



REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT
NATIONAL COMMISSION ON INDIGENOUS PEOPLES

22 Pebrero 2024

BAI FRAIDELYN SAMAL DANI
16 Clan Blaan Tribe Watchman Council of Elders
Purok 16 Clan Bagong Pag-asa,
Sinawal, General Santos City
09124989333
baidiamante@gmail.com



Mahal na BAI SAMAL DANI:

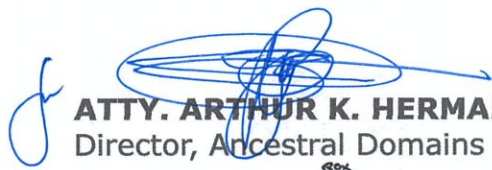
Pagbati mula sa Pambansang Komisyon para sa Katutubong mga Mamamayan.

Pinapaabot namin na aming natanggap ng iyong liham na nagpapaalam sa amin ng Letter of Instruction ng iyong konseho patungkol sa mga ipinagbabawal na gawain tulad ng pagtatayo ng mga pader, bahay na gawa sa kawayan o coco lumber, pagtatayo ng imprastruktura, at lahat ng mga inihahandang proyekto nang walang Certificate of Environmental Impacts Assessments (EIA) mula sa DENR, at walang Free, Prior and Informed Consent (FPIC) mula sa ICCs/IPs sa loob ng lupang ninuno ng 16 Tribe ng Clan Blaan na matatagpuan sa Purok 16 Clan, Bagong Pag-asa, Barangay Sinawal, General Santos City.

Kaugnay nito, nais naming malaman ang iyong layunin sa pagpapadala ng liham at kung anong mga aksyon ang inaasahan mong makamtan. Ang layunin naming ay tumugon nang naaayon sa iyong mga pangangailangan at gawin ang mga kinakailangang hakbang upang matugunan ang anumang isyu, ayon sa aming itinakdang mga protocol.

Maraming salamat po.

Lubos na sumasainyo,


ATTY. ARTHUR K. HERMAN
Director, Ancestral Domains Office

Binigyan ng sipi:

- ADO/File/Recognition Division
- Records
- OC
- NCIP Region 12





16 CLAN BLAAN TRIBE WATCHMAN COUNCIL OF ELDERS

CUSTOMARY SELF-GOVERNANCE

ADDRESS: PUROK 16 CLAN BAGONG PAG-ASA, SINAWAL, GENERAL SANTOS CITY, MINDANAO ISLANDS
MINISTERIAL COUNCIL SET UP ALEGMENT OF THE CUSTOMARY EXECUTIVE, LEGISLATIVE & JUDICIARY SYSTEM

12 February 2024

LETTER OF INSTRUCTION

BO-I JENNIFER PIA SIBUG-LAS

National Commission on Indigenous Peoples

Sunnymede IT Center, Quezon Avenue, Quezon City

Greetings!

We, the Customary Executive Council, Legislative Council and Judiciary System, we would like to inform Civil Government of Republic of the Philippines from Office of the President, All Agencies, Departments, Local Government Units Office of the City Mayor of General Santos City, DILG, PNP, Punong Barangay of Barangay Sinawal, and all Blaan Indigenous Cultural Communities Indigenous Peoples ICCs/IPs and Barangay Sinawal Peoples Communities of Non-Indigenous Peoples for not allowed anyone to build fencing, bamboo or coco lumber house, building infrastructure and all proposed projects without Certificate of Environmental Impacts Assessments (EIA) issued by DENR and The principle of Free, Prior and Informed Consent (FPIC) refers to the right of indigenous peoples to give or withhold their consent for any action that would affect their lands, territories or rights within the native land of 16 Clan Blaan Tribe located at Purok 16 Clan Bagong Pag Asa, Brgy. Sinawal, General Santos City.

That, the Civil Government of Republic of the Philippines adopt Customary laws accordance with Indigenous Peoples Rights Act 1997 (Republic Act No. 8371, CHAPTER IV, SECTION 13. 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.

This is to clarify matters surrounding the program we are venturing into relative to developing an advocacy Inheritance Descendants of the "KATUTUBONG BLAAN" Since Time Immemorial an Indigenous Cultural Communities Indigenous Peoples (ICCs/IPs) for Recovery of Possession of the 16 Clan Watchman Council of Elders in the Inherit Native Land.

Ye shall inherit their native lands according to Republic Act No. 8371-Indigenous peoples rights Act of 1997, Chapter 3, Section 7, paragraph a) Rights of Ownership.- The right to claim ownership over lands, bodies of water traditionally and actually occupied by ICCs/IPs, sacred places, traditional hunting and fishing grounds, and all improvements made by them at any time within the domains.

