

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

**NINETEENTH CONGRESS**  
First Regular Session



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**COMMITTEE REPORT NO. 458**

Submitted by the Committee on Muslim Affairs on **March 16, 2023**

Re : House Resolutions Numbered 07 and 22

Informing the House of its Findings and Recommendations

Sponsors : Representatives Yasser Alonto Balindong, Zia Alonto Adiong, Mujiv S. Hataman, and Mohamad Khalid Q. Dimaporo

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**Mr. Speaker:**

The Committee on Muslim Affairs to which were referred House Resolution No. 07, introduced by Representatives Yasser Alonto Balindong and Zia Alonto Adiong, entitled:

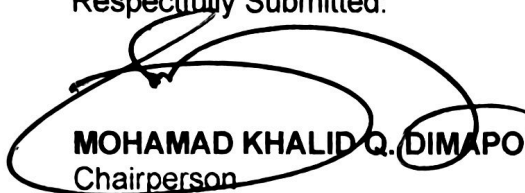
“RESOLUTION DIRECTING THE COMMITTEE ON MUSLIM AFFAIRS TO CONDUCT AN INQUIRY IN AID OF LEGISLATION INTO THE ADMINISTRATION, FORMULATION OF POLICIES, AND COORDINATION WITH PERTINENT AGENCIES BY THE NATIONAL COMMISSION ON MUSLIM FILIPINOS (NCMF) ON THE CONDUCT OF THE 2022 HAJJ TO MECCA, KINGDOM OF SAUDI ARABIA WHICH CAUSED HARDSHIPS ON THE MUSLIM FILIPINO PILGRIMS”; and

House Resolution No. 22, introduced by Representative Mujiv S. Hataman, entitled:

“RESOLUTION DIRECTING THE APPROPRIATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED FAILURE OF THE NATIONAL COMMISSION ON MUSLIM FILIPINOS TO SECURE THE TRAVEL VISAS OF FILIPINO MUSLIM PILGRIMS FOR THE ANNUAL HAJJ, WITH THE END IN VIEW OF INSTITUTING NECESSARY REFORMS TO ENSURE A BETTER PILGRIMAGE EXPERIENCE”

has considered the same and has the honor to submit to the House this attached report on its findings and recommendations.

Respectfully Submitted:



**MOHAMAD KHALID Q. DIMAPORO**  
Chairperson  
Committee on Muslim Affairs

**THE HONORABLE  
THE SPEAKER  
HOUSE OF REPRESENTATIVES  
Quezon City**

# **REPORT ON THE FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE ON MUSLIM AFFAIRS**

## **PREFATORY STATEMENT**

House Resolution No. 07, introduced by Representatives Yasser Alonto Balindong and Zia Alonto Adiong, entitled:

“RESOLUTION DIRECTING THE COMMITTEE ON MUSLIM AFFAIRS TO CONDUCT AN INQUIRY IN AID OF LEGISLATION INTO THE ADMINISTRATION, FORMULATION OF POLICIES, AND COORDINATION WITH PERTINENT AGENCIES BY THE NATIONAL COMMISSION ON MUSLIM FILIPINOS (NCMF) ON THE CONDUCT OF THE 2022 HAJJ TO MECCA, KINGDOM OF SAUDI ARABIA WHICH CAUSED HARDSHIPS ON THE MUSLIM FILIPINO PILGRIMS”; and

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were both referred by the Committee on Rules, House of Representatives to the Committee on Muslim Affairs on August 24, 2022. Due to the urgency of the issues submitted to the jurisdiction of the Committee, the deliberation pursuant to House Resolutions No. 07 and 22 ensued and public hearings were conducted on November 09, 22, and December 14, 2022. The Committee deliberation was terminated on December 14, 2022.

The Committee invited the officers from the National Commission on Muslim Filipinos (NCMF), Department of Foreign Affairs (DFA), Commission on Audit (COA), Civil Aeronautics Board (CAB); Local Government officials, as well as individuals. The following resource persons participated during the public hearings through physical attendance and Zoom video conference, to wit:

- 1) From NCMF: Secretary Guiling A. Mamondiong; Executive Director Tahir S. Lidasan, Jr.; OIC Malo M. Manonggiring, Bureau of Pilgrimage and Endowment; Dir. Rolando T. Abo, Bureau of Legal Affairs; Director Haidee V. Ampatuan, Planning Service; Director Sultan Masideng M. Salic, Ms. Dulcenda Lidasan, Finance Officer; Director Dimapuno Datu Ramos, Jr, Bureau of External Relations; and Atty. Moumina Sheryne L.D. Abdullah, Chief, Legal Division;
- 2) From DFA: Assistant Secretary Alfonso A. Ver, Office of Middle East and African Affairs (OMEAA);

- 3) From COA: Ms. Rachel S. Policarpio, Supervising Auditor, COA-NCMF, Audit Group B, Cluster I, National Government Audit Sector (NGAS); Ms. Krisshia D. Genio, Audit Team Leader, COA-NCMF Main and NCR; and Atty Ruby Anne Pascua;
- 4) From CAB: Atty. Eldric Paul A. Peredo, Division Chief, Air Operating Rights Division; and Atty. Jean Marianne A. Bermudez, Division Chief, Planning and Research Division;
- 5) From the Local Government Units: Hon. Yshmael "Mang" I. Sali, Governor Province of Tawi-Tawi;
- 6) Individuals: Sheikhs Abdullah Macaorao, Ali Magintao, Abdulqudos Mindalano, Anuar Magandia, Said Asghar, Abdulbasit Macarampat; and Atty. Manggay G. Guro, former Chief of Staff, Office of the Secretary, NCMF

## STATEMENT OF FACTS

House Resolutions Numbered 07 and 22 called for an inquiry, in aid of legislation, into the issues in the administration of 2022 *Hajj* operation by the National Commission on Muslim Filipinos which caused hardships to the Muslim Filipino pilgrims. Both resolutions aim to introduce reforms in the NCMF policies for the *Hajj* operation.

