

NINETEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Resolution No. 2069

A RESOLUTION

DIRECTING THE COMMITTEE ON INDIGENOUS CULTURAL COMMUNITIES AND INDIGENOUS PEOPLES AND OTHER APPROPRIATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE IMPLEMENTATION OF THE INDIGENOUS PEOPLES' RIGHTS ACT OR THE IPRA LAW (REPUBLIC ACT NO. 8371) IN THE BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO (BARMM) ON MATTERS RELATING TO THE ANCESTRAL DOMAIN CLAIMS OF NON-MORO INDIGENOUS PEOPLES (NMIPs) AND OTHER RIGHTS RELATED TO THEIR ECONOMIC, SOCIAL, AND CULTURAL WELL-BEING

WHEREAS, twenty-seven years after the enactment of the Indigenous Peoples Rights Act of 1997 (RA 8371), the ancestral domain rights of the Teduray-Lambangian NMIPs and other NMIPs in the BARMM are not yet fully secured with Certificates of Ancestral Domain Title (CADT).

WHEREAS, Section 22, Article II of the 1987 Philippine Constitution provides:

SEC. 22, State Policies: "The State recognizes and promotes the rights of indigenous cultural communities within the framework of national unity and development."

WHEREAS, Section 2b, Chapter 1 of Republic Act No. 8371 or the Indigenous Peoples' Rights Act of 1997 provides:

"SEC. 2b. Declaration of State Policies. The State shall protect the rights of ICCs/IPs to their ancestral domains to ensure their economic, social, and cultural well-being and shall recognize the applicability of customary laws governing property rights or relations in determining the ownership and extent of ancestral domain."

WHEREAS, Section 2e, Chapter 1 of Republic Act No. 8371 or the Indigenous Peoples' Rights Act of 1997 further provides:

"SEC 2e. The State shall take measures, with the participation of the ICCs/IPs concerned, to protect their rights and guarantee respect for their cultural integrity, and to ensure that members of the ICCs/IPs benefit on an equal footing from the rights and opportunities which national laws and regulations grant to other members of the population."

WHEREAS, Section 3, Article I of Republic Act No. 11054 or the Bangsamoro Organic Law provides;

"SEC. 3. Purpose. The purpose of this Organic Law is to establish a political entity, provide for its basic structure of government in recognition of the justness and legitimacy of the cause of the Bansamoro people and the

aspirations of Muslim Filipinos and all indigenous cultural communities in the Bangsamoro Autonomous Region in Muslim Mindanao to secure their identity and posterity, allowing for meaningful self-governance within the framework of the Constitution and the national sovereignty as well as territorial integrity of the Republic of the Philippines.” (Emphasis and underscoring supplied.)

WHEREAS, the Bangsamoro Organic Law contain specific provisions that uphold the rights of non-Moro indigenous peoples in the Bangsamoro, to wit:

“ARTICLE IV, SEC. 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. (Emphasis and underscoring supplied.)

“ARTICLE IX, SEC. 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) Justice systems and indigenous political structures;
- (d) Equitable share in revenues from the utilization of resources in their ancestral lands;
- (e) Free, prior and informed consent;
- (f) Political participation in the Bangsamoro Government including reserved seats for the non-Moro indigenous peoples in the Parliament;
- (g) Basic services; and
- (h) Freedom of choice as to their identity

“ARTICLE IX, SEC. 4. Customary Rights and Traditions. No person in the Bangsamoro Autonomous Region shall be subjected to any form of discrimination on account of creed religion, ethnic origin, parentage, or gender.”

WHEREAS, Article VI of the Bangsamoro Organic Law also provides for the framework and mechanisms on the relations between the national government and the Bangsamoro government, to wit:

“Section 1. General Supervision. - The President shall exercise general supervision over the Bangsamoro Government to ensure that laws are faithfully executed. The President may suspend the Chief Minister for a period not exceeding six (6) months for willful violation of the Constitution, national laws, or this Organic Law.”

“Section 2. Intergovernmental Relations Mechanism. There is hereby created a National Government-Bangsamoro Government Intergovernmental Relations Body, hereinafter referred to as " Intergovernmental Relations Body," to coordinate and resolve issues on intergovernmental relations through regular consultation and continuing negotiation in a non-adversarial manner.

“Section 3. Philippines Congress-Bangsamoro Parliament Forum. - There shall be created a Philippines Congress-Bangsamoro Parliament Forum for purposes of cooperation and coordination of legislative initiatives.”

WHEREAS, twenty-seven years since the enactment of the IPRA and six years after the enactment of the Bangsamoro Organic Law, the ancestral domain rights and other economic, social and cultural rights of NMIPs in the BARMM remain insecure. In particular, the Teduray-

Lambangian NMIP Ancestral Domain Claim (TLADC) had been submitted to the National Commission on Indigenous Peoples (NCIP) as early as 2005.¹

WHEREAS, pending recognition of their ancestral domain claims and rights, there had been recorded incidence of violence against NMIPs in Maguindanao del Norte and Maguindanao del Sur, including forcible occupation of their ancestral domains and targeted killings of some NMIP leaders, to wit:

- a) In December 2020, during the pandemic, more than 900 families were displaced due to violence in South Upi, Maguindanao del Sur.²
- b) In July 2023, a tribal worship hall in South Upi was burned by armed men.³ In September 2023, a one-month old Teduray baby also died in an evacuation center while Teduray families were seeking refuge due to armed conflict in their village.⁴
- c) In April 2024, a Teduray village councilman was ambushed.⁵
- d) Also in April 2024, more than 1,000 families or 5,000 individuals were displaced in Datu Odin Sinsuat due to indiscriminate firing of armed men.⁶

WHEREAS, in August 2024, the Vice Mayor of South Upi who is a Teduray was killed in an ambush. His wife, a barangay chairperson, and their 11-year old daughter were also injured during the ambush.⁷

WHEREAS, in September 2024, Elvin Moires, a Teduray village councilman and an IP leader from Brgy. Bongo, South Upi was killed by an unidentified gunman.⁸

WHEREAS, in October 2024, the residence of Commissioner Archie Buaya of the Bangsamoro Human Rights Commission was attacked in Datu Odin Sinsuat by at least 10 armed men. Commissioner Buaya is a Teduray and an advocate of the rights of non-Moro indigenous peoples in the Bangsamoro. His security aide, also a Teduray, was killed.⁹

WHEREAS, by virtue of the Comprehensive Agreement on the Bangsamoro and its annexes, military camps of the Moro Islamic Liberation Front (MILF) will be undergoing a camp transformation program. Two of these camps, Camp Bader and Camp Omar overlap with the Firis Complex, a sacred site of the Teduray-Lambangian NMIPs. Camp Bader, in particular, overlaps with the Teduray-Lambangian ancestral domain claim. The NMIPs in these areas raise compelling concerns, to wit:

¹ CADT petition and endorsement documents [here](#)

² Displacement in South Upi Municipality Maguindanao Province due to armed conflict. *Mindanao Displacement Dashboard*. December 2020. UNHCR. <https://reliefweb.int/report/philippines/philippines-mindanao-displacement-dashboard-december-2020-issue-no-76>

³ 96 families flee as armed group burns tribal worship hall in Maguindanao Sur. 30 July 2023. MindaNews.

<https://mindanews.com/top-stories/2023/07/96-families-flee-as-armed-group-burns-tribal-worship-hall-in-maguindanao-sur/>

⁴ Teduray baby dies in evacuation center. 12 September 2023. MindaNews. <https://mindanews.com/top-stories/2023/09/teduray-baby-dies-in-evacuation-center/#gsc.tab=0>

⁵ Another Teduray leader slain in Maguindanao. 01 May 2024. Inquirer. <https://newsinfo.inquirer.net/1935530/another-teduray-leader-slain-in-maguindanao>

⁶ Teduray folk flee from armed men who looted their village in Maguindanao. 09 April 2024. Inquirer.

<https://newsinfo.inquirer.net/1927733/teduray-folk-flee-from-armed-men-who-looted-their-village-in-maguindanao>

⁷ Vice Mayor ng South Upi at pamangkin patay sa panambang. 04 Aug 2024. *TV Patrol*. ABS-CBN News.

<https://www.youtube.com/watch?v=q8LsJ-Zj5es&t=1s>

⁸ Village councilman slain in Maguindanao del Sur gun attack. 18 September 2024. PNA.

<https://www.pna.gov.ph/articles/1233657>

⁹ Gun attack on Bangsamoro regional exec's house leaves watchman hurt. 11 October 2024. Philstar.

<https://www.philstar.com/nation/2024/10/11/2391782/gun-attack-bangsamoro-regional-execs-house-leaves-watchman-hurt>

- a) Conflict over boundaries between the camps and the ancestral domain pending official recognition of the CADT claim;
- b) Implementation of camp transformation development projects that may disregard free and prior informed consent (FPIC) of the NMIPs; and,
- c) Exclusion of NMIPs from the benefits of the camp transformation development projects.

WHEREAS, pursuant to the IPRA law, the National Commission on Indigenous Peoples (NCIP) was established as the primary agency for the implementation of the law and related policies, plans, programs and activities to promote and protect the rights of Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) and recognition of their ancestral domains and rights thereto.

WHEREAS, the Bangsamoro Organic Law provides a framework and specific mechanisms guiding the relations of the national government and the Bangsamoro government. In particular, the Intergovernmental Relations Body (IGRB) to coordinate and resolve issues on intergovernmental relations, and, the Philippines Congress-Bangsamoro Parliament Forum (PCBP) for purposes of cooperation and coordination of legislative initiatives.

WHEREAS, a review of the implementation of the Indigenous Peoples' Rights Act of 1997 is necessary to determine how best to achieve the purpose of the laws and provide better protection for the physical safety of NMIPs, their right to ancestral domain, and their welfare and development. Now, therefore, be it

RESOLVED BY THE HOUSE OF REPRESENTATIVES, to direct the Committee on Indigenous Cultural Communities and Indigenous Peoples and other appropriate committees to conduct an inquiry, in aid of legislation, on the implementation of the Indigenous Peoples' Rights Act or the IPRA law in the Bangsamoro Autonomous Region in Muslim Mindanao on matters relating to the ancestral domain claims of the Non-Moro indigenous peoples and other rights related to their economic, social, and cultural wellbeing.

Adopted,


RUFUS B. RODRIGUEZ