In this connection, we giving your office our Customary Code from 16 Clan Blaan Tribe Watchman Council of Elders for your references and not to violates or discrimination the rights with authority Blaan Tribe. (See attached CUSTOMARY CODE).

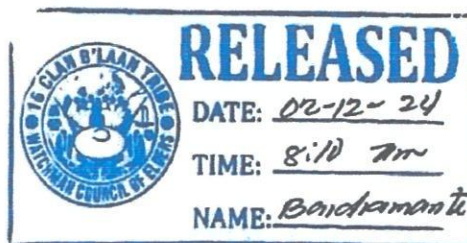
We the sovereign Blaan Indigenous Cultural Communities Indigenous People (ICCs/IPs) of the native land are praying and looking forward to our significant involvement on this matter for our future reference in any difficult situation that may arise.

May we request in accordance with Republic Act No. 11032 (Sec. 4.a) for your positive response upon receipt of this letter within three (3) days.

In D'wala we Trust!

In this courts with praise,


BAI FRAIDELYN SAMAL DANI
Chieftain 16 Clan Blaan Tribe
Royal Envoy NCIP-United Nations
Barrister Practitioner of the Watchman Ministry of Academics
16 CLAN BLAAN TRIBE WATCHMAN COUNCIL OF ELDERS
Chief Director of Executive Council/Judiciary System/Legislative Council
Customary Self-Governance Independent Since Time Immemorial



Website: 16clanbalaantribe.com

Email: baidiamante03@gmail.com

Mobile No: +639124989333



16 CLAN BLAAN TRIBE WATCHMAN COUNCIL OF ELDERS

CUSTOMARY SELF-GOVERNANCE

ADDRESS: PUROK 16 CLAN BAGONG PAG-ASA, SINAWAL, GENERAL SANTOS CITY, MINDANAO ISLANDS

TRIBAL COURT CUSTOMARY JUDICIARY SYSTEM

CUSTOMARY CODE SINCE TIME IMMEMORIAL

CELEBRATED COPY

DATE: 02-14-24

TIME: 9:40 AM

NAME: Ben Dym...

Ang Katutubong Blaan na ito ay may parehong panliping sistema ng hustisya sa iba't-ibang terminolohiya. Sa Katutubong Blaan, tinatawag ang kanilang sistema ng hustisya na "kasfala" o pag-uusap. Dahil sa karamihan ng katutubo sa probinsiya ay ang Katutubong Blaan, karaniwang ginagamit ang terminong Kasfala bilang pangalan ng panliping katarungan (TRIBAL JUSTICE).

Ang panliping katarungan na ito ay sinabing epektibo sa komunidad at pinagtitiyay bilang mga kaugalian ng mga katutubong mamamayan.

Ang Stulen isa ka pamaagi sang pagdumala sang mga nagkalain-lain nga mga indi pagkakaintindihanay upod na diri ang aspeto sang pag-areglo sang mga problema. Ini isa ka pagistoryahanay para magintindihanay kag mag-uswag ang isa ka katilingban o animalay. Isa ini ka epektibo nga pamaagi bangud nga ang pagbinaisay upod na sa pagpamati sang kada kampo nga may reklamo wala nagadugay sa isa ka adlaw maluwas na lang kung ang ginaakusahan o ang naga akusar naga kinahanglan sang malaba nga panahon agud mabatian ang iya nga mga sanaysayon.

May iba't-ibang pamamaraan sa pagpataw ng karampatang parusa sa inakusahan. Bago ang lahat, ang akusado ay sasailalim sa isang pagsisiyasat o imbestigasyon sa harap ng Panliping Pinuno (16 Clan Chieftain). Kung ang inakusahan ay magtanggì o magtatwa sa mga akusasyon laban sa kanya, ang Tribal Chieftain ay siyang mag-desisyon sa pag-gamit ng mga katutubong pamamaraan sa paglantad ng katarungan tulad ng skalot, sulif (pagsasawsaw) at sagti (pag-pana). Ngunit kung ang inakusahan sa kaso ng pagsisiyasat ay umamin na ang mga akusasyon laban sa kanya, ang 16 Clan Chieftain ay maaaring mag-desisyon na hindi na ilapat ang mga tradisyunal na paraan ng sistema ng hustisya. Kapag ang inakusahan ay tumangging sumunod sa desisyon, ang 16 Clan Chieftain mismo ang mag-bigay ng direktiba sa kanyang pagkakasala at ang kanyang karampatang obligasyon na bayaran ang lahat ng danyos o pinsala san aka-agrabyadong partido bago siya patawarin. Kung ang inakusahan ay hindi kayang bayaran ang halaga ng pinsala na ipinataw sa kanya, siya ay bibigyan ng oras na makipag-ayos sa nagrereklamo hanggang sa sila ay sumang-ayon sa desisyon.

