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UNIVERSITY OF THE PHILIPPINES DILIMAN

PROCEEDINGS

FORUM ON HAJJ

Administering and Financing the Hajj 2023:
Issues, Problems and Solutions

October 13, 2023

University Hotel, UP Diliman, Quezon City

PREPARED BY:

**UP IIS Research, Publication,
and Extension Division (RPED)**



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INTRODUCTION

This is a documentation of the forum on Hajj with the theme "Administering and Financing the Hajj 2023: Issues and Solutions" held on October 13, 2023, at SR 108, University Hotel, UP Diliman, Quezon City. The forum was organized by the Institute of Islamic Studies of the University of the Philippines Diliman in partnership with the Office of the Presidential Adviser on Muslim Affairs.

The Hajj pilgrimage is an annual religious activity for many Muslims worldwide. According to RA 9997, the National Commission on Muslim Filipinos (NCMF) is tasked with providing services that promote the interests, welfare, and well-being of Filipino pilgrims. Given this mandate, the forum aimed to achieve the following objectives:

- To assess the administrative and financial systems of the Hajj;
- To identify system-related challenges and potential solutions; and
- To offer research-based insights and recommendations to policymakers.

Asst. Prof. Darwin J. Absari and Prof. Julkipli M. Wadi of the UP Diliman Institute of Islamic Studies served as facilitator and moderator of the forum, respectively, while Ms. Camille Lucille A. Bello, Ms. Ma. Zain G. Daclis, and Mr. Kamaruddin Bin Alawi Mohammad, also of the UP IIS, served as documenters.

PARTICIPANTS

The forum was attended by various agencies and groups that play significant roles in the administration and implementation of the Hajj pilgrimage in the Philippines. Additionally, policy-making bodies, including representatives from the Senate, House of Representatives, and the Office of the Presidential Adviser on Muslim Affairs, as well as non-governmental organizations and financing institutions, also participated to share ongoing initiatives aimed at addressing issues and problems.

House of Representatives Committee on Muslim Affairs

- *Atty. Noel T. Tiampong*
Chief of Staff, Office of Cong. Yasser Alonto Balindong
- *Mr. John Louie Balagat*
Chief of Staff, Office of Cong. Mujiv S. Hataman

Office of the Presidential Adviser on Muslim Affairs (OPAMA)

- *Hon. Almarim Centi Tillah*
Presidential Adviser

Department of the Interior and Local Government (DILG)

- *Atty. Mikhail Jude R. Fabio III*
Representative, Mindanao Affairs and Special Concerns

National Commission on Muslim Filipinos (NCMF)

- *Atty. Guiling A. Mamondiong*
Secretary
- *Comm. Yusoph J. Mando*
Commissioner
- *Dir. Tahir S. Lidasan, Jr.*
Executive Director/OIC, Bureau of Pilgrimage and Endowment
- *Dr. Abdul Hannan M. Tago*
Executive Assistant IV

Travel Agencies

- *Mr. Jamaloding Solaiman*
GlobalStar Travel Management
- *Ms. Jane Cuevas*
Warner Barnes Travel Inc.

Airline

- *Mr. Fortun R. Liscano*
Area Manager, Philippine Airlines (PAL)

Sheikhs

- *Sheikh Kaberl O. Hajilan*
- *Sheikh Nasser Papaladun*
- *Sheikh Gulam Pangaringan*
- *Sheikh Johari Pandapatan*

Al-Almanah Islamic Investment Bank of the Philippines (AAIIBP)

- *Atty. Imelda Tarhata F. Macarambon*
Acting Chief Operating Officer/ Legal Counsel
- *Mr. Mohamad Ashraf Ader*
- *Mr. Jhanon T. Sobair*

Non-Governmental Organizations

- *Atty. Haron R. Ali*
Better Hajj and 'Umrah Movement
- *Mr. Omar A. Babuena*
Islam Kabayan Peace Propagation

I. PRELIMINARIES

Welcome Remarks

Prof. Julkipli M. Wadi

Dean, Institute of Islamic Studies

Prof. Julkipli M. Wadi, Dean of the UP Institute of Islamic Studies delivered a brief welcome remark during the preliminaries of the Hajj Forum. He began by acknowledging the presence of the key officials of NCMF, DILG, Congress, OPAMA, the Royal Embassy of Saudi Arabia in the Philippines, Al-Amanah Islamic Investment Bank of the Philippines, sheikhs, travel agencies, airline, and media. He also recognized the presence of the UP Diliman Chancellor, Atty. Edgardo Carlo L. Vistan II and expressed gratitude to the Office of the Chancellor for supporting the UP IIS in its programs including the Hajj Forum.



