


THIRTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
THIRD REGULAR SESSION)

SENATE
OFFICE OF THE SECRETARY

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SENATE

RECORDED BY: 

P. S. Resolution No. 561

Introduced by Senator M. A. Madrigal

RESOLUTION

DIRECTING THE COMMITTEE ON CULTURAL COMMUNITIES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE IMPENDING DISPLACEMENT OF TRIBAL COMMUNITIES IN THE PROVINCE OF BUKIDNON BY REASON OF THE PROPOSED CREATION OF A NEW PROVINCE TO BE NAMED "BUKIDNON DEL SUR," WITH THE END IN VIEW OF REVIEWING THE PERTINENT PROVISIONS OF THE INDIGENOUS PEOPLES' RIGHTS ACT AND ENACTING REMEDIAL LEGISLATION

WHEREAS, Article II, Section 22 of the 1987 Constitution expressly 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 Constitution likewise mandates that the State 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 Constitution, as well as Section 2, paragraph (c) of Republic Act 8371, or the Indigenous People's Rights Act (IPRA), further provide that the State shall "*recognize, respect and protect the rights of indigenous cultural communities to preserve and develop their cultures, traditions and institutions,*" and that it "*shall consider these rights in the formulation of national laws and policies;*"

WHEREAS, the province of Bukidnon in Mindanao was specifically named in honor and recognition of the indigenous peoples whose ancestors were original inhabitants of, and who continue to occupy, the land, such that these indigenous peoples may rightfully be considered as the embodiment of the very soul and spirit of Bukidnon province;

WHEREAS, Bukidnon is home to no less than seven (7) tribal communities, namely the *Manobos, Higaonons, Talaandigs, Matigsalugs, Tigwahanuns, Umayamnonns* and *Bukidnons*, the members of which tribes collectively inhabit two (2) of the largest ancestral domains in Mindanao;

WHEREAS, there are pending proposals for the creation of a new province to be named Bukidnon del Sur which, if carried out, will thereby result in the division of the present Bukidnon;

WHEREAS, various indigenous peoples' organizations in Bukidnon, led by the Mt. Palaopao Upper Mangima Tribal Communities, Inc., have expressed their *vehement opposition* to the proposed creation of Bukidnon del Sur province by reason of the non-recognition, if not outright deprivation, of their fundamental right to free, prior and informed consent as guaranteed under the Constitution and the IPRA;

WHEREAS, discussions relative to the proposed creation of Bukidnon del Sur have reportedly disregarded the aforesaid right of members of the various tribal communities in Bukidnon, in patent violation of the IPRA as well as the Implementing Rules and Regulations thereof, which expressly mandate the recognition, protection and promotion of the said right;

WHEREAS, there is a serious and urgent need to look into the aforesaid reports considering that the proposed creation of a new province will apparently result in the automatic division of the ancestral territories and homeland of the various indigenous cultural communities in the present Bukidnon;

NOW THEREFORE, BE IT RESOLVED, as it is hereby resolved, to direct the Committee on Cultural Communities to conduct an inquiry, in aid of legislation, into the impending displacement of tribal communities in the province of Bukidnon by reason of the proposed creation of a new province to be named "Bukidnon del Sur," with the end in view of reviewing the pertinent provisions of the Indigenous Peoples' Rights Act and enacting remedial legislation.

Adopted,


M.A. MADRIGAL