

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

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SENATE 293
Resolution No. _____

RECEIVED BY: _____

Introduced by Senator M. A. Madrigal

RESOLUTION
DIRECTING THE COMMITTEE ON CULTURAL COMMUNITIES TO
INVESTIGATE, IN AID OF LEGISLATION, THE SINIMBURANEN'S
CLAIM FOR THE RETURN OF THEIR ANCESTRAL LAND IN AROMAN,
CARMEN, COTABATO

WHEREAS, a National Consultation on Indigenous Peoples's Agenda on Food Security was held last June 2005 at the Bahay Ugnayan, Good Shepherd Convent, Aurora Blvd., Quezon City;

WHEREAS, after the consultation, various indigenous peoples' groups submitted to our office complaints on the many oppressions their respective groups were currently experiencing;

WHEREAS, the Sinimburanen, a sub-tribe of Erumanen ne Menuvu in Aroman, Carmen, Cotabato, is claiming a property of the Bureau of Plant and Industry in Cotabato as part of their ancestral domain;

WHEREAS, said land was leased from 1939 to 1954 where an experimental station was built by the Bureau of Plant and Industry;

WHEREAS, the land in question was not returned upon the expiration of the lease contract;

WHEREAS, the Bureau of Plant and Industry allegedly manipulated their claim on the land by issuing a "yellow book," which was actually a declaration of the donation of the area;

WHEREAS, petitions appealing for the return of the land by the Sinimburanen were sent to the President of the Philippines in 1982, 1988 and 1990 but went unheeded;

WHEREAS, the Sinimburanen also sent a letter to the National Commission on the Indigenous Peoples (NCIP) to notify all the concerned government agencies of their claim in the area but to date, no action was taken;

WHEREAS, the local government unit plans to build an airport and a school in the contested area;

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

WHEREAS, Section 2, paragraph (b) of Republic Act No. 8371 or the Indigenous Peoples Rights provides that 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 2, paragraph (c) of the same law provides that the State shall recognize, respect and protect the rights of ICCs/ IPs to preserve and develop their cultures, traditions and institutions. It shall consider these rights in the formulation of national laws and policies;

WHEREAS, Section 2, paragraph (e) of the same law provides that 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; and

NOW THEREFORE, BE IT RESOLVED, as it is hereby resolved, directing the Committee on Cultural Communities to investigate, in aid of legislation, the Sinimburanen's claim for the return of their ancestral land in Aroman, Carmen, Cotabato.

Adopted,


M. A. MADRIGAL