The Institute is in the preparatory stage for its transfer to the new IIS Building Complex which will be finished by 2024. As part of the said preparation, Dean Wadi together with IIS faculty members intends to set a meeting with UP President Angelo A. Jimenez and Chancellor Vistan to discuss the new programs of IIS including the Diploma Course on Islamic Law, program on The Philippines and the Islamic World, international conference, and several publications. In line with the forum's objective, Dean Wadi explained that this forum would serve as a venue for the key actors of the annual holy pilgrimage to contribute invaluable recommendations on the administration and financing of the Hajj. This will also aid the ongoing reforms being proposed in Congress and, at the same time, shed some light on how the said reforms would affect the different sectors managing the Hajj. After the forum, the IIS will come up with the proceedings, and plan to have a research and policy brief as support for the aim of a better Hajj program. Dean Wadi further added that on the opening of the New IIS Building Complex, the Institute will once again invite everybody for another fruitful forum related to various issues concerning the Muslim brothers and sisters in the Philippines.

Opening Remarks

Atty. Edgardo Carlo L. Vistan II
Chancellor, UP Diliman

Atty. Edgardo Carlo L. Vistan II, Chancellor of the UP Diliman, attended the preliminaries of the forum and delivered a brief message to the participants. He began by welcoming everybody to the University of the Philippines and thanked the participants for gracing the invitation of IIS. He also congratulated the IIS for coming up with a forum that is well received by the key persons involved in the administration and financing of Hajj.



Chancellor Vistan went on by stating that the UP administration is in support of the endeavors of IIS and the NCMF, especially in the conduct of the Shari’ah Bar Exam, which UP is bound to host again. He also mentioned that UP has already a long history of engagement with the Muslim *kababayans* inside and outside BARMM through the efforts of the IIS. Being someone who served as an election lawyer in BARMM, Chancellor Vistan has an affinity with the Muslims which makes him want to learn more

about the culture. Now that he is the new Chancellor of UP Diliman, he feels that he is in a position to do more. With this, he invited everyone to collaborate with UP and feel free to let UP know what assistance the BARMM needs in terms of academic, research, and extension programs. He also mentioned that UP President Jimenez is a proud son of Mindanao and is very keen on engaging with BARMM on their needs. Chancellor Vistan mentioned that “the freedom that we get to enjoy in UP, we want to share it with everybody,” thus, he looks forward to UP being a venue for more activities like the Hajj forum.

In the latter part of his remarks, he wished everyone to have a collaborative discussion for the day, and to identify solutions to pressing concerns as well as collaboration points to make the solutions work. He finished his speech by reiterating that everyone is welcome in UP Diliman.

Message

Atty. Mikhail Jude R. Fabio

Representative, Mindanao Affairs and Special Concerns
Department of the Interior and Local Government

Undersecretary Atty. Alfredo Bayan of DILG for Mindanao Affairs and Special Concerns could not make it to the forum due to prior and equally important engagements, which is why he sent Atty. Mikhail Jude R. Fabio on his behalf to represent the DILG.

Atty. Fabio first congratulated UP for coming up with this program that aims to assess the administrative and financial systems of the Hajj and identify the concerns in the systems and related challenges. He explained that the Hajj pilgrimage has paramount importance to our Muslim brothers and sisters because it is a religious obligation and a highly spiritual experience. The DILG also recognizes that the Hajj pilgrimage demonstrates unity, equality, and a test of endurance, which calls for an improved manner of administration. Being the office that oversees and supervises the NCMF, Atty. Fabio stated that the DILG is in support of this kind of initiative that will identify the needed improvements to provide the best experience for our Muslim brothers and sisters and to avoid complaints and grievances.



Hon. Almarim Centi Tillah

Presidential Adviser

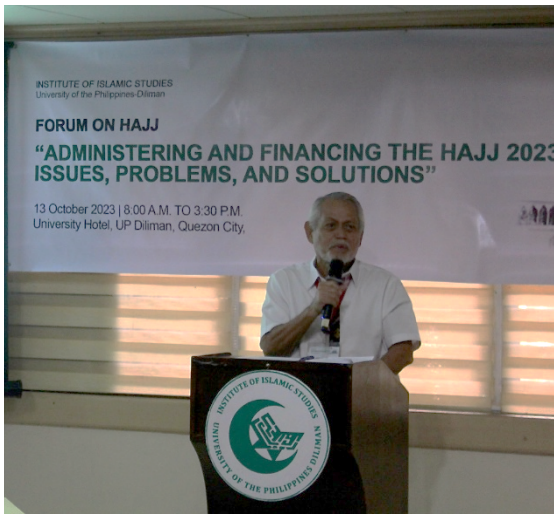
Office of the Presidential Adviser for Muslim Affairs

Hon. Almarim Centi Tillah began his message by announcing the establishment of the Office of the Presidential Adviser for Muslim Affairs (OPAMA) in Malacañang Palace. According to Hon. Tillah, President Ferdinand “Bongbong” Marcos Jr. gave him a marching order to take care of the needs, welfare, and future of our Muslim brothers and sisters as per the mandate of OPAMA. In this regard, Hon. Tillah gave an update regarding the ongoing result-driven efforts of OPAMA and the eleven items included in the office’s agenda.

