

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

2877
HOUSE BILL NO. _____

HOUSE OF REPRESENTATIVES	
RECEIVED	
DATE:	11 AUG 2016
TIME:	3:16 PM
BY:	pelis
REGISTRATION UNIT	
BILLS AND INDEX SERVICE	

INTRODUCED BY REP. NANCY A. CATAMCO

EXPLANATORY NOTE

Through the enactment of Republic Act No. 9237, otherwise known as "An Act Establishing Mount Apo Located in the Municipalities of Magpet and Makilala and City of Kidapawan, Province of Cotabato, in the Municipalities of Bansalan and Sta. Cruz and City of Digos, Province of Davao del Sur, and in the City of Davao, as a Protected Area Under the Category of Natural Park and its Peripheral Areas as Buffer Zones, Providing for its Management, and for Other Purposes," the protection and preservation of Mount Apo as the country's highest peak, at 3,194 meters above sea level, was guaranteed.

Other pertinent law like Republic Act No. 7586 otherwise known as the NIPAS Act or National Integrated Protected Areas System, was enacted primarily to classify and administer all designated protected areas to maintain essential ecological processes and life-support systems, to preserve genetic diversity, to ensure sustainable use of resources found therein, and to maintain their natural conditions to the greatest extent possible. It also secures for the Filipino people of present and future generations the perpetual existence of all native plants and animals through the establishment of a comprehensive system of integrated protected areas within the classification of national park as provided for in the Constitution.

It covers all protected areas whether terrestrial, coastal or marine. Since 1992, a total of 234 protected areas covering 5.23 million hectares and .22 million hectares buffer zone were governed under the NIPAS Act, with Mount Apo as one of the areas that have been identified as one area with rich flora and fauna that needs to be protected and preserved.

Around Mount Apo are groups of Indigenous Peoples who thrived since time immemorial. These are the Manobos, Bagobos, Ubos, Atas, K'lagans and the Tagacaolo who consider Mount Apo as their ancestral domain and their home. These tribes have lived around this mountain that they also consider as sacred ground, their place of worship and burial ground of Apo Sandawa, their great forefather.

A number of genealogies of known Lumad leaders in South Central Mindanao trace their roots to Mount Apo. For the Lumads, the term Apo was coined from the name of their great grandparent Apo Sandawa. Relatively, Mount Apo is the wellspring of their spiritual and cultural way of life, source of food and medicine.

RA 9237 however does not provide for the declaration of Mount Apo as a sacred area and has not identified any particular area in and around Mount Apo as a permanent pilgrimage site for Indigenous Peoples and non-Indigenous Peoples, except that all indigenous peoples living in and around the mountain can use their ancestral domain for worship and other spiritual activities.

The essence of protecting the sacredness of Mount Apo as home and burial ground of Apo Sandawa can further be strengthened had RA 9237 specifically declared the entire Mount Apo as sacred and established an area or areas therein as permanent pilgrimage site or sites that could serve to arouse the awareness and consciousness of all who come to Mount Apo that the place should not be desecrated, abused, ravaged or exploited, hence, banning all activities that could destroy the mountain.

Among those that destroy and desecrate Mount Apo are the uncontrolled and unmonitored slash-and-burn activities that have been perennially the cause of forest fires and the heavy presence of tourists and other commercial activities.

It is therefore recommended that the State shall declare Mount Apo as a sacred area and identify certain locations in and around Mount Apo as pilgrimage sites designated for the spiritual practices and activities of the Indigenous Peoples and non-Indigenous Peoples alike.



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AN ACT

**AMENDING SECTION 2 OF REPUBLIC ACT NO. 9237 OTHERWISE KNOWN AS THE 'MOUNT APO
PROTECTED AREA ACT OF 2003', AND FOR OTHER PURPOSES**

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 2 of Republic Act No. 9237 otherwise known as the "Mount Apo Protected Area Act of 2003" is hereby amended to read as follows:

"SEC. 2. *Declaration of State Policy.* Considering Mt. Apo's aesthetic, economic, cultural, and ecological importance and its unique biological resources, it is hereby declared the policy of the State to secure its protection and conservation and those of the indigenous peoples and communities residing therein as well as their culture and way of life. In so doing, the state shall: (a) ensure the protection and conservation of biodiversity in Mt. Apo through sustainable and participatory development; (b) advance, respect, and protect the customs and interest of its legitimate inhabitants, migrants, and indigenous peoples alike; **[and]** (c) foster partnership among government, non-government organizations, and people's organizations[.]; **and (d) declare Mt. Apo as a sacred mountain thereby establishing permanent pilgrimage sites where Indigenous Peoples and non-Indigenous Peoples can freely practice their spiritual rites and rituals.**"

SECTION 2. *Separability Clause.* – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 3. *Repealing Clause.* – All laws, presidential decrees or issuances, executive orders, letters of instruction, administrative orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, modified or amended accordingly.

SECTION 4. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved,