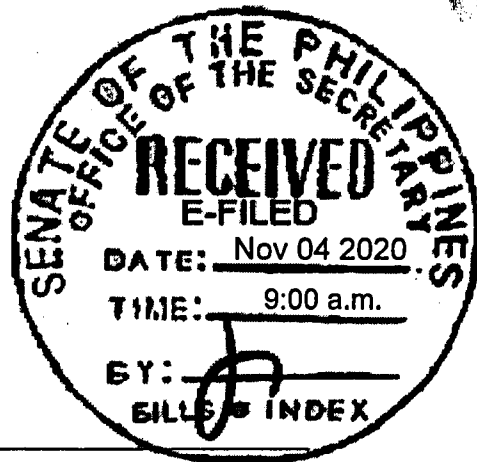


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

SENATE
P.S. Resolution No. 563



Introduced by **SENATOR IMEE R. MARCOS**

RESOLUTION EXPRESSING SUPPORT FOR AND REAFFIRMING THE CONTINUING RECOGNITION BY THE REPUBLIC OF THE PHILIPPINES OF THE SULTANATE OF SULU AS A LEADING AND UNIFYING INSTITUTION OF THE INDIGENOUS CULTURAL COMMUNITIES IN THE SULU ARCHIPELAGO, ITS DEPENDENCIES, TERRITORIES IN NORTH BORNEO, AND OTHER HISTORICALLY AND LEGALLY LINKED AREAS, AND URGING ALL RELEVANT BRANCHES AND AGENCIES OF THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES TO DO CERTAIN NECESSARY AND USEFUL ACTS TO FURTHER SUPPORT THE CONSTITUTIONAL RIGHT OF THE INDIGENOUS CULTURAL COMMUNITIES TO PRESERVE THE CULTURE, TRADITIONS, AND INSTITUTIONS OF THE SULTANATE OF SULU AND ENSURE THE LONG TERM ECONOMIC, SOCIAL AND CULTURAL WELL-BEING OF THE PEOPLE

WHEREAS, Article II, Section 22 of the 1987 Constitution provides that "*The State recognizes and promotes the rights of indigenous cultural communities within the framework of national unity and development*";

WHEREAS, Article XII, Section 5 of the 1987 Constitution also provides that "*The State, subject to the provisions of this Constitution and national development policies and programs, shall protect the rights of indigenous cultural communities to their ancestral lands to ensure their economic, social, and cultural well-being.*"

WHEREAS, Article XIV, Section 17 of the 1987 Constitution further declares 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, the people and indigenous communities in the Sulu archipelago and its historically and legally linked areas have a unique, independent and rich culture dating back to hundreds of generations, and their institutions have been duly recognized throughout the centuries by various other peoples, communities, organizations, sovereigns, nations and States;

WHEREAS, historical records bear that after the period of the three kingdoms in the Sulu archipelago the Sultanate of Sulu was established and it has been existing for more than 600 years up to the present time as the primary and unifying institution among the indigenous cultural communities in the Sulu Archipelago, territories in North Borneo, and other historically and legally linked areas. And, only the people of the indigenous cultural communities themselves could legitimately abolish the Sultanate and its institutions;

WHEREAS, the Eastern King of Sulu, Paduka Batara, was mentioned in ancient Chinese historical documents and was well-received by the Ming Dynasty through Emperor Zhu Di in an official visit to China during the early 1400s;

WHEREAS, the Republic of the Philippines, continuing the practice of its predecessors in interest including the Spanish colonial government and the American colonial government, has consistently and unceasingly recognized and endeavored to have a good relationship with the Sultanate of Sulu, and the people of its indigenous cultural communities;

WHEREAS, the people of the indigenous cultural communities in the Sulu Archipelago, territories in North Borneo, and other historically and legally linked areas have become citizens of the Philippines through a series of international agreements and acts including the 1899 Bates Treaty, 1915 Carpenter Agreement, and the 1962 Cession and transfer of the territory of North Borneo by His Highness, Sultan Mohammad Esmail Kiram, Sultan of Sulu, acting with the consent and approval of the Ruma Bechara, in council assembled, to the Republic of the Philippines;

WHEREAS, as Filipino citizens the people of these indigenous cultural communities are entitled to the rights guaranteed under the Constitution, and it is the duty of the Government of the Republic of the Philippines to protect and ensure meaningful fulfillment of these constitutional rights;

WHEREAS, under Pres. Ferdinand E. Marcos, pursuant to Memorandum Order No. 427, s. 1974, the Government of the Republic of the Philippines recognized and assisted in the ceremonies pertaining to the confirmation of Sultan Mahakuta Kiram as the Sultan of Sulu by the Ruma Bechara on 20 May 1974;

WHEREAS, since the demise of Sultan Mahakuta Kiram up to the present time, the issue of the proper person to occupy the position of the Sultan of Sulu has not been resolved and this has created a significant vacuum in the leadership of the Sultanate of Sulu. And, this vacuum and the weakening of the institutions of the

Sultanate of Sulu have contributed to instability and the rise of Islamic fundamentalism, terrorism and other socio-economic problems in the Sulu Archipelago, its dependencies, and nearby areas;

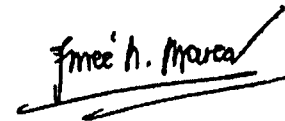
WHEREAS, in line with its Constitutional duties and consistent with its past actions, the Government of the Republic of the Philippines should further assist the people of the indigenous cultural communities in the Sulu Archipelago, territories in North Borneo, and other historically and legally linked areas to preserve and strengthen the cultures, traditions, and institutions of the Sultanate of Sulu, including by assisting in filling up the position of the Sultan of Sulu in accordance with the relevant cultural traditions, by providing needed funds in the short term to support the Sultanate of Sulu and its institutions, and by recovering through peaceful means and turning over ancestral lands and other property rights historically and legally belonging to the Sultanate of Sulu and the people of its indigenous cultural communities to ensure their long term economic, social, and cultural well-being;

NOW, THEREFORE, BE IT RESOLVED, as it is hereby resolved, that the Senate shall:

- (1) Express support and reaffirm the continuing act by the Republic of the Philippines, following its predecessors in interest, of recognizing the Sultanate of Sulu as a leading and unifying institution of the indigenous cultural communities in the Sulu Archipelago, territories in North Borneo, and other historically and legally linked areas within the territory and under the sovereignty of the Philippines;
- (2) Urge the Executive Department and its relevant agencies to assist and provide needed logistical support and other resources to the people of the indigenous cultural communities in the Sulu Archipelago, territories in North Borneo, and other historically and legally linked areas to legitimately fill up the position of Sultan of Sulu in accordance with their cultural traditions;
- (3) Urge the Congress to propose a bill appropriating funds soonest to support the constitutional right of the indigenous cultural communities in the relevant areas to preserve the culture, traditions and institutions of the Sultanate of Sulu for the benefit of the people of these indigenous cultural communities; and
- (4) Urge the relevant branches and agencies of the Government of the Republic of the Philippines to redouble their efforts to recover through peaceful means possession and effective control of the ancestral lands and other property rights historically and legally belonging to the Sultanate of Sulu and its people, and to turn over these properties to the people of the indigenous cultural communities in the Sulu Archipelago, territories in North

Borneo, and other historically and legally linked areas to ensure their long term economic, social, and cultural well-being.

Adopted,

A handwritten signature in black ink, appearing to read "Imee R. Marcos", is written over a horizontal line. The signature is slanted upwards to the right.

IMEE R. MARCOS