Currently, the two major tasks undertaken that are in line with OPAMA’s top two agendas are the submission of an executive memo to President Marcos about the proposed parole system for Muslims called Ramadan Executive Clemency and the appointment of Muslim Ambassadors to Muslim Countries. These are aligned with OPAMA’s priority for areas of reform for the benefit of Muslims who are deprived of liberty, and the promotion of peace, understanding, and cooperation with the other nations. For the third agenda, Hon. Tillah explained that there is a need for quality

Muslim leaders who will take the implementation of development programs. Hence, the establishment of the Muslim Leadership Training Institute.

The fourth agenda of OPAMA is related to the Hajj annual pilgrimage. Hon. Tillah gave a brief story about the first Hajj pilgrimage in the 1950s, the establishment of the Philippine Pilgrimage Authority (PHILPA), and the importance of Hajj. He explained that if a person is in good physical shape and has financial capability, it is a moral obligation and duty to perform Hajj at least once in a lifetime. Many families in Mindanao are saving money so that at least one of their family members can perform the Hajj. This is also the reason why the future Hajj should be better performed. He also encouraged everyone to revisit PD 1302, the creation of the PHILPA, for he believed that those who



do not learn from the lessons of the past are bound to repeat history.

As a prelude to the next part of the forum, Hon. Tillah emphasized that the goal of the forum is to help strengthen the Hajj pilgrimage in the Philippines, and not to throw blame and negative comments at each other. He ended his speech by inviting everyone to be a part of the national unity and visit OPAMA.

Background of Hajj in the Philippines

Asst. Prof. Darwin J. Absari

Faculty, UP Institute of Islamic Studies

Before the presentation of each office as to their role in the conduct of Hajj, Asst. Prof. Absari gave a brief lecture about the background of Hajj in the Philippines and its importance to the lives of Muslims. Hajj is the fifth and last pillar of Islam and it is indeed a dream of all Muslims around the world. Asst. Prof. Absari explained that Hajj is considered an unstructured social institution of Muslims in the Philippines, unlike the Madrasah. It is not just a sole effort, instead, there is an involvement of the whole community. Before the Hajj, you must repent of all your sins, because the renewal of the spirit starts here, not in Mecca. He further explained that the



pilgrimage provides spiritual development and serves as an inspiration for Muslims.

The Hajj pilgrimage is believed to be happening right after the introduction of Islam in the Philippines, however, there is no available data to support this. During the American Period (1898-1946), because of the fear of the Americans that the pilgrims would engage in jihad and other ideologies, the Hajj was organized, but regulated. In 1978, the Philippines directly supported the sending of pilgrims to Mecca, and this success paved the way to the PD 1302, or the creation of the Philippine Pilgrimage Authority (PHILPA), with the task of addressing various issues faced by Filipino Muslim Pilgrims. In 1984, PHILPA became under the Office of Muslim Affairs and Cultural Communities (OMACC) by Executive Order 969. In 1987, it was realized that there should be a separate office for Muslim affairs, which resulted in the creation of the Office of Muslim Affairs (OMA) in replacement for OMACC through the E.O. 122-A. According to amended E.O. 122-A, *“Whereas, there is a need to integrate under one agency all functions related to the administration of annual pilgrimage to Mecca”*. As a result, PHILPA was abolished and replaced by the Bureau of Pilgrimage and Endowment (BPE) under OMA.

In 2009, by virtue of the Republic Act 9997, the National Commission on Muslim Filipinos (NCMF) was created to replace OMA. In reviewing the functions vested upon NCMF related to Hajj, Asst. Prof. Absari then cited the following provisions of RA 9997:

Section 11 (e) Bureau of Pilgrimage and Endowment. - *This Bureau shall be primarily responsible for the administration of the annual Muslim pilgrimage to Mecca, Kingdom of Saudi Arabia; and the formulation and implementation of programs, projects and activities for the efficient and effective administration and supervision of the conduct of pilgrimage activities: Provided, That the supervision accorded the Bureau under this section shall not include control.*

Pursuant to the above responsibilities, the Bureau shall formulate the necessary guidelines to ensure the timely processing of the pilgrim's travel documents and the equitable and reasonable collection of fees. Such collection shall be limited to mutawwif and passporting and/or processing fees only. Collected fees shall be deposited in a special trust fund which shall be established by the Commission, the expenses from which shall be subject to existing auditing laws, rules and regulations.