### **The Obligatory *Hajj* Pilgrimage in Islam**

Central to the Islamic faith are the five pillars or principles which are outlined in the Hadith of Gabriel<sup>1</sup>: (a) *shahada* (creed), (b) *salat* (daily prayers), (c) *sawm* (fasting during Ramadan), (d) *zakāt* (almsgiving), and (e) *hajj* (pilgrimage to Mecca). These are the fundamental practices that all Muslims are obligated to accomplish during their lifetime.

The fifth pillar, *hajj*, is an annual pilgrimage to the holy city of Makkah in the Kingdom of Saudi Arabia (KSA) by physically and financially able Muslims at least once in their lives. It is performed in the last month of the Islamic Calendar, Dhu al-Hijja. Hajj is a divine ritual wherein Muslims undergo a strenuous journey which is said to wipe away any sins and to purify one's soul in front of Allah<sup>2</sup>.

### **The NCMF mandate and powers on the annual *Hajj***

The NCMF, as mandated in Republic Act No. 9997, otherwise known as the "National Commission on Muslim Filipinos Act of 2009" is the main government agency which shall preserve and develop the culture, tradition, institutions, and well-being of Muslim Filipinos, in conformity with the country's laws and in consonance with national unity and development<sup>3</sup>. One of its functions, under

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<sup>1</sup> Kamal-ud Din, Khwaja. Five Pillars of Islam. Nabu Press, 2010.

<https://archive.org/download/fivepillarsofisl00kamaoft/fivepillarsofisl00kamaoft.pdf>. Retrieved on January 2023

<sup>2</sup> <https://thepilgrim.co/importance-of-hajj/>. Retrieved on January 2023

<sup>3</sup> Section 4, Republic Act No. 9997 entitled "AN ACT CREATING THE NATIONAL COMMISSION ON MUSLIM FILIPINOS DEFINING ITS POWERS, FUNCTIONS AND

paragraph (q) of Section 8 of RA 9997, is to administer all programs, projects and activities, formulate the necessary rules and regulations, and coordinate with pertinent offices to ensure the success of the annual *hajj* pilgrimage to Mecca, KSA.

The Bureau of Pilgrimage and Endowment (BPE) is the office under the NCMF which is primarily responsible for the administration of the annual *Hajj* pilgrimage<sup>4</sup>. Among its responsibilities is to formulate and implement programs and, projects and activities for the conduct of the pilgrimage. Thus, the BPE formulates the necessary guidelines for the processing of travel documents of Muslim Filipino pilgrims and collection of *Mutawiff* fees<sup>5</sup>, passporting, and/or processing fees. It shall also accredit qualified and deserving sheikhs<sup>6</sup> and likewise formulate, subject to the approval of the NCMF, the timeline of the annual *Hajj* activities<sup>7</sup>.

### **COVID-19 and the cancellation of CY 2020 and 2021 Hajj**

The Covid-19 pandemic affected and disrupted activities worldwide, including the annual *Hajj* pilgrimage in KSA. In response to the pandemic, the Ministry of Hajj and Umrah (MoHU) of KSA, issued a statement on June 22, 2020 that the *Hajj* for year 2020 will be held for a limited number of pilgrims and will be restricted to residents of KSA<sup>8</sup>. This is ultimately due to the concern of KSA for the health and safety of the pilgrims.

Subsequently, in consideration to the emergence of new variants of COVID-19, the MoHU issued another statement on June 12, 2021. It stated that the restriction for foreign pilgrims was to continue and only 60,000 pilgrims residing in KSA were allowed for the 2021 *Hajj*<sup>9</sup>.

In the Philippines, following the restriction for non-Saudi Arabia residents during 2020 *Hajj*, the NCMF, per BPE OIC Dir. Malo Manonggiring, refunded the payments made by Muslim Filipino pilgrims who intended to perform the *Hajj* on the same year<sup>10</sup>. NCMF likewise cancelled its operation for 2021 *Hajj*, in compliance to the statement from the KSA<sup>11</sup>.

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#### RESPONSIBILITIES AND APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

<sup>4</sup> Section 11 (e), RA No. 9997

<sup>5</sup> *Mutawiff* fee or the *hajj* services fee in KSA

<sup>6</sup> Sheikhs are Muslim leaders of a group of *Hajj* pilgrims. They often assist in the processing and submission of travel requirements of their respective pilgrims.

<sup>7</sup> Section 11 (e), RA No. 9997

<sup>8</sup> <https://www.spa.gov.sa/viewfullstory.php?lang=en&newsid=2100951>. Retrieved on January 2023

<sup>9</sup> Ministry of Hajj and Umrah [@MOHU\_En]. (June 12, 2021) [Photo attached]. Twitter. Retrieved on January 2023 from [https://twitter.com/MoHU\\_En/status/1403711956838719488](https://twitter.com/MoHU_En/status/1403711956838719488)

<sup>10</sup> TSN 09 November 2022/ MTGA/ XIII-3

<sup>11</sup> <https://scitechanddigital.news/2021/07/05/filipinos-all-overseas-pilgrims-not-allowed-in-hajj-2021/> Retrieved on January 2023

## The Hajj operation of NCMF

The Hajj operation of the NCMF consists of four (4) stages: 1) Pre-*Hajj* registration processes; 2) Registration proper; 3) Hajj Proper; 4) Post-Hajj Operations<sup>12</sup>.

