

FURTHER AMENDING PRESIDENTIAL DECREE NO. 1092, AS AMENDED BY PRESIDENTIAL DECREE NO. 1104, PROVIDING FOR THE HOLDING OF A REFERENDUM THROUGH THE REMARK SHEETS ON THE OCCASION OF...

PRESIDENTIAL DECREE NO. 1111, March 30, 1977

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WHEREAS, in pursuit of a solution to the conflict in Mindanao the government has succeeded in forging the Tripoli Agreement with the parties concerned;

WHEREAS, under the said Tripoli Agreement certain matters including the area of the autonomy and the mechanics thereof shall be subject to further discussions and eventually to the people's approval;

WHEREAS, in an exchange of cables, President Marcos and President Ghaddafi have agreed that the inhabitants of the areas of the autonomy shall determine for themselves the administrative system to be adopted in accordance with the Constitution of the Philippines and the formula agrees upon by the two aforementioned leaders;

WHEREAS, the matter of the administrative system for the area of the autonomy is indeed vital and should be resolved by the people under the principle of self-determination;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the authority in me vested by the Constitution do hereby decree as follows:

SECTION 1. Sec. 15-A of Presidential Decree No. 1092, as inserted by Presidential Decree No. 1104, is hereby deleted and substituted with the following:

"Sec. 15-A. Referendum Through Remark Sheets, Mandatory Use; Binding Effect. — The use of the Remark Sheets in the April 1977 Regional Plebiscite in Southwestern Philippines is hereby declared mandatory.

The consensus of the voters as tabulated from the Remark Sheets shall have the same binding force and effect as the results from the ballots.

It shall be understood that the use of the Remark Sheets as herein provided shall be considered a Referendum."

SECTION 2. Presidential Decree No. 1092, as amended, is hereby further amended by inserting therein new sections to be designated as Sec. 15-B, Sec. 15-C and Sec. 15-D which shall read as follows:

"Sec. 15-B. Questions on the Remark Sheets. — The Remark Sheets shall contain the following questions:

"Pursuant to the Tripoli Agreement of December 23, 1976 and the agreement between President Marcos of the Philippines and President Ghaddafi of March 18-19, 1977, President Marcos issued proclamation No. 1628 declaring autonomy in the Provinces of Lanao de Sur, Lanao del Norte, Sultan Kudarat, Maguindanao, North Cotabato, Zamboanga del Sur, Zamboanga del Norte, Sulu, Basilan, Tawi-Tawi, Palawan, Davao del Sur and South Cotabato.

"The agreement between President Marcos and President Ghaddafi also provides that the people be asked how to organize themselves administratively within the areas of the autonomy through a referendum.

"1. There is a proposal that these 13 provinces will be finally organized into a single region of the autonomy. Do you approve such a proposal ?

If the answer is "Yes", these provinces shall constitute a single region of the autonomy.

If the answer is "No", the 13 provinces shall remain in their present regions which shall be equally autonomous.

"2. There is a proposal that the administrative system in the area of the autonomy will be ruled or controlled by the Moro National Liberation Front with full and complete authority. Do you approve such a proposal?

"3. There is a proposal that the region of the autonomy will have its own flag, official language and seal separate and distinct from the flag, national language and seal of the National Government. Do you approve such a proposal?

"4. There is a proposal that the region of the autonomy be called autonomous Bangsamoro Islamic Region and the inhabitants thereof the Bangsamoro. Do you approve such a proposal?

"5. There is a proposal that the region of the autonomy shall have its own Court of Appeals and Supreme Court to be created by the Government of the region of the autonomy. Do you approve such a proposal?

"6. There is a proposal to grant to the region of the autonomy the power of general legislation including taxation similar to that of the national assembly of the National Government. Do you approve such a proposal?