The pilgrims shall be accorded free choice of travel agencies and airlines or other means of transportation to and from the site of pilgrimage: Provided, That pilgrims comply with the prescribed arrival and departure schedule fixed by the Ministry of Hajj of the Kingdom of Saudi Arabia: Provided, further, That all pilgrims shall be legitimate holders of round- trip tickets to and from the Kingdom of Saudi Arabia: Provided, furthermore, That the pilgrims shall be free to choose on where to purchase or acquire other logistics, materials and supplies for the pilgrimage.

In no instance shall the pilgrims be forced to purchase such logistics, materials and supplies from the Commission or its authorized agents or representatives.

The Bureau shall also accredit qualified and deserving sheikhs. It shall also formulate, subject to the approval of the Commission, the timetable of annual Hajj activities which must be posted in all areas accessible to Muslim Filipinos.

The Bureau shall likewise be responsible for the administration of 'awqaf properties and institutions, and the conduct of research and studies for the establishment and maintenance of Hajj towns, Islamic centers and 'awqaf projects.

Section 15. Hajj Attaché. - *The President shall appoint a Hajj Attaché from among the three (3) recommendees of the Commission within fifteen (15) days from the submission of such recommendees by the Commission. The Hajj Attaché shall coordinate with the Ministry of Hajj of the Kingdom of Saudi Arabia on all matters pertaining to the conduct of the annual Hajj. He/She shall be an academic degree holder and must be able to write and speak fluently the Arabic language. He/She shall hold office in the Kingdom of Saudi Arabia and shall enjoy the same rank, salary, and privileges as those of Attaché of the national government.*

Section 16. Amirul Hajj. - *The President shall appoint the Secretary of the Commission as the Amirul Hajj who shall serve as the representative of the President and as the head of the Muslim Filipino pilgrims who will attend the annual Hajj.*

Section 17. Change of Pilgrim's Name. - *The Commission shall authenticate the certification which is issued by the Hajj Attaché and the Ministry of Hajj of the Kingdom of Saudi Arabia and which provides a Muslim name to a pilgrim. The authentication issued by the Commission, which shall contain both the pilgrim's registered name in the Philippine Civil Registry and his/her newly-issued Muslim name, shall then be legally recognized by the national government as valid for all intents and purposes.*

With regards to the involvement of BARMM in Hajj, Asst. Prof. Absari cited RA 11054 in 2018 which was titled "An Act Providing for An Organic Act for the Autonomous Region in Muslim Mindanao". Article VII Section 42, stated: "*The Parliament may create other offices such as for the youth, women, settler communities, disaster risk reduction and management, and planning and development, including a Bangsamoro Pilgrimage Authority (BPA) which shall exercise jurisdiction over Hajj and 'Umrah matters affecting pilgrims from within the Bangsamoro Autonomous Region.*"

As a point of discussion, Asst. Prof. Absari also mentioned the latest developments regarding the policy on the administration of Hajj. In September 2023, Cong. Mujiv S. Hataman filed House Bill No. 9096 entitled "The NCMF Reform Act of 2023" which seeks to amend Republic Act No. 9997 to remove the administration of the Hajj from the NCMF and allow the private sector to handle the Hajj services for Filipino Muslim pilgrims. In the same month, Sen. Robinhood C. Padilla filed Senate Bill No. 2452, the NCMF Reform Act of 2023. In this bill, NCMF will no longer have powers and functions related to the administration of Hajj "except to register and

accredit sheikhs, who are private individuals or entities engaged in facilitating, processing, and providing guidance for the annual Hajj for Muslim Filipinos."

During the final part of his lecture, Asst. Prof. Absari reiterated the goal of the lecture, which is not to condemn each other, but to extract wisdom from each other on how to look for concrete solutions that will help the policymakers in making the appropriate guidelines for the best conduct of Hajj.

II. ROLE OF INVOLVED AGENCIES

The Role of the National Commission on Muslim Filipinos (NCMF)

Atty. Guiling A. Mamondiong, Secretary

Atty. Guiling A. Mamondiong, Secretary of the NCMF, began his talk by sharing a brief history of Hajj management in the Philippines---the creation of the Philippine Pilgrimage Authority (PHILPA) in 1978 and his involvement with an NGO called "Jihad ul-Masheikh of the Philippines" in 1981. Accordingly, the creation of PHILPA by the Marcos Sr. Administration was primarily due to the presence of "unscrupulous individuals" in the management of Hajj.

