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SENATE

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P.S. Res. No. 594

Introduced by Senator Loren Legarda

### RESOLUTION

**URGING THE ARROYO ADMINISTRATION TO PROTECT AND DEFEND THE MANDATE OF THE 1987 CONSTITUTION BY ABANDONING THE MEMORANDUM OF AGREEMENT (MOA) ON THE ANCESTRAL DOMAIN ASPECT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES (GRP) AND THE MORO ISLAMIC LIBERATION FRONT (MILF), AND RECONSTITUTE THE GRP NEGOTIATING PANEL**

**Whereas**, the Arroyo Administration embarked on a peace initiative with the Moro Islamic Liberation Front (MILF) by entering into a ceasefire agreement leading to peace talks that eventually resulted in negotiations between the Government of the Republic of the Philippines (GRP) and the MILF panels that would draft a controversial Memorandum of Agreement (MOA) dealing with the issues related to Ancestral Domain;

**Whereas**, the GRP-MILF MOA embodied the creation of a proposed Bangsamoro Juridical Entity (BJE), a purported political unit composed of an aggrupation of geographic areas within the Philippine territory which has the powers, attributes and characteristics far more encompassing than a political component or subdivision of the Republic of the Philippines, among others namely:

- Ownership of the Bangsamoro homeland is vested exclusively in them by virtue of their prior rights of occupation;
- Acknowledged that they (Bangsamoro) are the "First Nation" with defined territory and with a system of government having entered into treaties of amity and commerce with foreign nations;
- The BJE is free to enter into any economic cooperation and trade relations with foreign countries;
- The option to establish and open Bangsamoro trade missions in foreign countries
- The BJE's right to participate in international meetings and events, e.g ASEAN and other specialized agencies of the UN;
- Exercise power or authority to revoke or grant forest concessions, timber licenses, among others;

**Whereas**, the composition of the proposed aggrupation of geographic areas where the BJE was to exercise its power and authority is contained in an Annexed map (Category A and B) which even included areas where its inhabitants already rejected through a plebiscite their inclusion into the framework of the Autonomous Region of Muslim Mindanao;

**Whereas**, the local governments of North Cotabato, Zamboanga City, Iligan City and Isabela City asserted the lack of consultation on the stakeholders relative to the proposal and the secretive, whimsical and capricious manner by which their respective component municipalities and barangays were included into the authority of the BJE;

**Whereas**, all these circumstances are clearly without basis under the 1987 Constitution, undermine our Constitutionally defined democratic processes, and threaten the territorial integrity of our Republic, not to mention the negotiating panel's insensitivity to the sovereign expression of the peoples of North Cotabato, Zamboanga City, Iligan City and Isabela City;

**Whereas**, the members of the GRP negotiating panel, in treading dangerous grounds by dealing with provisions under the proposed MOA that far exceed the limits provided under the Constitution, have gravely abused their authority and have betrayed the trust and confidence reposed in them by the people.

**NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, THAT THE SENATE OF THE PHILIPPINES URGES THE ARROYO ADMINISTRATION TO PROTECT AND DEFEND THE MANDATE OF THE 1987 CONSTITUTION BY ABANDONING THE MEMORANDUM OF AGREEMENT (MOA) ON THE ANCESTRAL DOMAIN ASPECT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES (GRP) AND THE MORO ISLAMIC LIBERATION FRONT (MILF), AND RECONSTITUTE THE MEMBERS OF THE GRP NEGOTIATING PANEL.**

Adopted,

  
**LOREN LEGARDA**  
Senator