The coordination between key government agencies in the Philippines and the Annual Hajj conference are conducted in the initial stage, or the pre-hajj registration processes. The Annual Hajj conference is where the Mother Contract, or the agreement between the Philippine Government through NCMF and the KSA Government through the MoHU, and other contracts such as with service providers and the MOASSASSA are signed. This is usually initiated with the invitation coming from KSA government six months prior to the actual *Hajj*. Furthermore, during this stage, the NCMF, through the BPE conducts the Hajj Awareness Program in different regional offices to inform the intending pilgrims and sheikhs the rituals to be followed as well as the rules and requirements for their application.<sup>13</sup>

The second stage is the registration proper where the applications of intending pilgrims are received by the Hajj processing registration centers located at the regional offices of NCMF. This is also the stage when the intending pilgrims remit their payment for *Mutawiff* fees and when their visas are being processed and issued.<sup>14</sup>

The *Hajj* proper transpires in the KSA wherein the NCMF monitors and supervises the pilgrims during the performance of *Hajj* and assist them from their arrival in Medina until their return to the Philippines. On the other hand, it is during the post *Hajj* operations when NCMF conducts assessment and evaluation of the then concluded Hajj operations to determine issues that may have emerged.<sup>15</sup>

### The 2022 Hajj operation

The MoHU KSA announced on April 09, 2022 that one million international and domestic pilgrims will be authorized to perform the 2022 *Hajj* with limited pilgrim quota for each country<sup>16</sup>. Per the NCMF, since there was no annual Hajj Conference held for 2022, it honored the Mother Contract intended for the 2020 *Hajj*. Said Mother Contract refers to the agreements between the Philippines, through the NCMF, and the KSA, through the MoHU to facilitate and simplify the arrangements for the Muslim Filipino pilgrims during the 2020 *Hajj*. It stipulated the agreements on the following: 1) the estimated pilgrim quota for the Philippines;

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<sup>12</sup> Powerpoint, entitled "Report to the House Committee on Muslim Affairs re: Issue on the 2022 Hajj Operations" presented by NCMF on November 09, 2022 meeting

<sup>13</sup> TSN 09 November 2022/ MTGA/ III-1

<sup>14</sup> TSN 09 November 2022/ MTGA/ III-2

<sup>15</sup> Ibid.

<sup>16</sup> Ministry of Hajj and Umrah [@MOHU\_En]. (April 09, 2022). [Photo attached]. Twitter.

Retrieved on January 2023 from

[https://twitter.com/MoHU\\_En/status/1512589479013457925/photo/1](https://twitter.com/MoHU_En/status/1512589479013457925/photo/1) .

2) the arrival and departure entry points for the Muslim Filipino pilgrims; 3) the general instructions implemented inside the KSA; and 3) details on the e-portal payment mechanism for services and transport fees. The contract was signed by Hon. Saidamen B. Pangarungan, Secretary, NCMF and Dr. Mohd Saleh bin Tahir Bentin, Minister, MoHU on December 15, 2019 at the Office of the Minister, MoHU, Makkah Al-Mukarramah, KSA.<sup>17</sup>

On April 29, 2022, around two months before the *Hajj*, the NCMF delegation, including the 2022 *Hajj* Procurement Committee<sup>18</sup> travelled to KSA to coordinate with service providers, the MOASSASSA, the General Authority of Civil Aviation (GACA), the ELM Company, the MoHU, and other key officials of KSA. The Philippines, through the negotiation of NCMF with KSA, was allocated with 4,074 pilgrim quota<sup>19</sup>. The MoHU through the GACA prescribed that the outbound flight to KSA shall commence on June 18, 2022<sup>20</sup>.

Meanwhile, for the procurement of service providers for accommodation, transportation and food, the Hajj Procurement Committee utilized the Request for Quotation (RFQ) mode per Resolution No. 28-2017<sup>21</sup> of the Government Procurement Policy Board<sup>22</sup>. According to Atty. Manggay Guro Jr., a member of the 2022 *Hajj* Procurement Committee, several sheikhs were likewise present during their meeting with the service providers

#### 2022 Hajj Mutawiff Fees and the ELM Portal

The NCMF released on May 10, 2022 a Hajj advisory which detailed the Mutawiff fees to be paid by the intending pilgrims. The amount was two thousand seven hundred forty-eight dollars and seventy-two cents (USD 2,748.72)<sup>23</sup>. The Mutawiff fees cover the following charges: 1) uniform *Hajj* visa; 2) united agent office charges; 3) MOASSASSA company charges; 4) housing in Madinah, Misfalah, and Makkah, KSA; 5) travel insurance; and 6) guaranty insurance<sup>24</sup>. The initial deadline of payment was set on May 31, 2022.

On May 23, 2022, the NCMF delegation returned to KSA to meet the service providers for housing, food, transportation, tents, and food in Arafah and Minah and to sign with them the respective contracts. It was during this travel that the MoHU officially informed NCMF that there will be an adjustment in Mutawiff fees amounting to six hundred forty-one dollars (USD 641). Due to this additional

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<sup>17</sup> Minutes of the Meeting re: Hajj Arrangements Season Hajj 1441 AH Among the Delegation of Hajj Affairs Republic of the Philippines and the Ministry of Hajj and Umrah in the Kingdom of Saudi Arabia (document submitted by NCMF to the Committee on December 12, 2022)

<sup>18</sup> The composition of the Hajj Procurement Committee and its duties and functions in NCMF Office Order No. 04-22-051 (document submitted to the Committee on December 12, 2022)

<sup>19</sup> TSN 09 November 2022/ MTGA/ III-2

<sup>20</sup> TSN 09 November 2022 / RGR / IV - 1

<sup>21</sup> Resolution No. 28-2017, Government Procurement Policy Board, entitled, "APPROVING THE GUIDELINES FOR THE PROCUREMENT OF GOODS AND SERVICES, INFRASTRUCTURE PROJECTS, AND CONSULTING SERVICES TO BE PROCURED AND PERFORMED OVERSEAS"

<sup>22</sup> 14 December 2022 / EEG / II - 14

<sup>23</sup> 2022 Hajj Advisory dated May 20, 2022 on the schedule of Mutawiff fees

<sup>24</sup> 09 November 2022 / HPG / V-1

fee imposed by the MOASSASSA, KSA, the NCMF later extended the deadline of payment to June 08, 2022<sup>25</sup>.

Further, the NCMF learned in the said trip that *Mutawiff* fees were to be paid through an online digital platform called the ELM portal. This portal was created and managed by the ELM, a company in KSA which offers ready-made and customized digital solutions to various fields. The ELM was commissioned by the MoHU for the online processing of the visas and other services for the pilgrims of *Hajj* and *Umrah* from different countries around the world such as Southeast Asian countries<sup>26</sup>. Atty. Guro stated that the new system required payments for the *Hajj* 2022 fees to be directly deposited to the ELM Company account, through the ELM portal, and in turn, it will remit the payment to the KSA Government<sup>27</sup>.