He then shifted to his present involvement in the Hajj management as the current Secretary of the NCMF. He enumerated the following issues while at times comparing the previous and the current Hajj management under his leadership: (1) Issuance of visa---before, it is issued on the day of the scheduled flight whereas now, it is issued three days or one week before; (2) Pilgrim's queuing in Manila---before, they spent much money staying in Manila 2-3 weeks before the scheduled flight whereas now, a Hajj terminal is being contemplated to be constructed in



Maharlika Village, Taguig City, free of charge for the pilgrims; (3) Lack of funds---NCMF budget allocation is about 800 Million, 83% goes to salary of the personnel and only 17% goes to office rentals, communication budget, and services allocated for an estimated 13 Million Muslim Filipinos; (4) Masjid ul-Haram at your doorstep---now, PAL brings the pilgrims from Mindanao to Manila and with an interval of about five hours, the flight proceeds to the Kingdom of Saudi Arabia (KSA); (5) Procurement of services---before, pilgrims were brought somewhere else instead of the hotel indicated in the contract whereas now, the hotels are within the radius of 1.5 kilometers near to Masjid ul-Haram; (6) Terms of reference---before, there were no "Terms of reference" that protects the pilgrims from abusive service providers whereas now, hotel accommodation, food service, and transportation service are with Terms of reference; (7) Mutawwif fee---the sheikh deposits the fee to a bank account designated by the NCMF and then the latter transfers the amount to the bank account of the KSA Ministry of Hajj; and (8) Ticket purchase---the process is already privatized where the sheikhs themselves buy it for the respective pilgrims.

Towards the end of his talk, Atty. Mamondiong emphasized the importance of dialogue among Muslims, especially on worship-related issues such as Hajj and Halal. He shared the following recommendations that he personally forwarded to the Ministry of Hajj before leaving KSA: (1) Construction of additional tents for the pilgrims and (2) Allowing Filipino muqim (OFWs going for Hajj) to pay the mutawwif directly to the Ministry of Hajj. He also shared the comment of the Minister on Religious Affairs that says, "what lacks among Filipino pilgrims is Hajj awareness---not aware of the dos and don'ts of Hajj. Thus, he encouraged the sheikhs to coordinate with local Imams to organize Hajj awareness programs. His talk ended with a 12-minutes audio-video presentation (AVP) on the management of Hajj 2023, along with NCMF's general program of action and reforms.

NCMF Reform Program

Audio-Visual Presentation

As mentioned earlier, Atty. Mamondiong's talk ended with a 12-minutes AVP which includes Hajj 2023 management highlights, general program of action, and reforms. In the interest of Hajj management future development, salient points on reform were excised from the AVP and enumerated as follows:

1. The National Commission for Muslim Filipinos (NCMF) addressed rampant tampering and falsification of a pilgrim's identification card through information technology and digitalization. It issued an ID card with embedded QR code connected to the central server of the agency.
2. NCMF implemented the "Masjid ul-Haram at Your Doorstep Program" wherein direct chartered Philippine Airlines (PAL) flight took-off from the Philippine provinces to Manila and then proceeded to Medina and vice-versa. The initiative is part of the Memorandum of Agreement (MOA) signed with the PAL.
3. NCMF's Bureau of Pilgrimage and Endowment (BPE) published the "NCMF Hajj Operations Manual of 2023" after being officially received by the Office of the National Administrative Register (ONAR) at the University of the Philippines Law Center—making it an official government document accessible to the general public. ONAR is the country's official repository of all the implementing rules and regulations issued by the different agencies of the Philippine Government.
4. NCMF strengthened and operationalized the electronic processing of visa application for Hajj throughout the regional processing centers. The introduction of the said electronic system eliminated the possibility of delays or complications leading to the early release of Hajj visas.
5. Through the Bureau of Immigration (BI) Commissioner Norman G. Tansingco, NCMF initiated the introduction of a dedicated "Hajj Lane." It aims to make the Hajj journey as seamless as possible and allow the pilgrims to focus on spiritual endeavor without unnecessary bureaucratic curtails. The initiative is part of the Memorandum of Understanding (MOU) signed with the BI.

6. NCMF engaged with the execution of Memorandum of Agreement (MOA) with travel agencies and renewed Letter of Undertaking (LOU) with the sheikhs, supervisory, and medical selection committee.
7. NCMF created the Hajj procurement committee staffed by permanent and career division chief level officials and created the Hajj Oversight Committee composed of policymaking commissioners that will supervise and manage procurement in Saudi Arabia.
8. NCMF clearly and correctly delineated the Hajj organizational structure.
9. BPE adapted the 2023 Task Description Form which identified the task of the NCMF personnel and officials involved in the Hajj operations.
10. NCMF established various hotel helpdesks to assist pilgrims in Mecca, Saudi Arabia.
11. NCMF conducted localized vaccinations and immunizations in the regions in collaboration with the Bureau of Quarantine (BOQ) of the Department of Health (DOH).