Ang mga karaniwang uri ng mga kaso na maaring gawin sa pamamagitan ng Kasfala ay ang mga sumusunod:

1. (Discrimination o Di pag respito sa Katutubong Blaan) "Ang parusa ay Dalawang Kalabaw"
2. (Hindi pagsunod sa pagpatawag ng Chieftain o Pinuno ng 16 Clan) "Ang parusa Tatlong Kabayo"
3. Ang Pagtalikod sa 16 Clan "Ang parusa ay wala siyang mamanahin na lupain o makukuha na benipesyo sa Gobierno ng 16 Clan Katutubong Blaan"
4. Tmako (pagnanakaw)
5. Slad yaan (pakiki-apid o pangangaliwa/pangangalunya)
6. Mati to (pagpatay)
7. Lnugos (panggahasa)
8. Stangal (pagtanan)

Kapag napatunayan na ang akusado ay nagkasala, ang akusado ay may obligasyon na bayaran ang pinsalang nagawa sa nagrereklamo para sa kanyang nasirang reputasyon.

May iba't-ibang ritwal ang ginagawa ng bawat partido ukol sa kanilang karapatan pagkatapos ng pag-areglo at pagsang-ayon. Ito ay ang mga sumusunod:

Bnagon – ito ay isang pagbabayad ng mga pinsala o danyos na ginawa ng isang tao laban sa isa pang tao.

Dyandi – ito ay isang pangako ng bawat partido na tigilan ang kanilang salungatan sa pamamagitan ng isang seremonya tulad ng paggupit sa sulhiya (rattan) na simbolo ng pagtatapos ng mga salungatan.

Website: 16clanbalaantribe.com

Email: baidiamante03@gmail.com

Mobile No: +639124989333

Dani

Martina



16 CLAN BLAAN TRIBE WATCHMAN COUNCIL OF ELDERS

CUSTOMARY SELF-GOVERNANCE

ADDRESS: PUROK 16 CLAN BAGONG PAG-ASA, SINAWAL, GENERAL SANTOS CITY, MINDANAO ISLANDS

State buhay anak – ay isang uri ng ritwal sa pamamagitan ng pagpalay ng isang puting manok simbolo na ang relasyon ng parehong partido na nakikibahagi sa kontrahan ay bumalik sa normal at ang pagkakasundo ay nakamtan na. Kasama rin dito ang pangako upang linisin o ayusin ang kanilang nakaraang di-pagkakaintindihan kapareho ng puting balahibo ng manok.

Snafang klinge – ito ay isang kabayaran para sa kahihiyan na ginawa laban sa reputasyon ng ibang tao. "Snafang Klinge" ay nangangahulugan na takpan ang tenga ng mga tao na nakakarinig sa nasabing kahihiyan.

Ang pinsala o danyos ng taong nagkasala ay maaaring bayaran sa pamamagitan ng mga sumusunod na kasangkapan o tinuturing na kayamanan ng tribu: tradisyonal na instrument gaya ng agong (falimak), mga alagang hayop na ginagamit sa pagsasaka gaya ng kalabaw, kabayo (kura), baka (safi); mga baril, tabak (fais), arrow (agas), jar/pagsisidlan (namoh), damit gawa ng perlas (takmon).

BLAAN AGREEMENTS.....KASFALA IN BLAAN LANGUAGE

KASFALA refers to a traditional meeting of Blaan elders, a gift exchange ceremony and finally dispute settlement or resolution. It also implies a type of friendship or brotherhood pact, formed through the process of and as a result of dispute settlement or resolution. Dispute arising between two individuals usually males, are brought before the traditional leader, either Fulong or Dato. After the hearing, the details of the dispute, the traditional leader will usually decide upon some form of compensation, which is to be paid or given in the form of gifts to the aggrieved parts. An exchanged of gifts, which is not only serve as compensation but symbolizes the renewed good will between the parties involved in the dispute, usually takes the form of material culture, such as knives and weapons, as well as woman and cash money. The Dato is often required to utilized his own personal wealth in order to satisfy the aggrieved part and settle the dispute. By utilizing his own wealth in order to settle another man's debt relationships and eventually increasing his own personal wealth. The other party to the dispute will eventually be required to repay the kindness and generosity of the Dato by repaying in the form of service or material goods or cash money, the amount of the original dispute settlement, plus some additional gifts. The traditional leader's temporary material deficit will eventually result in an increase, when the debt is repaid, in his own personal wealth and social status.....KASFALA in Blaan tradition is an exchange of material culture, such as knives weapon, woman and cash money.....