"7. There is a proposal to empower the MNLF to organize and utilize in the region of the autonomy a security force to maintain peace and order separate from the outside of the supervision and control of the Armed Forces of the Philippines, the Integrated National Police or any other office or offices of the National Government. Do you approve such a proposal?

"8. There is a proposal that the Executive Council of the region of the autonomy shall be headed by a chief minister and a deputy chief minister to be elected by the regional legislative assembly with the concurrence of the central committee of the MNLF and who shall be the commander-in-chief of the regional security force with the power to organize, control and supervise its operations and activities. Do you approve such a proposal?

"9. There is a proposal that the accounts of the region of the autonomy shall be audited only by a regional commission and not by the National Commission on Audit, as provided by the Philippine Constitution. Do you approve such a proposal?

"10. There is a proposal that the Administrative system in the region of the autonomy shall be under the general supervision and control of the National Government of the Philippines through its appropriate instrumentalities as provided for in the proposal of the Batasang Bayan adopted in its special session last 14 February 1977 which includes the creation of a regional assembly with members elected by the qualified voters of the region and an executive council to be chosen by the regional assembly who may or may not be members of the said assembly. Do you approve such a proposal?

As additional question for the voters in the province of Tawi-Tawi:

"11. In order to facilitate the administration of the areas concerned, and to hasten their socio-economic development, Presidential Decree No. 302 removed several municipalities from the territorial jurisdiction of the province of Sulu and constituted the same into a separate province known as Tawi-Tawi. Are you in favor of maintaining the separation of the province of Sulu and Tawi-Tawi into distinct political subdivisions thereby constituting the latter into a regular province ?

As additional question for the voters in the Provinces of Sultan Kudarat, North Cotabato and Maguindanao:

11. In order to improve the administration of the areas concerned and to promote their stability and accelerate their social and economic development, Presidential Decree No. 341 divided the province of Cotabato into three (3) territorial subdivisions, namely: North Cotabato, Maguindanao and Sultan Kudarat. Are you in favor of maintaining these three (3) territorial subdivisions as distinct local government units and thereby constituting them into regular provinces?

As additional questions for the voters in the Province of Basilan:

"11. By virtue of Presidential Decree No. 356, as amended by Presidential Decrees Nos. 530 and 840, the City of Basilan was abolished and its component territorial units were administratively and politically organized to constitute the province of Basilan. Are you in favor of maintaining the status of Basilan as a regular province?

Space shall be provided in the Remark Sheets where the voter may explain his answers.

"Sec. 15-C. Canvass and Proclamation of Results. — The answers in the Remark Sheets shall be canvassed and the results thereof proclaimed by the Commission on Elections in the same manner as the ballots.

"Sec. 15-D. Analysis of the Explanation(s) of Voters. — The Remark Sheets shall, after the canvass and the proclamation of the results in accordance with the preceding section, be preserved and placed under the custody of the Commission on Elections which shall immediately undertake an analysis of the explanation(s) of the voters appearing thereon.

To assure a thorough, accurate and speedy analysis of the Remark Sheets, the Commission on Elections may avail of the assistance of any Government agency, including the University of the Philippines, Development Academy of the Philippines, the Mindanao State University, and others.

The Commission on Elections shall submit to the President of the Philippines a report on the analysis of the Remark Sheets."

SECTION 3. Questions in the Ballots to be maintained. — Nothing in this decree shall be construed to alter the questions in the ballots as provided in Section 2 of Presidential Decree No. 1092, which shall be answered by the voters as required therein.

SECTION 4. Additional Appropriation. — To carry out the provisions of this amendatory decree, there is hereby appropriated an additional sum of One Million Seven Hundred Fifty Thousand Pesos (P1,750,000.00) out of any funds in the National Treasury not otherwise appropriated to be spent under the exclusive authority of the Commission on Elections.

SECTION 5. Effectivity. — This Decree shall take effect immediately.

DONE in the City of Manila, this 30th day of March, in the year of Our Lord, Nineteen Hundred and Seventy-Seven

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

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