The Role of the Travel Agencies

Mr. Jamaloding Solaiman, Representative, GlobalStar Travel Management

Mr. Jamaloding Solaiman started his talk with the following Qur'anic injunction: "And complete the Hajj and 'Umrah for Allah" (*Al-Qur'an*, Chapter 2, Verse 196). He then proceeded to recite different Hadith (Prophetic tradition) on Hajj such as follows: (1) "O people! Allah has prescribed Hajj upon you, so perform it" (*Al-Hadith*, Sahih Muslim); (2) "Those who are performing Hajj or 'Umrah are the guests of Allah. If they ask Him something He answers them and if they ask him forgiveness He forgives them" (*Al-Hadith*, Sunan Ibn Majah); and (3) "Perform Hajj and 'Umrah consecutively, for they remove poverty and sin as bellows removes impurity from iron" (*Al-Hadith*, Sunan An-Nasa'i).

As a representative of one of the travel agencies catering to Hajj pilgrims, he believes in Hajj management privatization. He supported his stand by citing a provision in the Philippine Constitution that says, "The separation of Church and State shall be inviolable" (Article II, Section 6). He also emphasized that the global trend on Hajj management is actually "private." He mentioned first KSA, that to him---based on his personal knowledge---is the one that started the privatization. Accordingly, the Saudi Government handed over the management of Hajj to the masaer (private agencies). He also mentioned other countries in the Gulf that privatized Hajj management, such



as Kuwait, UAE, and others. He cited Western countries that are also pro-privatization, such as the USA.

He goes on sharing what GlobalStar Travel Management, as a legitimate service provider, can offer to the Muslim Filipino pilgrims in case Hajj management is privatized by mentioning the following: (1) The company has its own hotel in KSA, which could even offer free accommodation; (2) One of its future plans is having a passenger plane of its own; (3) Pilgrims will have twenty categories of choices in terms of hotel, airline, and other related services; and (4) With regards to financing of the Hajj in terms of reservations, cash advances, and among others, the company is confident that in case of fund deficit, it can either borrow money through Letter of Credit (LC) or be funded by partner Muslim companies. Before ending his speech, Mr. Solaiman reiterated that "privatization"---as reflected in the proposals of Senator Robinhood C. Padilla and Congressman Mujiv S. Hataman---is the sole solution to the problems of Hajj management in the country.

Ms. Jane Cuevas, Representative, Warner Barnes Travel Inc.

Before stating her thoughts on the topic, Ms. Jane Cuevas thanked the organizers for inviting her to the event. She went on to commend the overall work of the NCMF in the recent 2023 Hajj management. Ms. Cuevas believed that the NCMF did a good job and that the problems encountered were the same old challenges to deal with. Challenges for her must serve as an inspiration that makes future Hajj management better. She then highlighted the goal of a good travel agency in the context of the Hajj---a pilgrim-centered. Knowing how most pilgrims worked hard to save money in fulfilling the last Pillar of Islam qualifies them more to be deserving of quality service, she added.



She also made it clear that Warner Barnes Travel Inc. would be very lenient to comply with whatever the future of Hajj management may---remains with the NCMF or become privatized. She ended her talk reiterating that whatever deems to be good for the pilgrims, they will always support.

The Role of the Sheikhs

Sheikh Kaberl O. Hajilan

Sheikh Kaberl O. Hajilan began sharing his thought by starting with the history of Hajj management in the Philippines. He mentioned that in the mid-70s going back, Hajj management is privatized. However, due to unscrupulous parties exploiting the Hajj process, the Philippine Pilgrimage Authority (PHILPA) was created by President Ferdinand Marcos in 1978 by virtue of Presidential Decree No. 1302. Unfortunately, in spite PHILPA's presence, exploitation remains part of the system, he added. He cited some scenarios of irregularities such as (1) Instead of a round-trip ticket, an unsuspecting pilgrim received a one-way ticket and (2) There was no accommodation available and yet the pilgrim still paid for it.



That is, government institutions handling Hajj came after another---Philippine Pilgrimage Authority (PHILPA), Office of Muslim Affairs and Cultural Communities (OMACC), Office of Muslim Affairs (OMA), and now the National Commission on Muslim Filipinos (NCMF)---but the problems remain, he continued.

While sharing the following two vital roles of the sheikhs, he also shared his personal experiences:

(1) To lessen the expenditure of the pilgrim---low airfare and low budget accommodation. According to him, they experienced the lowest fare (850 US Dollar)

offered by Qatar Airlines in 2011 and 2012 under the leadership of then NCMF Secretary Mehol K. Sadain. At some point, the airlines gave monetary incentives and rebates. Budget wise, there was also no problem with the accommodation.

(2) To lessen the travel distance of the pilgrims---the closer the accommodation to Masjid ul-Haram, the better. According to him, with an accommodation close to Masjid ul-Haram, paying for a taxi ride will not be a burden to the pilgrims. In the case where the accommodation is far from Masjid ul-Haram, for example, in 2012, where they stayed in Aziziyah, the travel distance reduced when they rode a bus.