BLAAN AGREEMENTS.....KASFALA SA BLAAN LANGUAGE

Ang KASFALA ay tumutukoy sa isang tradisyunal na pagpupulong ng mga matatanda ng Blaan, isang seremonya ng pagpapalitan ng regalo at sa wakas ay pag-areglo o paglutas ng mga hindi pagkakaunawaan. Ito rin ay nagpapahiwatig ng isang uri ng pakikipagkaibigan o kasunduan sa kapatiran, na nabuo sa pamamagitan ng proseso ng at bilang resulta ng pag-aayos o paglutas ng hindi pagkakaunawaan. Ang pagtatalo na nagmumula sa pagitan ng dalawang indibidwal na karaniwang mga lalaki, ay dinadala sa harap ng tradisyonal na pinuno, alinman sa Fulong o Dato. Pagkatapos ng pagdinig, ang mga detalye ng hindi pagkakaunawaan, ang tradisyunal na pinuno ay karaniwang magpapasya sa ilang anyo ng kabayaran, na babayaran o ibibigay sa anyo ng mga regalo sa mga naagrabyado na bahagi. Ang palitan ng mga regalo, na hindi lamang nagsisilbing kabayaran ngunit sumisimbolo sa panibagong mabuting kalooban sa pagitan ng mga partidong kasangkot sa pagtatalo, kadalasang tumatagal ng materyal na kultura, tulad ng mga kutsilyo at armas, pati na rin ang babae at pera. Ang Dato ay madalas na kinakailangan na gamitin ang kanyang sariling personal na kayamanan upang masiyahan ang naagrabyado na bahagi at ayusin ang hindi pagkakaunawaan. Sa pamamagitan ng paggamit ng kanyang sariling kayamanan upang ayusin ang mga relasyon sa utang ng ibang tao at sa huli ay madagdagan ang kanyang sariling personal na yaman. Ang kabilang partido sa hindi pagkakaunawaan ay kakailanganing bayaran ang kabaitan at kabutihang-loob ng Dato sa pamamagitan ng pagbabayad sa anyo ng serbisyo o materyal na mga kalakal o cash money, ang halaga ng orihinal na pag-aayos ng hindi pagkakaunawaan, kasama ang ilang karagdang mga regalo. Ang pansamantalang materyal na deposit ng tradisyunal na pinuno ay magrereresulta sa isang pagtaas, kapag ang utang ay nabayaran, sa kanyang sariling personal na yaman at katayuan sa lipunan.....KASFALA sa tradisyon ng Blaan ay isang palitan ng materyal na kultura, tulad ng sandata ng kutsilyo, babae at cash money.....

Website: 16clanbalaantribe.com

Email: baidiamante03@gmail.com

Mobile No: +639124989333



16 CLAN BLAAN TRIBE WATCHMAN COUNCIL OF ELDERS

CUSTOMARY SELF-GOVERNANCE

ADDRESS: PUROK 16 CLAN BAGONG PAG-ASA, SINAWAL, GENERAL SANTOS CITY, MINDANAO ISLANDS

The Civil Government of the Philippines accountable Office NCIP according to Indigenous People's Rights Act of 1997 of Republic Act No. 8371, CHAPTER XI Penalties:

SECTION 72. Punishable Acts and Applicable Penalties. — Any person who commits violation of any of the provisions of this Act, such as, but not limited to, unauthorized and/or unlawful intrusion upon any ancestral lands or domains as stated in Sec. 10, Chapter III, or shall commit any of the prohibited acts mentioned in Sections 21 and 24, Chapter V, Section 33, Chapter VI hereof, shall be punished in accordance with the customary laws of the ICCs/IPs concerned: Provided, That no such penalty shall be cruel, degrading or inhuman punishment. Provided, further, That neither shall the death penalty or excessive fines be imposed. This provision shall be without prejudice to the right of any ICCs/IPs to avail of the protection of existing laws. In which case, any person who violates any provision of this Act shall, upon conviction, be punished by imprisonment of not less than nine (9) months but not more than twelve (12) years or a fine of not less than One hundred thousand pesos (P100,000) nor more than Five hundred thousand pesos (P500,000) or both such fine and imprisonment upon the discretion of the court. In addition, he shall be obliged to pay to the ICCs/IPs concerned whatever damage may have been suffered by the latter as a consequence of the unlawful act.