The NCMF made payments for the *Mutawiff* fees through the ELM portal and it likewise paid directly to KSA service providers based on the contract signed. Below is the NCMF schedule of payments <sup>28</sup>:

DATE	AMOUNT	PARTICULARS
June 6 2022	USD 822,509.00	Transferred to ELM through ELM Portal - (Bank Warranty) to activate the eHajj Portal equivalent to 4,074 visa quota <i>[PNB Reference Form Number: 183554c]</i>
June 10, 2022	USD 1,088,710.00	Transferred to MAAD AL MASIYAH - for housing in Makkah in compliance to the contract (45%) <i>[PNB Reference Form Number: 183560c]</i>
	USD 99,798.00	Transferred to ELYAS COMPANY - for housing in Madinah in compliance to the contract (45%) <i>[PNB Reference Form Number: 183560c]</i>
June 13, 2022	USD 2,472,500.00	Transferred to ELM through ELM Portal - for 2000 pilgrims [Visa Fee, Insurance Fee, Transportation and Mashaer Package D) NO FOOD AND HOTEL/HOUSING ACCOMMODATION IN MAKKAH AND MADINAH INCLUDED] <i>[PNB Reference Form Number: 183559c]</i>
June 14, 2022	USD 110,887.00	Transferred to HUSSAM TOURS EST - for Madinah Accommodation <i>[PNB Reference Form Number: 183573c]</i>
	USD 362,904.00	Transferred to ABER INTERNATIONAL LLC - for Makkah Food and Housing Accommodation

<sup>25</sup> 2022 Hajj Advisory dated June 01, 2022 on the updated schedule of *Mutawiff* fees

<sup>26</sup> 09 November 2022 / HPG / V-2

<sup>27</sup> 22 November 2022 Minutes of the meeting

<sup>28</sup> 09 November 2022 Minutes of the meeting, Powerpoint entitled, "2022 Hajj Narrative Report" by NCMF (document submitted to the Committee on 14 December 2022), and "Proof of payments to Service Providers" (document submitted to the Committee on 24 October 2022)

		<i>[PNB Reference Form Number: 183572c]</i>
June 15, 2021	USD 1,037,904.00	Transferred to NOZHET AL MOSHTAQEN FOUNDATION - for Makkah Housing Accommodation <i>[PNB Reference Form Number: 183574c]</i>
June 20, 2022	USD 2,478,911.00	Transferred to ELM through ELM Portal <i>[PNB Reference Form Number: 183588c]</i>
June 21, 2022	USD 2,118,750	Transferred to ELM through ELM Portal - 423,750.00 USD remitted five (5) times <i>[PNB Reference Form Numbers: 183592c, 183599c, 183594c, 183597c, and 183598c]</i> *Requested additional 2,000 visa and 500 visa quota
June 23, 2022	USD 423,750.00	Transferred to ELM through ELM Portal <i>[PNB Reference Form Number: 183593c]</i>
June 29, 2022	USD 30,000.00	Transferred to HUSSAM TOURS EST - for Madinah Accommodation <i>[PNB Reference Form Number: 183573c]</i>
	USD 165,000.00	Transferred to MAAD AL MASIYAH <i>[PNB Reference Form Number: 183618c]</i>
	USD 65,000.00	Transferred to ELYAS COMPANY <i>[PNB Reference Form Number: 183614c]</i>
	USD 50,000.00	Transferred to ABER INTERNATIONAL LLC <i>[PNB Reference Form Number: 183616c]</i>
	USD 100,000.00	Transferred to NOZHET AL MOSHTAQEN FOUNDATION <i>[PNB Reference Form Number: 183632c]</i>
July 4, 2022	USD 105,470.00	Transferred to NOZHET AL MOSHTAQEN FOUNDATION <i>[PNB Reference Form Number: 183632c]</i>
	USD 55,470.00	Transferred to MAAD AL MASIYAH <i>[PNB Reference Form Number: 183634c]</i>
	USD 81,470.00	Transferred to ABER INTERNATIONAL LLC <i>[PNB Reference Form Number: 183633c]</i>
July 25, 2022	USD 30,000.00	Transferred to ABER INTERNATIONAL LLC <i>[PNB Reference Form Number: 183662c]</i>

### 2022 Hajj Muslim Filipino pilgrims

The Muslim Filipino pilgrims who intended to join the 2022 Hajj were required to register via the e-Hajj portal<sup>29</sup> beginning January 2022. As reported by the NCMF, the total number of Muslim Filipino pilgrims entered into the e-Hajj

<sup>29</sup> Launched in January 2022, the e-Hajj project was initiated by the BPE to improve transparency and productivity of Hajj services by automating registration and monitoring of status of pilgrim application. <https://ehajportal.com/about-ehajj/> (accessed on February 2023)

registration portal of the NCMF for the 2022 *Hajj* was 3,617. Of these, 3,404 were regular pilgrims, 90 were from NCMF supervisory/medical team, and 123 were members of the *Amirul Hajj* entourage.<sup>30</sup> The actual number of Muslim Filipino pilgrims who participated in the 2022 *Hajj* is 3,586.<sup>31</sup>

On the payment of *Mutawiff* fees, 2,617 of the regular pilgrims were able to pay in full the USD 3,399.00 each to the NCMF through their Sheikhs within the January 08, 2022 deadline. The remaining 787 regular pilgrims, on the other hand, were able to fully pay NCMF from June 09 to 28, 2022.

### Flight schedules of pilgrims

A total of twenty-five (25) flights for the *Hajj* pilgrims from Manila to KSA were scheduled from June 16 to 26, 2022. The June 16 and 17, 2022 flights were scheduled before the GACA prescribed initial outbound flight on June 18, 2022.