As an ending statement, Sheikh Hajilan mentioned that he is not against the privatization rather, he is against the non-application of a specific provision in RA 9997 that says,

"The pilgrims shall be accorded **free choice** of travel agencies and airlines or other means of transportation to and from the site of pilgrimage: *Provided*, That pilgrims comply with the prescribed arrival and departure schedule fixed by the Ministry of Hajj of the Kingdom of Saudi Arabia: *Provided, further*, That all pilgrims shall be legitimate holders of round-trip tickets to and from the Kingdom of Saudi Arabia: *Provided, furthermore*, That the pilgrims shall be **free to choose** on where to purchase or acquire other logistics, materials and supplies for the pilgrimage." (Article II, Section 11)

The Role of the Airline

Mr. Fortun R. Liscano, Area Manager, Philippine Airlines (PAL)

Mr. Fortun R. Liscano started his presentation by sharing the overview of his talk, such as (1) PAL Perspective on Hajj; (2) 2023 Hajj Highlights; and (3) 2023 Hajj Evaluation (What Worked, Issues, and Recommendations).

Mr. Liscano shared the perspective of PAL on Hajj in the following words: (1) PAL supports the mission of the Muslim Filipino community in performing the Hajj; (2) It is committed to provide safe, reliable, efficient, and pleasant travel experience to passengers of Hajj flights; (3) Hajj flights are considered charters or special flights as there are no commercial operations to Medina or Jeddah; (4) It either canceled or re-routed existing commercial flights in order to serve the requirements of Hajj; (5) It considered Hajj flights as "Service Mission"; and (6) It ensured to provide the best possible fares.



Under the "2023 Hajj Highlights," he shared the following data: (1) PAL operated nine flights for Hajj; (2) It carried a total of 2,425 passengers on a round-trip basis; (3) PAL-NCMF MOA signing happened on April 21, 2023; and (4) The sending off of the first batch of pilgrims, along with NCMF officials (totaling to 295 passengers), happened on June 3, 2023.

In the "2023 Hajj Evaluation" part, Mr. Liscano mentioned the following salient points: (1) Early planning and close coordination among key stakeholders---NCMF officials, PAL, and travel agencies---allowed for open discussion of issues and concerns which enabled a smoother and more efficient operation of Hajj; (2) Timelines, although not strictly enforced due to unforeseen circumstances, made all parties more conscious of deadlines and deliverables; (3) Double bookings affected the rotation of the aircraft and the expenses projected for the operation; and (4)

Canceling of seats had significant commercial impact to PAL since it delays the firming (a procedure where a passenger is being contacted) of the passenger count.

Towards the end of his presentation, he mentioned two recommendations for the passenger and two expected results that a passenger owed from an airline. The following are the recommendations: (1) To register only in one agent for one airline and (2) The strict compliance of requirements and deadlines. On one hand, here are the expected results: (1) Reduces the risk of over capacity Hajj flights and (2) Early firming of passengers to allow other airlines to make time adjustment based on the requirements submitted to KSA civil aviation as well as to allow travel suppliers to efficiently facilitate the travel requirements of the passengers such as taxes, visas, and among others.

The Role of the Al-Amanah Islamic Investment Bank of the Philippines

Atty. Imelda Tartaha F. Macarambon, Acting Chief Operating Officer/ Legal Counsel

Atty. Imelda Tartaha F. Macarambon began her presentation by introducing the Al-Amanah Islamic Investment Bank of the Philippines (AAIIBP). Accordingly, AAIIBP is a small bank with a capital lower than the required capital of a universal bank. However, by virtue of its Charter, it is the only universal bank in the Philippines that has the authority to create its own Islamic window. Known then as the Philippine Al-Amanah Bank, AAIIBP was established in 1973 by virtue of Presidential Decree 264. The purpose was to generate investment for Muslim Filipinos. With the creation of the Autonomous Region for Muslim Mindanao (ARMM), a new Charter took over in 1990, the RA 6848. It is mandated to serve the financing and investment needs of Muslim Filipinos, primarily of then ARMM, now the BARMM, by giving it the opportunity to participate in almost all phases of socio-economic development. Who gave the opportunity for the bank to participate



in socio-economic development? The following stakeholders gave the opportunity for the bank to participate in the socio-economic development: (1) Muslims Filipinos, here and abroad; (2) The BARMM; (3) LGUs of BARMM and other areas where there substantial communities or numbers of Filipino Citizens; (4) Business Sectors in the said areas and all other businesses or industries, local or foreign, catering or dealing with the needs of Muslim Filipinos; (5) NGOs active in addressing poverty alleviation and human rights advocates focused on Filipino Muslim Communities; (6) The Academe and Education Sector; and (7) The National Commission on Muslim Filipinos, she added.

