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SENATE
P. S. RES. NO. 885

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Introduced by Sen. M. A. Madrigal

RESOLUTION

DIRECTING THE COMMITTEE ON CULTURAL COMMUNITIES TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, INTO THE SITUATION OF THE TUMANDUKS, WHOSE ANCESTRAL LAND IS DEMARCATED WITHIN A MILITARY RESERVE, IN VIEW OF THE CONTINUING AND RAMPANT HUMAN RIGHTS VIOLATIONS COMMITTED AGAINST THEM ESPECIALLY IN VIEW OF THE RP-US MILITARY EXERCISES BEING CONDUCTED IN TUMANDUK ANCESTRAL DOMAINS WITH THE PURPOSE OF SECURING THE PROPOSED REPEAL OF PRESIDENTIAL PROCLAMATION NO. 67 S. 1962

WHEREAS there are twenty-four (24) Tumanduk, or the Sulodnon-Bukidnon as they are classified by the National Commission on Indigenous Peoples (NCIP), communities spread throughout the municipalities of Jamindan, Tapaz, Calinog and Lambunao in Capiz;

WHEREAS Article XII Section 5 of our Constitution on National Economy and Patrimony declares that the State shall protect the rights of indigenous cultural communities to their ancestral lands so as to ensure their economic, social, and cultural well-being, albeit subject to the provisions of the Constitution and national development policies and programs;

WHEREAS on 21 December 1962, over 33,310 hectares of land in Capiz were transformed into a military reserve by virtue of Presidential Proclamation 67 (PP 67);

WHEREAS PP 67 continues to impact upon ancestral domains that the Tumanduk people have nourished and cultivated since time immemorial;

WHEREAS PP 67 states that "(a)s soon as the Armed Forces of the Philippines shall cease to have need for the area, the same shall revert to its original category as portion of the public forest under the administrative jurisdiction of the Bureau of Forestry";

WHEREAS the NCIP states that there are 385,018 Tumandoks, the majority of whom live in affected regions;

WHEREAS the area in question is currently home to the 3rd Infantry Division of the Philippine Army and is now named Camp General Macario Peralta;

WHEREAS on October 1996, the TUMANDUK (*Tumanduk nga Mangunguma nga Nagapangapin sa Duta kag Kabuhi* or Indigenous Peasant in Defense of Land and Life) was assembled by seventeen (17) Tumanduk communities;

WHEREAS, there are continued and rampant violations of the right indigenous people have to exercise domain over their ancestral land which is theirs by a birthright established long before Hispanic colonization, as stipulated by IPRA laws;

WHEREAS the sweeping campaigns to displace the Tumanduks following the 1994 RP-US Joint Military Exercises and the 1995 AFP Modernization Act further prove this point;

WHEREAS members of one Tumanduk community covering 252 households in the villages of Garangan, Masaroy and Agcalaga received a Certificate of Ancestral Domain Title (CADT) in 2005;

WHEREAS this CADT, covering 1,748.897 hectares of land, is the first to be issued in the island of Panay;

WHEREAS the Tumanduks continue their struggle for the right of self-determination and persist in pushing for the repeal of PP 67;

WHEREAS on the 30 October 2008 the *Sangguniang Panlalawigan* of Capiz unanimously adopted Resolution Number 175, calling on the "14th Congress and her Excellency President Gloria Macapagal-Arroyo to repeal Presidential Proclamation No. 67";

WHEREAS the 3rd Infantry Battalion hosted the RP-US Balance Piston 09-1 military exercises, started on 26th of January, 2009 and lasting till the 20th of February, 2009;

WHEREAS the military exercises involve 141 Filipino soldiers and 31 American soldiers in a series of activities all throughout Tumanduk ancestral domains;

WHEREAS in preceding instances of military training human rights violations were numerous;

NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED to direct the Committee on Cultural Communities to conduct an investigation, in aid of legislation, into the situation of the Tumanduks, whose ancestral land is demarcated within a military reserve, in view of the continuing and rampant human rights violations committed against them especially in view of the RP-US military exercises being conducted in Tumanduk ancestral domains with the purpose of securing the proposed repeal of Presidential Proclamation no. 67 s. 1962.

Adopted


M.A. MADRIGAL