The NCMF reported that seven (7) of the flights had issues wherein 1,002 pilgrims were offloaded or were denied to check in. The dates of the said flights were supposed to be scheduled on June 19, 20, 21, 22, and 25, 2022. The main reason for pilgrims being offloaded was the lack of visas for the June 19 (298 pilgrim), June 20 (182 and 101 pilgrims), and June 21 (74 and 196 pilgrims), 2022 flights. On the June 25, 2022 flight, the 42 pilgrims were not able to depart because of the delayed issuance of their visas due to their late submission of vaccination certificates.<sup>32</sup>

The non-issuance of visas to the pilgrims of the June 19, 20, and 21, 2022 was attributed to the NCMF allotment of visas for the pilgrims of June 16 and 17, 2022 flights. On June 15, 2022, several sheikhs informed OIC Dir. Manonggiring of their confirmed flight tickets for June 16 and 17. Thus, the NCMF provided them visa slots which were intended for the pilgrims of June 19, 20, and 21, 2022<sup>33</sup>.

On the other hand, for the June 22, 2022 flight, the Qatar Airways explained that the 109 pilgrims who were not allowed to check in was due to the lack of material time. Albeit the pilgrims being on time at the check in counter, the distribution of travel documents such as the visas and RT-PCR test results to them was not completed before the boarding time cut off. Hence, the said airline decided not to accommodate the group to strictly comply with the flight schedule<sup>34</sup>.

Because of this matter, the 1,002 pilgrims were distressed and were stranded in Metro Manila for days. Several sheikhs of stranded pilgrims testified that they incurred extra expenses such as for the fare difference of their airline

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<sup>30</sup> Powerpoint entitled, "2022 Hajj Narrative Report" by NCMF

<sup>31</sup> TSN 09 November 2022 / MTGA / XIII - 3

<sup>32</sup> TSN 09 November 2022 / RGR / IV – 1 to IV - 2

<sup>33</sup> TSN 09 November 2022 / MTGA / XIII - 3

<sup>34</sup> Electronic correspondence dated December 21, 2022 from Qatar Airways to Civil Aviation Board

tickets and for their food and lodging in Metro Manila while they wait for the new schedule of their flights.<sup>35</sup>

Below is a summary of the flight schedules with the respective status of pilgrim flights:

DATE	AIRLINE	NO. OF PAX	FLIGHT STATUS
June 16, 2022	Saudia Airlines	137	Departed
	Philippine Airlines	153	Departed
June 17, 2022	Saudia Airlines	234	Departed
June 18, 2022	Saudia Airlines	279	Departed
	Qatar Airways	60	Departed
	Qatar Airways	58	Departed
June 19, 2022	Saudia Airlines	298	Offloaded
	Oman Air	132	Departed
	Qatar Airways	75	Departed
June 20, 2022	Saudia Airlines	182	Offloaded
	Qatar Airways	101	Offloaded
June 21, 2022	Saudia Airlines	302	Departed
	Qatar Airways	74	Offloaded
	Philippine Airlines	196	Offloaded
June 22, 2022	Saudia Airlines	310	Departed
	Oman Air	125	Departed
	Qatar Airways	109	Offloaded
	Qatar Airways	34	Departed
June 23, 2022	Qatar Airways	97	Departed
June 24, 2022	Oman Air	131	Departed
	Qatar Airways	49	Departed
	Saudia Airlines	141	Departed
June 25, 2022	Qatar Airways	42	Offloaded
June 26, 2022	Saudia Airlines	22	Departed

#### *Observation of the Embassy of the Kingdom of Saudi Arabia in Manila*

Assistant Secretary Alfonso A. Ver of the Office of Middle East and African Affairs (OMEAA), Department of Foreign Affairs (DFA), reported and submitted the insights and observations of the Embassy of the Kingdom on the conduct of the 2022 Hajj operations for Muslim Filipinos. The following were observed by the Embassy which it deemed caused the postponement of flights and the disappointment of the Muslim Filipino pilgrims <sup>36</sup>:

- NCMF's failure to send the sum of contracts into the digital wallet account designated by the Hajj mission in a timely manner;

<sup>35</sup> 22 November 2022 / PVB / IV – 6 to IV – 7 and Sworn Statements of sheikhs of stranded pilgrims for flights scheduled on June 19 and 20, 2022 submitted to the Committee on 22 November 2022

<sup>36</sup> Note No. 7/731 dated 21 November 2022 from the Royal Embassy of Saudi Arabia in Manila. Submitted to the Committee on 23 November 2022

- Failure of NCMF to fulfill contract requirements for services to Philippine pilgrims;
- Non-utilization of the entire quota allotted to Muslim Filipinos; and
- Refuting the statement of NCMF published in local media (CNN) on the problem that caused flight delays was due to the electronic Hajj portal on the part of the service provider in Kingdom of Saudi Arabia (KSA).

#### *NCMF response on the incident*

The NCMF reported the following as their response to the problem regarding the stranded pilgrims<sup>37</sup>:

- Deployment of NCMF Personnel at the NAIA Airport on June 19, 2022 to assess the problem;
- NCMF conducted a press conference on June 20, 2022 to apprise the public of the problem. On even date, it activated the *Hajj* Crisis Committee which reached out to the airline companies.
- A Fact-Finding committee was created who in turn coordinated with Secretary Rolando Bautista and the concerned aircraft carriers for the relief assistance to the stranded pilgrims;
- On June 24, 2022, NCMF requested an audience with the Saudi Ambassador, H.E. Dr. Hisham S. Al-Qahtani to appeal assistance for the stranded victims and to intercede with Saudia Airlines for new flights.
- On June 25, 2022, the NCMF facilitated the five thousand pesos (5,000.00 Php) cash assistance given to the stranded pilgrims at the DSWD Main Office.

## **DISCUSSION**

### **ISSUES**

House Resolutions numbered 07 and 22 are clear in their intent – to look into the policies of the NCMF in relation to its mandate under RA 9997 “to ensure the success of the annual *Hajj* (Pilgrimage) to Mecca, Kingdom of Saudi Arabia” of Muslim Filipinos. Both resolutions aim to introduce reforms and improve the conduct of the Hajj.

