



**INTERNATIONAL HOLY WARRIORS, THE GROUPS OF HEROES AND BAYANES
ARCHIPELAGO MAHARLIKA NATION PALAWAN – MIMAROPA
KINATAS-ANG KAHUGPUNGAN SA KATIPUNIRO-DATUS ALIMAONG (KKKDA)
LUMAD REGIONAL TRIBAL COURT**

Brgy. Sicsican, Puerto Princesa City, Palawan 5300
0946-374-3796 / 0950-496-7017

September 04, 2023

**FELIX S. MIRASOL, Jr., CESO IV
OIC, Regional Executive Director
DENR MIMAROPA
3rd flr., 1515 DENR by the Bay Bldg., Roxas Boulevard
Brgy. 668, Ermita, Manila**

Subject: Asserting Existence, Self-Governance, and Exclusive Jurisdiction of LUMAD, KKKDA Indigenous Cultural Communities/Indigenous People (ICC's/IP's) under Republic Act No. 8371 (IPRA LAW).

Dear Sir,

Warm greetings to you. We, the LUMAD, members **of KINATAS-ANG KAHUGPUNGAN SA KATIPUNIRO AND DATUS ALIMAONG (KKKDA)** a duly recognized Indigenous Cultural Community/Indigenous People (ICC's/IP's) group by the government in compatible with the national legal system, write to assert our existence, self-governance, and exclusive jurisdiction within the region of MIMAROPA (Region 4-B) under the provisions of the **Indigenous Peoples' Rights Act (IPRA Law) R.A. 8371** and its Implementing Rules and Regulations (IRR), provides

Section 13 of R. A. 8371 Self-Governance. - ***“The State recognizes the inherent right of ICCs/IPs to self-governance and self-determination and respects the integrity of their values, practices and institutions. Consequently, the State shall guarantee the right of ICCs/IPs to freely pursue their economic, social and cultural development.”*** And

Pursuant to Rule IV Part 1, Sec. 1 par. b) and par. c), IRR of R. A. 8371,

b) The indigenous structures, systems, and institutions are not supplanted by other forms of non-indigenous governance; and/or [Emphasis supplied]

c) Mechanisms that allow the interfacing of indigenous systems of governance with the national systems are established. [Emphasis supplied]

As an indigenous community deeply rooted in the traditions, customs, and heritage of the HIGAONON and HIGHLANDER tribes, we hold dear our identity and our history. Through generations, we have nurtured our ancestral domains, preserving our connection with the land and the environment that sustain us.

We wish to draw your attention to the recognition granted to us as an **Independent Indigenous Cultural Community (ICC) under the IPRA Law. Pursuant to the IRR of R.A. 8371**, we assert our exclusive jurisdiction over all ICCs/IPs within the region of MIMAROPA (Region 4-B). It is with this authority that we come forward to foster mutual understanding and cooperation between our community and the civil government agencies. Pursuant to Section 19 of R. A. 8371, provides

Section 19. Role of Peoples Organizations. – ***“The State shall recognize and respect the role of independent ICCs/IPs organizations to enable the ICCs/IPs to pursue and protect their legitimate and collective interests and aspirations through peaceful and lawful means.”***

Pursuant to the 1987 Philippine Constitution Article X111, Section 15, provides;

Sec. 15. ***“The State shall respect the role of independent people's organizations to enable the people to pursue and protect, within the democratic framework, their legitimate and collective interests and aspirations through peaceful and lawful means.***

People's organizations are bona fide associations of citizens with demonstrated capacity to promote the public interest and with identifiable leadership, membership, and structure.”
[Emphasis supplied]

One of our notable accomplishments is the establishment of our own Regional Tribal Court, situated in Brgy. Sicsican, Puerto Princesa City, Palawan. The stewardship of our Tribal Court Leader and Regional Representative, IPMR General Director **DATU LEON TIGRE** (Arthur H. Vicencio), underscores our commitment to uphold our customs, resolve disputes, and promote harmony within our community.

In line with the jurisdictional exemption, thus, **Section 15 and 70 R. A. 8371** provides,

“Section 15. Justice System, Conflict Resolution Institutions and Peace Building Processes. – the ICCs/IPs shall have the right to use their own commonly accepted justice systems, conflict resolution institutions, peace building processes or mechanism and customary laws and practices within their respective communities and as be compatible with the national legal system and with internationally recognized human rights.”

“Section 70. No restraining Order or Preliminary Injunction. – No inferior court of the Philippines shall have the jurisdiction to issue any restraining order or writ of preliminary injunction against the NCIP or any of its duly authorized or designated offices in laws relating to ICC's/IP's and ancestral domains.”

The phrase “other pertinent laws relating to ICCs/IPs articulates on abroad language the mandate of the institutions of the ICC's/IP's, and the same is correlated to Section 15.

And likewise, under Sec. 65 of R.A. 8371 provides,

“Primacy of Customary Laws and Practices. – when disputes involve Indigenous Cultural Communities/Indigenous Peoples, customary laws and Practices shall be used to resolved the dispute.”

Moreover, our aspiration is to work in tandem with the local government agencies, ensuring that our self-governance is harmoniously integrated with the broader governance framework in line with the IRR of R. A. 8371, Rule IV Part 1, Sec. 1 par. c), provides

“c) Mechanisms that allow the interfacing of indigenous systems of governance with the national systems are established.” [Emphasis supplied]

Pursuant to the 1987 Philippine Constitution Article X111, Section 16, provides

Section 16. ***“The right of the people and their organizations to effective and reasonable participation at all levels of social, political, and economic decision-making shall not be abridged. The State shall, by law, facilitate the establishment of adequate consultation mechanisms.”*** [Emphasis supplied]

It is with this purpose that we humbly inform your good office of our community's self-governance and our role in the preservation of our cultural heritage and ancestral domains.

We believe that collaboration between the LUMAD, KKKDA Indigenous Cultural Community/Indigenous People (ICC's/IP's) group, and the civil government agencies will lead to a more harmonious and productive relationship that benefits both our community and the broader society. Under the 1987 Philippine Constitution Article II, Section 22, provides

Article II Section 22 - ***"The State recognizes and promotes the rights of indigenous cultural communities within the framework of national unity and development."***

Thank you for your attention and consideration. We remain hopeful that our journey towards unity and harmonious coexistence will be met with understanding and support from your agency.

Respectfully,

DATU BUGHAW
(BRAIDEN JOHN C. HERMOSURA)
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KKKDA – MIMAROPA Region 4-B
IPMR City Director Maharlika
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Regional Tribal Customary Council
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