

FOURTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )

8 FEB 13 2015

SENATE

RECEIVED BY:                     

P. S. Res. No. 307

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Introduced by **Senator Biazon**

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**RESOLUTION**

**DIRECTING THE SENATE COMMITTEE ON URBAN PLANNING, HOUSING AND RESETTLEMENT AND OTHER APPROPRIATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE DEMOLITION OF HOUSES AT SITIO MASAGANA, EAST SERVICE ROAD, WESTERN BICUTAN, TAGUIG, METRO MANILA**

*Whereas*, On 29 January 2008, the Philippine Army Task Group Bantay conducted a demolition of houses of around 500 families at East Service Road, Western Bicutan, Taguig, Metro Manila;

*Whereas*, Sitio Masagana is located inside the Libingan Ng Mga Bayani in Fort Bonifacio;

*Whereas*, Fort Bonifacio was established on 12 July 1957 through Proclamation No. 423 entitled "*Reserving For Military Purposes, Certain Parcels Of The Public Domain Situated In The Municipalities Of Pasig, Taguig, Parañaque, Province Of Rizal and Pasay City;*"

*Whereas*, Libingan ng Mga Bayani was established on 28 May 1967 by virtue of Proclamation No. 208 entitled "*Excluding From The Operation Of Proclamation No. 423 Dated July 12, 1957 Which Established The Fort Bonifacio Military Reservation, A Certain Portion Of The Land Embraced Therein Situated In The Province Of Rizal And Reserving The Same For National Shrine Purposes;*"

*Whereas*, The residents in Sitio Masagana and its neighboring sitios, Katipunan, Maliwanag, Matatag and Tago-Tago have long been requesting the government that the area where they are residing be awarded to them;

*Whereas*, On May 10, 2001, President Gloria Macapagal Arroyo in a gathering at Pinagsama Village that was attended by residents from Sitios Masagana, Katipunan, Maliwanag, Matatag and Tago-Tago, signed a Proclamation entitled "*Excluding From The Operation Of Proclamation No. 208 Dated 28 May 1967 Which Established The National Shrine Situated In The Municipality Of Taguig, Metro Manila, Certain Portions Of Land Embraced Therein And*

*Declaring The Same Alienable And Open For Disposition To Qualified Occupants;”*

*Whereas*, Said Proclamation declared certain areas inside the National Shrine (Libingan ng Mga Bayani) alienable and open for disposition to qualified occupants that include residents of Sitio Masagana;

*Whereas*, On June 30, 2001, President Gloria Macapagal Arroyo visited Katipunan Village in Western Bicutan, Taguig, Metro Manila and reiterated the Proclamation she signed on 10 May of that year;

*Whereas*, After President Arroyo’s visit on 30 June 2001 in Katipunan Village, residents of Sitio Masagana started making representations with the executive department to press for the number of the Proclamation signed by President Arroyo on 10 May 2001 so that they may be assured of its legality;

*Whereas*, Despite the existence of the signed but unnumbered Proclamation, residents in the areas covered by said Proclamation started receiving notices of eviction immediately after President Arroyo’s second visit on 30 June 2001;

*Whereas*, From July 2001 to the present, residents of Sitio Masagana as well as the other sitios covered by the signed but unnumbered Proclamation, faced and are still threatened, by the demolition of their houses by elements of the Philippine Army’s Task Group Bantay;

*Whereas*, According to residents of Sitio Masagana, the latest demolition that occurred on 29 January of this year was undertaken without a court order or a Certificate of Compliance from the Presidential Commission for the Urban Poor (PCUP);

*Whereas*, Still according to the same residents, the latest demolition was undertaken selectively implying that some houses that had a tag bearing the capital letters: WBLOAI; a member’s number; the name and signature of one Benjamin Masangkay, President; and the name and signature of one Ma. Teresita Sangalang, Land Development Chairwoman, were not demolished;

*Whereas*, Aside from the demolition of houses inside the Libingan Ng Mga Bayani, we have also witnessed and continue to witness, the demolition of houses of underprivileged and homeless citizens by the Metropolitan Manila Development Authority (MMDA);

*Whereas*, Article XIII, Section 10 of the 1987 Constitution provides: *“Urban or rural poor dwellers shall not be evicted nor their dwellings demolished except in accordance with law and in a just and humane manner;”*

*Whereas*, Section 28 of the Urban Development and Housing Act (UDHA) of 1992 and its Implementing Rules and Regulations spell out this constitutional provision on the just and humane eviction and demolition of urban and rural poor dwellers;

*Whereas*, Executive Order No. 152, Series of 2002 designated the PCUP as the sole clearing house for the conduct of demolition activities involving the homeless and underprivileged citizens and as such, no proponent of any demolition activity can proceed without the approval of the PCUP;

*Whereas*, The UDHA of 1992 also mandates the identification of sites for socialized housing (Section 8) and the registration of socialized housing beneficiaries (Section 17);

*Whereas*, As a complementary law to the UDHA of 1992, Republic Act No. 7835 (RA 7835) or the Comprehensive and Integrated Shelter Financing Act (CISFA) was enacted on 1994 “to ensure continuous funding support to vigorously implement the government’s programs for urban and rural housing, resettlement, the development of sites and services, and the renewal of blighted areas” [Section 3 (a)];

*Whereas*, It is quite perplexing that despite the provision of the Constitution, the UDHA, and E. O. No. 152 on the just and humane eviction and demolition of the underprivileged and homeless and that the CISFA was enacted to ensure funding support for socialized housing projects, the nation is still confronted by situations such as that of residents of Sitio Masagana and other underprivileged and homeless whose homes are demolished in an apparent violation of existing laws; *Now Therefore Be It Resolved, As It Is Hereby Resolved,*

*By The Senate*, To Direct The Senate Committee On Urban Planning, Housing And Resettlement And Other Appropriate Committees To Conduct An Inquiry, In Aid Of Legislation, On The Demolition Of Houses At Sitio Masagana, East Service Road, Western Bicutan, Taguig, Metro Manila.

Adopted,

  
**RODOLFO G. BIAZON**  
Senator