Specific to the botched 2022 *Hajj*, HR No. 22 wanted to review existing policies of the NCMF on *Hajj* and its alleged failure to secure *Hajj* visa for the pilgrims. On the other hand, aside from looking into NCMF policies on *Hajj*, HR No. 07 also wants to look into the coordination between the NCMF and pertinent agencies and “to recommend prosecution and discipline of those who may have violated the law” in relation to the botched 2022 *Hajj*.

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<sup>37</sup> 09 November 2022 Minutes of the meeting

Thus, based on the two resolutions, three major issues were identified, to wit:

- 1) **Are the policies of the NCMF in relation to the conduct of the *Hajj* sufficient to ensure success of the *Hajj*?**
- 2) **What were the factors that contributed to the failure of the NCMF in securing visas for pilgrims in 2022?**
- 3) **Were there violations of law committed by the NCMF during the 2022 *Hajj* and if there were, who were accountable?**

## **FINDINGS AND CONCLUSIONS**

After conducting public hearings on the matter, the House Committee on Muslim Affairs, in consideration of the intent of the subject resolutions and the issues stated above, submits the following findings and conclusions:

### **1) NCMF policies on the Hajj are not sufficient to ensure success of the Hajj.**

To be fair and to be clear, the 2022 *Hajj* was the first *Hajj* after a two-year lull because of the pandemic. The pandemic also ushered in new policies emanating from the KSA in relation to the *Hajj*. Such new policies required corresponding adaptive policies on the part of the Philippines, particularly the NCMF.

However, such new policies imposed by the government of KSA has not been properly observed. Concretely for example, the KSA mandates that all payments for the *Mutawiff* will be coursed through the ELM Company, and in turn, the ELM Company will take charge in paying service providers in the Kingdom<sup>38</sup>. This policy was not properly observed such that the NCMF paid directly to the service providers and made another payment to the ELM. On this matter, Secretary Mamondiong defended this as a judgment call on his part to avert a bigger problem which will deny the pilgrims accommodation and food if service providers were not paid<sup>39</sup>.

The NCMF outlined general policies for the conduct of the annual Hajj consisting of four stages: 1) Pre-*Hajj* registration processes; 2) Registration proper; 3) Hajj Proper; 4) Post-Hajj Operations<sup>40</sup>. However, these four stages are too general that the activities undertaken under each stage relied mainly on how the NCMF officials acted in the *Hajj* of the previous years.

It was clear during the hearings that the policies outlined in the four stages were not sufficient and also not properly observed by concerned officials of the

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<sup>38</sup> 22 November 2022 Minutes of the meeting

<sup>39</sup> TSN 14 December 2022 / EBGV / IV - 16

<sup>40</sup> Powerpoint, entitled "Report to the House Committee on Muslim Affairs re: Issue on the 2022 Hajj Operations"

NCMF. One observation for example was that deadlines were not strictly met. The laxity in meeting deadlines caused problems such as cancellation of bookings.

Specific to the 2022 *Hajj*, there was lack of material time for the preparation of the *Hajj*. Although admittedly, the lack of time for preparation is not entirely attributable to the NCMF as the announcement from the KSA was also late, such late announcement should have been addressed with urgency and dispatch by the NCMF.

Another new policy which needs to be addressed is imposition of a new digital system by the KSA for the processing of Hajj requirements. This policy must be addressed by the NCMF.

Also manifested during the hearings was the lack of coordination between the NCMF and pertinent agencies, i.e. NCMF did not coordinate with NAIA officials on June 22, 2022 flight when pilgrims were denied flight via Qatar Airways despite their presence in the airport over one hour before the flight. Instead, NCMF contacted Qatar Airways but not the NAIA personnel<sup>41</sup>.

Furthermore, the Committee finds that despite the yearly *Hajj* and despite the many long years where the NCMF had been involved and mandated to administer *Hajj* since the NCMF was established, the agency has no operations manual for the conduct of the yearly *Hajj*.

This was disclosed by the NCMF officials admitting that it has no *Hajj* operations manual. They are quick to say, however, that they have already drafted one but the same is said to be effective only in 2023<sup>42</sup>. This means that for 2022, the *Hajj* operations was not properly guided by an institutionalized operation manual.

## **2) Miscommunication, management problems and negligence contributed to the failure of the NCMF to secure travel for Hajj pilgrims.**

The miscommunication or even the lack of it was manifested between the BPE director and the Secretary when the BPE director failed to inform the Secretary of the new policy imposed by the KSA on the conduct of the Hajj beginning 2022<sup>43</sup>. BPE OIC Director Manonggiring knew of the new policy but this was not relayed to Secretary Mamondiong who learned only later of the policy.

The management problem is manifested by the fact that the BPE has no permanent director, the current occupant being the Director of Human Resource of the NCMF<sup>44</sup>. Clearly, there is a need for a career official to focus on such a very important function of the NCMF.

Negligence is seen by the fact that the BPE Director failed to immediately communicate the new policy to the Secretary. Such an important policy must be

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<sup>41</sup> TSN 14 December 2022 / EEG / II – 7 to II-8

<sup>42</sup> TSN 09 November 2022 / HPG / X-1

<sup>43</sup> TSN 09 November 2022 ESM / XII - 1

<sup>44</sup> 09 November 2022 / MTGA / XIII - 2

reported immediately to the Secretary who must be apprised of its relevance. Needless to say, the Secretary must know every policy, so he can act according to such policies.

Also, to be considered is the note *verbale* from the Royal Embassy of the KSA in Manila as disclosed by DFA Assistant Secretary Alfonso Ver<sup>45</sup>. The note *verbale* was specific on the following: 1) NCMF's failure to send the sum of contracts into the digital wallet account designated by the Hajj mission in a timely manner; 2) Failure of NCMF to fulfill contract requirements for services to Philippine pilgrims; 3) Non-utilization of the entire quota; and 4) Refuting the statement of NCMF published in local media (CNN) on the problem that caused flight delays was due to the electronic Hajj portal on the part of the service provider in Kingdom of Saudi Arabia (KSA)<sup>46</sup>. The observation of the Royal Embassy of the KSA is instructive of how the NCMF was remiss in the performance of their functions.