SECTION 73. Persons Subject to Punishment. — If the offender is a juridical person, all officers such as, but not limited to, its president, manager, or head of office responsible for their unlawful act shall be criminally liable therefor, in addition to the cancellation of certificates of their registration and/or license: Provided, That if the offender is a public official, the penalty shall include perpetual disqualification to hold public office.

Main article: Ancestral domain

In the Philippines, the term is used to refer to indigenous peoples' land rights in law. Ancestral lands are referred to in the Philippines Constitution. Article XII, Section 5 says: "The State, subject to the provisions of this Constitution and national development policies and programs, shall protect the rights of indigenous cultural communities to their ancestral lands to ensure their economic, social, and cultural well-being."

The Indigenous People's Rights Act of 1997 recognizes the right of Indigenous peoples to manage their ancestral domains. The law defines ancestral domain to include lands, inland waters, coastal areas, and natural resources owned or occupied by Indigenous peoples, by themselves or through their ancestors.

HUMANITARIAN INTERVENTION OF WATCHMAN JUDICIARY SYSTEM A DIPLOMATIC APPROACH

Through WATCHMAN MINISTRY OF OMBUDSMAN, we conduct fact finding on how you can serve and accommodate the people's and country as Public Officers or Employees (Philippines Constitution Article XI Section 1. Public office is a public trust. Public officers and employees must, at all times, be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency; act with patriotism and justice, and lead modest lives.) John 8:24 "I told you that you would die in your sins, for unless you believe that I am he you will die in your sins."

Through WATCHMAN MINISTRY OF DIVINE COURT, all Constitutional Agency or Department and Local Public Officials & Employees find probable cause for Dishonesty, Gross Misconduct, Graft and Corruption Practices, Coercion, Treason, Bribery, Culpable of the Constitution, Neglect of duty and involve Illegal Drug, Gambling we pursue "Virtual License to Kill Evil" every human being will Kill during Office Hour or Public place for all self-deception of the Devil Spirit.

The Scripture Principles: For the wages of sin is death, but the gift of EL ELYON is internal life. (Romans 6:23)

Through WATCHMAN MINISTRY OF DIVINE JUSTICE, we destroy the people and all blood generation work in Public Offices.

The Justice "You shall appoint judges and officers in all your towns that the Yahawah your Alahayam is giving you, according to your tribes, and they shall judge the people with righteous judgment. (Deuteronomy 16:18)

Related international legislation on IP rights

The United Nations acknowledges worldwide the rights of the indigenous people. The article on the UN Declaration on the Rights of Indigenous Peoples is recognized in the international sphere and was adopted by the United Nations General Assembly during its 61st session at UN Headquarters in New York City on September 13, 2007. The Declaration is structured as a United Nations resolution, "with 23 preambular clauses and 46 articles concerning the collective and individual rights of the indigenous peoples in different parts of the world including protection of their cultural heritage and manifestations of their cultures including human and genetic resources." The Philippines did not immediately support the draft. It abstained when the first votes were called, despite the existence of the Indigenous People's Rights Act of 1997. The Department of Justice and the Office of the Solicitor General expressed their opposition to the adoption, as they still had to study whether this was consistent with the Philippine Constitution. Furthermore, the National Commission on Indigenous Peoples, which was the representative organization of the Philippine IPs did not endorse it at first. However, after reviewing the declaration for many times, the Philippines supported and voted a yes. [10] In the end, the final result of the votes for the passing of the charter resulted to 143 yes votes, 4 no votes (Australia, Canada, New Zealand and U.S.) and 11 abstentions.

Website: 16clanblaantribe.com

Email: baidiamante03@gmail.com

Mobile No: +639124989333



16 CLAN BLAAN TRIBE WATCHMAN COUNCIL OF ELDERS

CUSTOMARY SELF-GOVERNANCE

ADDRESS: PUROK 16 CLAN BAGONG PAG-ASA, SINAWAL, GENERAL SANTOS CITY, MINDANAO ISLANDS

BY THE AUTHORITY OF THE CUSTOMARY SELF-GOVERNANCE SINCE TIME IMMEMORIAL WE ADOPT ORAL LAW SUPERSEDED BY UNWRITTEN AND WRITTEN CUSTOMARY LAWS

UNANIMOUSLY APPROVED.

I hereby certify to the correctness of the above Customary Code

BAI FRAIDELYN SAMAL DANE

Chieftain 16 Clan Balaan

Chief Director of the 16 Clan Balaan Tribe Watchman Council of Elders

Customary Self-Governance for Executive, Legislative & Judiciary Powers & Authority



Website: 16clanbalaantribe.com

Email: baidiamante03@gmail.com

Mobile No: +639124989333