


Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
Bangsamoro Transition Authority 2
Cotabato City

Second Regular Session

BTA PARLIAMENT
BTA Resolution 463

Bangsamoro Autonomous Region in Muslim Mindanao
Parliament
BILLS AND INDEX DIVISION
RECEIVED

Name: Saima K. Pangunotan Signature: 
Date: NOV 17 2023 Time: 3:11 PM

Author

MP FROILYN T MENDOZA

Co-Authors

MP SUSANA ANAYATIN, MP EDDIE ALIH, NUREDHA I. MISUARI, MP DIAMILAH
DISIMBAN-RAMOS, MP MOHAMMAD KELIE ANTAO, TARHATA M. MAGLANGIT

**RESOLUTION RECOGNIZING, PROTECTING, RESPECTING, AND
PRESERVING THE SACRED BROWNSTONE – “BATEW” - IN MOUNT FIRIS IN
THE WESTERN PORTION OF THE MUNICIPALITY OF DATU SAUDI
AMPATUAN, MAGUINDANAO DEL SUR**

WHEREAS, Article II, Section 5 of the 1987 Philippine Constitution provides that “no law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed. No religious test shall be required for the exercise of civil or civil or political rights”;

WHEREAS, Article XIV, Section 17 of the 1987 Philippine Constitution provides that “the state shall recognize, respect, and protect the rights of indigenous cultural communities to preserve and develop their cultures, tradition, and institution. It shall consider these rights in the formulation of national plans and policies”;

WHEREAS, Section 33, Chapter VI of Republic Act 8371 also known as the “Indigenous Peoples Rights Act of 1997” provides that “Indigenous Cultural Communities/Indigenous Peoples shall have the right to manifest, practice, develop and there are spiritual and religious tradition, customs and ceremonies; the rights to maintain, protect and have access to their religious and cultural sites; the right to use and control of ceremonial objects; and the right to repatriation of human remains. Accordingly, the state shall take effective measure, in cooperation with the Indigenous Cultural Community /Indigenous Peoples concerned, to ensure that indigenous sacred places, including burial sites, be preserved, respected, and protected. To achieve this purpose, it shall be unlawful to:

- a.) Explore, excavate or make diggings on archaeological sites of the Indigenous Cultural Communities/Indigenous Peoples (ICC/IP) for the purpose of obtaining materials of cultural values without the free and prior informed consent of the community concerned; and
- b.) Deface, remove, or otherwise destroy artifacts which are of great importance to the ICC/IP for the preservation of their cultural heritage.”

WHEREAS, Section 4, Article IX of Republic Act 11054 provides that “the customs, beliefs, and traditions of Bangsamoro people are recognized, protected and guaranteed. The Parliament shall adopt measure to ensure mutual respect and protection of the distinct belief, customs, and tradition of the Bangsamoro people and other inhabitants in the Bangsamoro Autonomous Region. No person in the BARMM shall be subjected to any form of discrimination on account of creed, religion, ethnic origin, parentage or gender”;

WHEREAS, Section 5, Article IX of Republic Act 11054 provides that “[t]he Bangsamoro Government shall guarantee religious freedom or free exercise thereof pursuant to the Constitution, national laws, and principles of international law. The Bangsamoro Government shall protect all persons from harassment or any undue pressure, coercion, and violence on account of religion. Any establishment and institution shall be free to implement policies and undertake activities pursuant to their respective religious beliefs and values”;

WHEREAS, based on the customs, beliefs and traditions of the Teduray, the Teduray tribe a long time ago descended from the forefather *Mamalu*, and that the sacred brownstone - also known as “*Mount Bater*” - was once as small as a crystal ball only. Through the years, the sacred brownstone grew bigger until it reached the size and height of a mountain. The birth of the sacred brownstone as spiritual center carried out by spiritual Chieftain of *Sgt. Mao* in the early 1900s reinforced the faith and belief of the people. The Teduray coming from as far as the coastal area of Upi, now Datu Blah Sinsuat Municipality, Awang to Upi, South Upi, Tran, Lebak Municipality, Esperanza Sultan Kudarat, gather at *Mount Bater* to conduct traditional rituals. They strengthen their conviction to stand guard over the historically respected, honored, and revered sacred brownstone in Mt. Lengkuwos and Mount Firis of the same place. Annexed this is the white soil located at the peak of *Uruk Tawan-tawan* hill also known as *Pedro Colina Hill* in the heart of Cotabato City.

NOW, THEREFORE, BE IT RESOLVED, as it hereby resolved, to recognize, protect, respect, and preserve the Sacred Brownstone or Batew located at Western portion of Datu Saudi, Municipality, Maguindanao Del Sur.

RESOLVED FURTHER THAT, any person who violates the prohibited acts such as exploration, excavation of archaeological site in this holy places without free and prior informed consent of the communities concerned; or defacing, removing or otherwise destroying artifacts which are of great importance and significance to the Non-Moro Indigenous Peoples for the preservation of their cultural and social heritage, shall upon conviction be punishable in accordance with the Section 72 of Republic Act 8371 and customary law shall be applicable.

RESOLVED FINALLY, that copies of this resolution be furnished to the Ministry of Environment and Natural Resources and Energy (MENRE), Ministry of Indigenous Peoples Affairs (MIPA), and Bureau of Cultural Heritage – BARMM, for information and appropriate consideration.

Adopted.

Author:


MP FROILYN T. MENDOZA

Certified correct:

PROF. RABY B. ANGKAL
Secretary General

Attested:

HON. PANGALIAN M. BALINDONG
Speaker