**3) The Committee is constrained by its mandate and does not have jurisdiction to determine probable culpability of certain officials of the NCMF who may have violated the law.**

As already pointed out at the outset of the hearings, the Committee on Muslim Affairs does not have jurisdiction in determining whether or not a public official committed misfeasance, malfeasance or nonfeasance in the performance of their duties, in this case the 2022 Hajj. This jurisdiction falls with the Committee on Good Government and Public Accountability or the Committee on Public Accounts.

Thus, this Committee cannot present any findings as to the culpability of NCMF officials, otherwise it may be said to have acted outside of its jurisdiction.

## RECOMMENDATIONS

In view of the above findings and with the intent of improving the annual *Hajj* operation by the NCMF, the Committee on Muslim Affairs strongly recommends the following:

- 1) The review of Republic Act No. 9997, the law establishing the National Commission on Muslim Filipinos and to propose amendments on certain provisions, particularly in the mandate and responsibilities of the BPE such as:
  - a) To formulate and publish the annual *Hajj* operations manual which shall be the guide in the conduct of the *Hajj* operation for Muslim Filipinos each year. It shall include the details of the activities in each phase of the operation. The annual *Hajj* operations manual shall be approved by the NCMF *en banc*. It shall also be posted at least two

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<sup>45</sup> TSN 22 November 2022 / EMTB / II - 12

<sup>46</sup> Note No. 7/731 dated 21 November 2022 from the Royal Embassy of Saudi Arabia in Manila. Submitted to the Committee on 23 November 2022

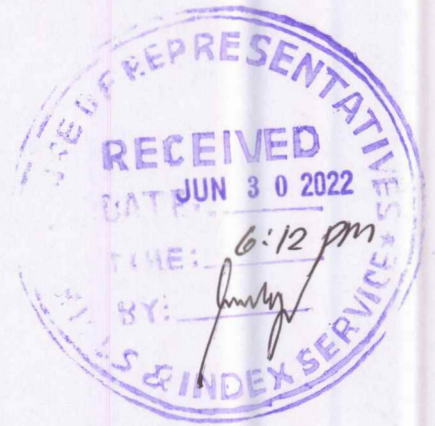
(2) months before the actual *Hajj* in all areas accessible to Muslim Filipinos;

- b) To allow pilgrims, through their sheikhs, to choose the service providers for hotel, accommodations, and other service providers during *Hajj*, subject to the policies imposed by the KSA. The sheiks shall coordinate with the NCMF on this endeavor;
  - c) To put time stamp on all communications issued to pilgrims and other agencies relevant to the conduct of the *Hajj*.
- 2) For the NCMF to include in the guidelines, as advised by the airport authority, that departing pilgrims must be present at the airport three (3) hours prior to their international flight due to documents verification.
  - 3) For the NCMF to appeal to the President to appoint a career service Director of the BPE who shall be responsible in the annual *Hajj* pilgrimage.
  - 4) For the NCMF to enter a Memorandum of Understanding (MOU) with the DFA for the conduct of the *Hajj* pilgrimage.
  - 5) For the NCMF to strictly implement NCMF policies, particularly on the schedule and deadline of full payment for the pilgrim's visa and *Mutawiff* fees for the *Hajj* pilgrimage. The deadline of payment shall also be at least two weeks before the scheduled first flight to KSA. Failure to meet the deadline means forfeiture of the visa slot.
  - 6) For the NCMF to improve transparency in the *Hajj* processes, the negotiation with service providers, and the signing of the mother contract and contracts with the service providers. The NCMF shall implement mechanisms through a digital platform to ensure all stakeholders are well-informed of the advisories and other activities in each stage of the annual *Hajj*.
  - 7) For the NCMF to submit an annual *Hajj* report to the Senate Cultural Communities and Muslim Affairs and the House Committee on Muslim Affairs which shall monitor the NCMF *Hajj* operation in the exercise of their oversight functions.

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Congress of the Philippines  
Quezon City

19<sup>th</sup> Congress

First Regular Session



HOUSE RESOLUTION NO. 7

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INTRODUCED BY HONORABLE YASSER ALONTO BALINDONG AND  
HONORABLE ZIA ALONTO ADIONG

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RESOLUTION DIRECTING THE COMMITTEE ON MUSLIM AFFAIRS TO CONDUCT AN INQUIRY IN AID OF LEGISLATION INTO THE ADMINISTRATION, FORMULATION OF POLICIES, AND COORDINATION WITH PERTINENT AGENCIES BY THE NATIONAL COMMISSION ON MUSLIM FILIPINOS (NCMF) ON THE CONDUCT OF THE 2022 HAJJ TO MECCA, KINGDOM OF SAUDI ARABIA WHICH CAUSED HARDSHIPS ON THE MUSLIM FILIPINO PILGRIMS

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

WHEREAS, Republic Act No. 9997, created the National Commission on Muslim Filipinos or NCMF;

WHEREAS, Section 4 of Republic Act No. 9997 mandates the NCMF to preserve and develop the culture, tradition, institutions, and well-being of Muslim Filipinos, in conformity with the country's laws and in consonance with national unity and development;

WHEREAS, the NCMF is also specifically mandated, among others, in paragraph (q) of Section 8 of Republic Act No. 9997 to:

*“(q) Administer all programs, projects and activities, formulate the necessary rules and regulations, and coordinate with pertinent offices to ensure the success of the annual Hajj (pilgrimage) to Mecca, Kingdom of Saudi Arabia”*;

WHEREAS, the Hajj is one of the five pillars of Islam, and all able-bodied Muslims are required to perform it once in their lifetime;

WHEREAS, for this year's (2022) pilgrimage, several Filipino Hajj pilgrims paid over P300,000 for their travel arrangements to Saudi Arabia for the pilgrimage which is set to begin on July 7 until July 17;

