REPUBLIKA NG PILIPINAS
PAMAHALAAN LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA
Telephone no. 861-0181/Fax: 862-6473
Email address: sangguniangpanlungsod2k19@gmail.com

RESOLUTION NO. 2021-563

A RESOLUTION REQUESTING THE SENATE OF THE PHILIPPINES TO CONDUCT AN URGENT INVESTIGATION IN AID OF LEGISLATION ON THE SUDDEN CLOSURE OF THE ROAD GOING TO KATARUNGAN VILLAGE 1 AND 2 AND MUNTINLUPA NATIONAL HIGH SCHOOL (MNHS) AND PAMANTASAN NG LUNGSOD NG MUNTINLUPA (PLMUN), INCLUDING THE ROADS GOING TO THE SOUTHVILLE 3, NATIONAL HOUSING AUTHORITY (NHA) HOUSING PROJECT AND TYPE B NBP RESERVATION

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Sponsored by: ***Hon. Coun. Atty. Raul R. Corro***
Hon. Coun. Alexson V. Diaz – via zoom
Hon. Coun. Paty Katy C. Boncayao
Hon. Coun. Louisito A. Arciaga
Hon. Coun. Allan Rey A. Camilon
Hon. Coun. Ting Niefes
Hon. Coun. Stephanie G. Teves– via zoom
Hon. Coun. Ivee Rhia A. Tadefa
Hon. Coun. Engr. Marissa C. Rongavilla– via zoom
Hon. Coun. Francis Ian T. Bagatsing
Hon. Coun. Mark Lester M. Baes– via zoom
Hon. Coun. Engr. Mamerto T. Sevilla, Jr.
Hon. Coun. Engr. Arlene D. Hilapo
Hon. Coun. Cornelio M. Martinez
Hon. Coun. Walter A. Arcilla
Hon. Coun. Kenichi D. Takagi, Jr.

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WHEREAS, in the evening of **26 November 2021,** the **Bureau of Corrections (BUCOR)** erected another concrete wall this time along the University Road, Barangay Poblacion, Muntinlupa City, which road serves as the main access point to the City Proper by thousands of residents of Katarungan Village 1 and 2, and teachers and students of Pamantasan ng Lungsod ng Muntinlupa (PLMUN) and Muntinlupa National High School-Main;

WHEREAS, it is the third concrete road blockade constructed by the BUCOR this year, following the closure of the Insular Road on 20 March 2021 affecting the residents of **Southville 3 NHA Housing Project** and the closure of **Type B NBP** Reservation on 13 June 2021 all done by BUCOR without prior consultation and coordination with the City Government of Muntinlupa;

WHEREAS, on 20 March 2021, the first road closure incident in the Insular Road effectively prevented the residents of Southville 3, a socialized housing project undertaken by the ***National Housing Authority (NHA)***, involving the poorest of the poor people in the City numbering aout Eight Thousand (8,000) families or 45,000 people, from passing thru a portion of the road network within the NBP Reservation going to the City Proper;

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WHEREAS, the Southville 3 NHA Project was undertaken during the time of former President Gloria Macapagal-Arroyo for the relocation of some Eight Thousand (8'000) families or about **Forty-Five Thousand (45,000)** residents who were former settlers along the railroad tracks of the Philippine National Railways (PNR) within the City of Muntinlupa;

WHEREAS, the only outlet of the residents affected by the Insular Road closure in going to and reaching the City Proper is through accessing roads going to San Pedro, Laguna and/or Daang Hari, Las Piñas City, both of which are more or less ten (10) kilometers in distance from the City Proper;

WHEREAS, on 13 June 2021, the second road closure incident in Type B NBP Reservation also affected another group of people, mainly the Type B residents, going to the City Proper, which road has been used by them for several decades now and which the BUCOR has never blocked or even attempted to close the same;

WHEREAS, the recent road closure incident in the University Road, not only prevented the residents of Katarungan Village from using the existing road going to the City Proper, but greatly affected thousands of students and teachers, of the Muntinlupa National High School-Main Campus (MNHS-Main) and the Pamantasan ng Lungsod ng Muntinlupa (PLMUN), especially with face-to-face classes expected to resume soon;

WHEREAS, all three (3) road closure incidents were implemented without prior consultation with the City Government as required by the Sections 2 (c) and 27 of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991", to wit:

> *"Section 2. Declaration of Policy. – (c) it is likewise the policy of the State to require all national agencies and offices to conduct periodic consultations with appropriate local government units, non-governmental and people's organizations, and other concerned sectors of the community before any project or program is implemented in their respective jurisdictions."*
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> *Section 27. Prior Consultations, required. – No project or program shall be implemented by government authorities unless the consultations mentioned in Sections 2(c) and 26 hereof are complied with, and prior approval of the Sanggunian concerned is obtained: Provided, That occupants in areas where such projects are to be implemented shall not be evicted unless appropriate relocations sites have been provided, in accordance with the provisions of the Constitution."*

