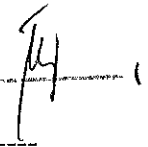


FOURTEENTH CONGRESS OF THE REPUBLIC)
 OF THE PHILIPPINES)
 Second Regular Session)

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SENATE

P. S. Res. No. **597**

RECEIVED BY: 

Introduced by **Senator Biazon**

RESOLUTION

DIRECTING THE COMMITTEE ON CULTURAL COMMUNITIES AND OTHER APPROPRIATE SENATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE POSSIBLE CONFLICT OR OVERLAPPING OF LANDS COVERED UNDER THE MEMORANDUM OF AGREEMENT ON ANCESTRAL DOMAINS AND LANDS ALREADY ACQUIRED THROUGH OTHER MODES PROVIDED FOR UNDER THE LAW

Whereas, the proposed Memorandum of Agreement (MOA) on ancestral domain between the Government of the Republic of the Philippines (GRP) and the Moro Islamic Liberation Front (MILF) provides that "All Moros and all Indigenous peoples of Mindanao identified as 'Bangsamoros' include those who are natives or original inhabitants of Mindanao and its adjacent islands including Palawan and Sulu archipelago";

Whereas, the proposed MOA acknowledged that "ancestral domain does not form part of the public domain but encompasses ancestral, communal, customary lands, maritime, fluvial and alluvial domains as well as all natural resources therein that have inured or vested ancestral rights on the basis of native title";

Whereas, the proposed MOA further provides that "ownership of the Bangsamoro homeland is vested exclusively in them by virtue of their prior rights of occupation that had inhered in them as sizeable bodies of people, delimited by their ancestors since time immemorial and being the first politically organized dominant occupants";

Whereas, the so-called Bangsamoro homeland and historic territory referred to under the proposed MOA covers the Mindanao-Sulu-Palawan geographic region, specifically Category A which includes the present area of ARMM, the municipalities of Baloi, Munai, Nunungan, Pantar, Tagoloan and Tangkal in Lanao del Norte, and other areas listed where a plebiscite within 12 months following the supposed signing of the MOA, and Category B which refer to conflict affected areas outside BJE such as specified areas in North and South Cotabato, Lanao del Norte, Sultan Kudarat, Sarangani, Davao Del Sur, Davao Oriental, Compostela Valley, Zamboanga del Norte, Zamboanga Sibugay, Zamboanga del Sur and Palawan, subject to a plebiscite not earlier than twenty-five (25) years from the signing of the Comprehensive Compact;

Whereas, there are other existing ownership of lands over the areas which may have been included in the Bangsamoro territory such as by virtue of a public grant, a private grant, accretion, involuntary alienation, descent or devise, reclamation or the emancipation patent or grant which were either registered through Torrens system or the system of recording of unregistered real estate;

Whereas, there are titles such as certificates of ancestral domain titles (CADT) and ancestral land titles (CALT) granted by virtue R.A. No. 8371 or the Indigenous People's Rights Act;

Whereas, there might be a probability that lands granted under the above mentioned systems might overlap or come in conflict with the proposed lands under the MOA or future agreements relative to the lands;

Whereas, it is important to know the extent of ownership to the lands which might come in conflict with each other;

Whereas, there is a need to identify such delineation of lands to avoid possible conflict of ownership. *Now Therefore Be It Resolved, As It Is Hereby Resolved,*

By the Senate, To Direct The Senate Committee on Cultural Communities And Other Appropriate Senate Committees To Conduct An Inquiry, In Aid Of Legislation, On The Possible Conflict Or Overlapping Of Lands Covered Under The Memorandum Of Agreement On Ancestral Domains And Lands Already Acquired Through Other Methods Provided For Under The Law.

Adopted,


RODOLFO G. BIAZON
Senator