WHEREAS, it has been reported that nearly 400 Muslim Filipino pilgrims bound for Saudi Arabia were stranded because their flights for June 19 to 21, 2022 were cancelled due to the delay in the issuance of their Hajj visas;

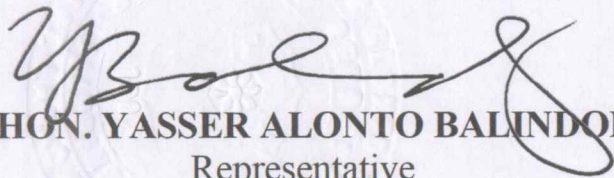
WHEREAS, the pilgrims claim that their visas and accommodations in Saudi Arabia had been fully paid as early as May;

WHEREAS, the situation had caused hardships to our pilgrims;

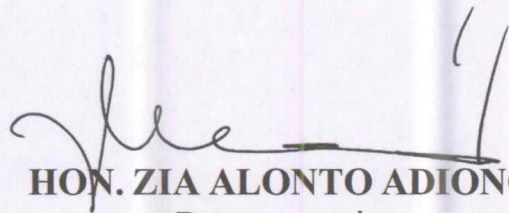
WHEREAS, there is need to investigate this controversy to review the policies issued, administrative functions performed, and coordination efforts made by those mandated by existing statutes; to recommend the prosecution and discipline of those who may have violated the law; and to improve the legislative acts, if required, to ensure "*the success of the annual Hajj (pilgrimage) to Mecca, Kingdom of Saudi Arabia*" as envisioned by law: Now, therefore, be it

*Resolved, as it is hereby resolved,* to direct the Committee on Muslim Affairs to conduct an investigation in aid of legislation into the policies issued, administrative functions performed, and coordination efforts made by the National Commission on Muslim Filipinos in relation to the conduct of the 2022 Hajj to Mecca, Kingdom of Saudi Arabia.

Adopted,



**HON. YASSER ALONTO BALINDONG**  
Representative  
2<sup>nd</sup> district, Lanao del Sur



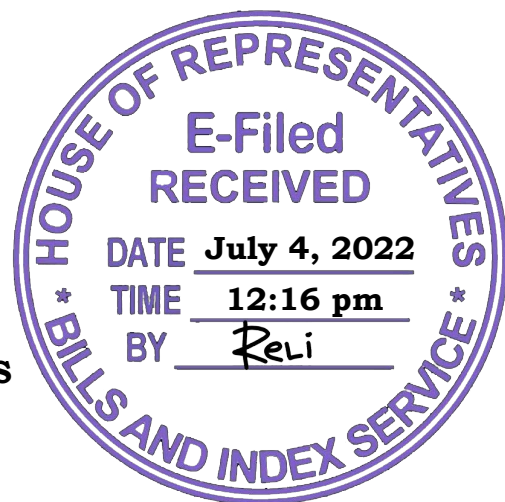
**HON. ZIA ALONTO ADIONG**  
Representative  
1<sup>st</sup> district, Lanao del Sur



Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

Nineteenth Congress  
First Regular Session

HOUSE RESOLUTION NO. 22



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Introduced by **HON. MUJIV S. HATAMAN** of the Lone District of Basilan

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**RESOLUTION**

**DIRECTING THE APPROPRIATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED FAILURE OF THE NATIONAL COMMISSION ON MUSLIM FILIPINOS TO SECURE THE TRAVEL VISAS OF FILIPINO MUSLIM PILGRIMS FOR THE ANNUAL HAJJ, WITH THE END IN VIEW OF INSTITUTING NECESSARY REFORMS TO ENSURE A BETTER PILGRIMAGE EXPERIENCE**

**WHEREAS**, the right to freedom of religion and belief is enshrined in and protected under Section 5, Article III of the 1987 Philippine Constitution;

**WHEREAS**, Islam is a monotheistic religion predicated on the belief that there is but one God, Allah (Swt);

**WHEREAS**, the fundamental practices and institutions in the religion are known as the Five Pillars of Islam;

**WHEREAS**, among the pillars of Islam central to the belief of close to two billion Muslims around the world is the Hajj;

**WHEREAS**, the Hajj is the annual Muslim pilgrimage to the most sacred city of Mecca in Saudi Arabia;

**WHEREAS**, the five-day pilgrimage brings Muslim followers of diverse backgrounds from across the world together in holy worship and religious celebration;

**WHEREAS**, the Hajj is a manifestation of the belief in the unity of God, and self-sacrifice in pursuit of the righteous path;

**WHEREAS**, the Hajj is a once in a lifetime duty that is the peak of every Muslim's religious life;

**WHEREAS**, this year's momentous religious pilgrimage is, however, overshadowed by reports of flight cancellations;

**WHEREAS**, the government agency tasked to coordinate and supervise the Hajj, known as the National Commission on Muslim Filipinos (NCMF), allegedly failed to secure the travel visas of the pilgrims;

**WHEREAS**, the fiasco left nearly a thousand Filipino Muslim pilgrims stranded in airports;

**WHEREAS**, it is most unfortunate that such incident caused undue stress and anxiety to the pilgrims, who have been eagerly waiting to perform the Hajj since 2020;

**WHEREAS**, this will be the first time in two years that Filipino Muslims will take part in the Hajj, since overseas participation was hampered by the restrictions brought about by the COVID-19 pandemic;

**WHEREAS**, it is incumbent upon the government to look into the highest welfare of the aspiring pilgrims who set aside hard-earned money amounting to hundreds of thousands of pesos each for their travel arrangements to Saudi Arabia;

**WHEREAS**, the fiasco necessitates the review of existing NCMF policies on the Hajj coordination program to ensure better pilgrimage experience for Filipino Muslims;

**RESOLVED BY THE HOUSE OF REPRESENTATIVES**, to direct the appropriate Committee to conduct an inquiry, in aid of legislation, on the alleged failure of NCMF to secure travel visas of

Filipino Muslim pilgrims for the annual Hajj with the end in view of instituting necessary reforms to ensure a better pilgrimage experience.

Adopted,

  
**HON. MUJIV S. HATAMAN**