WHEREAS, these road closures are also violative of the due process and equal protection clauses guaranteed by the 1987 Philippine Constitution and is against the policy of the State in giving preferential treatment to the poor in our society;

WHEREAS, these incidents resulted in an added burden to the thousands of affected residents and poor communities in terms of longer travel time and increase transportation expenses, sudden unemployment of hundreds of tricycle drivers, and loss of business to their operators and done in the middle of the pandemic;

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WHEREAS, these road closures also deprived the poor residents of emergency services from the police, fire, rescue health and other basic services due to the inaccessibility from the City Proper;

WHEREAS, if the road blockades are not lifted, they will further create untold sufferings and immense difficulties among the affected residents and poor communities, who are already seriously affected by the on-going pandemic;

WHEREAS, for two consecutive years, the BUCOR under its present leadership has consistently shown the propensity to implement policies and initiate projects affecting the welfare of the constituents of Muntinlupa without prior consultation and coordination with the City Government notwithstanding the mandate of existing laws;

WHEREAS, in the beginning of the COVID-19 outbreak in the country in 2020, the BUCOR transferred hundreds of COVID-19 positive inmates from its penal facilities in Mandaluyong City to Muntinlupa City NBP Reservation without prior consultation with the City Government;

WHEREAS, in May 2021, the BUCOR also implemented the demolition and eviction activities involving informal settlers, homeless, and underprivileged citizens, without securing the proper documentary requirements under the Republic Act No. 7279 (Urban Development and Housing Act) and City Ordinance No. 17-091, and other related laws and issuances to ensure just and humane conduct of eviction and demolition orders;

WHEREAS, the "security reasons" given by BUCOR in implementing the road blocked can be addressed without suddenly closing the roads and can be remedied by imposing additional security measures such as establishment of checkpoints, sticker system, and other means which can also be discussed with the City Government;

WHEREAS, had there been prior consultations conducted as required by law, the City Government would have asked all concerned national agencies such as the NHA, Department of Public Works and Highways (DPWH), to sit down and plan an alternative route, if any, within the NBP Reservation Area that would not adversely affect the security concerns of BUCOR within the area;

WHEREAS, since the issue of the closure of the road involves a National Agency, such as the BUCOR, it is incumbent upon the Senate to conduct an inquiry in aid of legislation, to find out the (1) factual circumstances leading to the sudden closure, (2) absence of prior consultations with the Local Government of Muntinlupa as required by law, and (3) Alternative solution, to protect the general welfare of the residents.

NOW THEREFORE, BE IT ENACTED, AS IT IS HEREBY RESOLVED, by the 9th Sangguniang Panlungsod of Muntinlupa, to request the Senate of the Philippines to conduct an urgent investigation in aid of legislation on the sudden closure of the road leading to the Katarungan Village, Muntinlupa National High School Main Campus (MNHS-Main), and Pamantasan ng Lungsod ng Muntinlupa (PLMUN), including the closure of the roads leading to the ***Southville 3 National Housing Authority (NHA)*** Housing Project, and ***Type B NBP Reservation***.

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ADOPTED, by the ***9th Sangguniang Panlungsod of Muntinlupa*** this **27th** day of **November 2021,** on its ***16th Special Session.***

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO
Member

COUN. ALEXSON V. DIAZ
Member

COUN. PATY KATY C. BONCAYAO
Member

COUN. LOUISITO A. ARCIAGA
Member

COUN. ALLAN REY A. CAMILON
Member

COUN. TING NIEFES
Member

COUN. STEPHANIE G. TEVES
Member

COUN. IVEE RHIA A. TADEFA
Member

DISTRICT 2:

COUN. ENGR. MARISSA C. RONGAVILLA
Member

COUN. FRANCIS IAN T. BAGATSING
Member

COUN. MARK LESTER M. BAES
Member

(ABSENT)
COUN. MA. DHESIREE G. AREVALO
Member

COUN. ENGR. MAMERTO T. SEVILLA, JR.
Member

COUN. ENGR. ARLENE D. HILAPO
Member

COUN. CORNELIO M. MARTINEZ
Member

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COUN. WALTER A. ARCILLA
President
Sectoral Representative
Association of Barangay Chairman

COUN. KENICHI D. TAKAGI, JR.
President
Sectoral Representative
Federation of Sangguniang Kabataan

I HEREBY CERTIFY, as to the correctness of the foregoing **Resolution.**

CECILIA C. LAZARTE
Secretary to the Sanggunian

ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor

Date: 03 DEC 2021

Norie/9th SP