


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

5 JUL 26 P5:48

SENATE  
Resolution No. 294

RECEIVED BY: 

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*Introduced by Senator M. A. Madrigal*

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**RESOLUTION**  
**DIRECTING THE COMMITTEE ON CULTURAL COMMUNITIES TO**  
**INVESTIGATE, IN AID OF LEGISLATION, THE TUMANDUKS OF**  
**PANAY'S APPEAL FOR THE REPEAL OF PRESIDENTIAL**  
**PROCLAMATION NO. 67**

**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**, one of the complainants was the Tumanduks, an indigenous group inhabiting a portion of Jamindan and Tapaz, Capiz;

**WHEREAS**, by virtue of Presidential Proclamation No. 67 issued by President Diosdado Macapagal in 1962, thirty-three thousand and three hundred ten hectares (33,310 ha.) in Jamindan and Tapaz, Capiz were declared as a Military Reservation site;

**WHEREAS**, the said proclamation was said to have been based on the premise that the area was not inhabited;

**WHEREAS**, 26 barangays are actually inhabited by the Tumanduks;

**WHEREAS**, the area was then occupied by the 3<sup>rd</sup> Infantry Division of the Philippine Army until now;

**WHEREAS**, the Tumanduks are constantly in danger of being strafed by bullets during military training and exercises;

**WHEREAS**, the Tumanduks are appealing for the repeal of Presidential Proclamation No. 67;

**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 Tumanduks of Panay's appeal to repeal Presidential Proclamation No. 67.

Adopted,

A handwritten signature in cursive script, reading "M. A. Madrigal", written in black ink. The signature is written over a horizontal line that extends across the width of the signature.

**M. A. MADRIGAL**