sinsuat, Maguindanao and MGS-MENRE office especially to nearby residential on eastern side of the incident area; and vii) implementation of appropriate mitigation measures as deemed necessary by project engineers and LGU officials is recommended;

WHEREAS the tragedy strengthened our resolve to rand to take pro-active action to strengthen disaster early warning, preparedness and response, and recovery and rehabilitation, within the broader context of building disaster and climate resilience;

NOW, THEREFORE, be it

RESOLVED, as it is hereby resolved by the Bangsamoro Transition Authority, to recognize, protect and promote the rights of indigenous peoples in the BARMM considering the historical and cultural importance of Mt. Minandar to Non-Moro Indigenous Peoples, by respecting and observing customary laws and protocols, and ensuring their representation in decision-making bodies, including those with the mandate to oversee disaster risk reduction and management and climate change adaptation measures, among others;

RESOLVED, FURTHER, that the relevant ministries are urged to immediately coordinate to establish and strengthen disaster risk reduction and management and climate change adaptation in the Bangsamoro, giving due respect and recognition to customary laws and traditions of Non-Moro Indigenous Peoples.

ADOPTED, _____, 2023.

Principal Author:


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Member of Parliament