

By BHONG SIMBAJON

District 1 House Representative Celso Lobregat broke his silence on the controversial removal of Indigenous People's representative in the city council Ismael Musa, noting there were some inconsistencies and suspicious moves in the process.

Lobregat told newsmen Wednesday during a press conference the discrepancy in the dates of communications and decisions of the city mayor and vice-mayor respectively.

"I was so surprised noting the inconsistencies in dates and actions of the executive and legislative leadership on Councilor Musa's case," Lobregat said.

Lobregat said that in the communication of the mayor to the Secretary of the Sangguniang Panlungsod Mrs. Zenaida Jayme and Vice-Mayor Cesar Ituralde dated February 2, 2016, she transmitted/furnished the same machine copy of the communication from Timuey Woy Lim Wong, Regional Director of the National Commission on Indigenous Peoples Regional Office decision, about Hon. Ismael Musa's recall/removal as IPMR in the Local Legislative Council" affirming the decision rendered by the council of elders/leaders recalling Musa as Indigenous Peoples Mandatory Representative in the city council of Zamboanga.

The said letter of the mayor was received by the Secretary of the city council around 1:45pm that day. Around 3:40pm on the same day, the vice-mayor also sent an official communication to Comelec Regional Director Atty. Winfred Balisado, requesting the said office for an official/legal opinion about the said NCIP decision, to properly guide the city council to whatever appropriate action that they must take thereon, considering that there is an existing COMELEC resolution, which prescribed pertinent prohibited acts during the so-called election period, starting January 10, 2016.

On January 9, 2016, Councilor Musa still attended the regular session of the city council as reflected in the minutes and the official attendance roll call of the members of the Sangguniang Panlungsod, where he also delivered his privilege speech on the same issue about his fate. At 2:45pm of the same day, Musa sent a personal communication to the Comelec regional office

seeking consideration for prudent and legal opinion. Musa filed a motion on February 10 before he received the letter of Ituralde.

On January 11, 2016, Councilor Musa received the official communication from the Vice-Mayor officially informing him that effective February 1, 2016, the date the communication from the office of the mayor was received, his rights, obligations, and privileges as a member of the Sangguniang Panlungsod of this city, is hereby deemed terminated, considering that the Certificate of Affirmation from the NCIP is essentially required prior to his assumption to office as IPMR representative to the city council.

“This is a no brainer issue, it is very clear that the Mayor and Vice-Mayor ya hace manera para quita con Musa. In fact the letter of NCIP Director Wong was not addressed to the Mayor or to the Vice-Mayor, they were only copy furnished. The letter was addressed to the Council of Leaders and to Councilor Musa, so it should be the who should settle, hinde ba?, Lobregat said.

He also revealed that there is no law prohibiting IPs from joining a political party.

In fact they have formed their own partylist in Congress at present, Lobregat said.

Lobregat had earlier reacted to the said issue saying it is politically motivated “because they (LP officials ) were the ones who wanted Musa to join their political party and since Musa refused and joined the LDP, then this happened.”

The solon further added that the Department on Interior and Local Government (DILG)’s legal opinion expressed that the IP representation is elective in nature. It says that the mode in which ICC/IP’s representative is chosen is within the term of election, so that the ICC/IP’s representation shall be considered as an elective official.

He also cited the Local Government Code or Republic Act 7160 , regarding the composition: that the Legislative body of the city is composed of the Vice-Mayor as presiding officer, regular members, sectoral members like the Liga ng Barangay, Sangguniang Kabataan, in addition there shall be three sectoral representatives, one from women as determined by the

Sanggunian, one from agriculture and industrial workers, and one from other sectors, including urban poor, indigenous people, or disabled. The regular members of the Sangguniang Panlungsod and the sectoral representatives shall be elected in a manner prescribed by law.

Lobregat said the removal of an IPMR has a process in the NCIP. And if there is a decision from the regional office this is appealable, and it is not final and executory, he said. Decision can be appealed to the NCIP en banc, then there is still the next process, which is going up to the Court of Appeals.

He said that Musa was not given due process, even the Comelec has prohibitions on election offenses and he is seeking motion for reconsideration from NCIP.

“They are bullying Councilor Musa. Ya abusa sila diila poder. I only issued one statement before, that this is politically motivated, but after looking at what they have done and the documents that I have received, it is very very clear, that they have removed Councilor Musa unceremoniously without due process and without any authority. They have no authority to remove Musa, the only one who has the authority to remove him is the NCIP or the court, not the Mayor and not the Vice-Mayor,” Lobregat said. – Bhong Simbajon/RMN News