She then introduced the Amanah Tabang Hajj program. According to her, the program's goal is to let Muslim Filipinos, the primary stakeholders, to participate in the sustainability and growth of the bank so they may claim historical ownership and enjoy the blessings of Islamic banking, financing and investment purposely designed to fit their economic needs and to address poverty alleviation, socio-economic development, and the attainment of their aspiration as Muslim citizens of this Country. She added that the program is initially designed as a humanitarian product with the purpose of opening an opportunity for all qualified Muslim Filipino to realize their life-goal to perform Hajj at least once in their lifetime and as well as their wish to join the umrah at anytime of the year by allowing them to avail of the Islamic Hajj and 'Umrah Financing (IHUF) product of the bank. She explained further that the product of the bank is Murabahah (Contract of Sale). AAIIBP will buy an existing asset in the form of a package---the passport, visa, confirmed flight, and confirmed hotel. She also mentioned having proposed the program to the NCMF in the recent 2030 Hajj management. It specifically offered Qard Al-Hassan, a zero-interest loan, to the NCMF for the advance payment of hotel accommodation amounting to Php 60 Million pesos. However, after executing all the necessary steps, in the end, NCMF chose the Philippine National Bank (PNB) instead.

She went on sharing some significant information on AAIIBP: (1) By 2016, AAIIBP had zero achievement, thus it was not even qualified for the Performance-Based Bonus (PBB); (2) There was lack of sufficient capital---with a capital lower than the required capital of a universal bank, which is Php 4 Billion pesos; (3) There was lack of support from the stakeholders; (4) The passing of R A 11439 or the Islamic Banking Act of 2019, the AAIIBP's intention to primarily offer Islamic banking was bolstered; (5) As of today, AAIIBP's portfolio on Islamic Financing is 98% while the conventional is 2%; (6) The following are the general Islamic investment accounts of AAIIBP: (a) Mudarabah (Partnership) between the Investor (fund provider) and the Bank (fund manager and project proponent) with the intention to fund a particular economic activity or project to generate and share profits and (b) Musharakah (Joint-Venture) between the funder and a third party project proponent, the Bank acts as the fund manager; and (7) "AAIIBP 2020 Roadmap to Rehabilitation, Sustainability, and Growth" was created with the following goal: (a) Responsive modernization through digitalization; (b) Strategic expansion through establishing presence in other Muslim Filipino dominated areas like Tawi-Tawi, Basilan, and Maguindanao; and (c) Transformation to full Islamic banking is the primary goal.

She shared the following success stories in AAIIBP investment: (1) AAIIBP car financing is also Murabahah with an increasing number of applicants paying 3 to 5 years depending on the price of the car; (2) Microfinance program helped a lot of Muslim Filipinos to date---(a) For instance in Zamboanga City, a shrimp-based restaurant became a tourist restaurant in 2019 after borrowing capital to buy high-end equipments worth Php 500,000 pesos; (b) A group of young entrepreneurs in Zamboanga City borrowed capital from AAIIBP, successfully maintained an all meat restaurant; (c) The brother of one of the young entrepreneurs borrowed capital to buy a speed boat for delivering shrimp to restaurants and hotels in Zamboanga

City successfully paid his due on time; (d) A young guy borrowed Php 500,000 pesos to buy construction materials now own one of the big warehouses in Sulu and Tawi-Tawi; and (e) A lady borrowed money for her Pater House in Marawi accumulating up to Php 80,000 pesos for equipments and other expenses, now owns four branches of restaurants.

She also stated the following "vision and mission": (1) By 2026, AAIIBP becomes fully Islamic Bank and is already participating in almost all phases of socio-economic development of the BARMM and the other Muslim communities across the Country in pursuit of their aspiration as a people and to enjoy the blessings of being a Filipino Muslim in the Country and (2) By 2030, AAIIBP becomes financially growing and has helped in the integration of Muslim Filipinos and their communities in the significant economic force of the Country in pursuit of nation building.

She believed in the privatization of Hajj management. Given the crucial place of sheikhs in the Hajj management, she suggested that NCMF may create a program to "upgrade" them. Same goes to the academe---Mindanao State University and UP IIS---that may be crafting a course to "professionalize" sheikhs. "Privatization-wise," she shared that it is easier for them to lend money to private individuals and agencies than to government agencies. The latter will entail a lot of requirements from Bangko Sentral ng Pilipinas (BSP). Wrapping up, she believed that privatization will help a country's economy as opposed to a government that controls the peoples' basic needs such as water, electricity, and among others.

III. INITIATIVES FROM LEGISLATORS

Message from the Office of Hon. Mujiv S. Hataman

Mr. John Louie Balagat, Chief of Staff

Mr. John Louie Balagat started his talk with an apology from Cong. Hataman for not making it to the Hajj Forum due to missed flight. He then started sharing updates on the latter's House Bill No. 9096, a Hajj-related proposed law otherwise



known as "The NCMF Reform Act of 2023." It was filed last September 7, 2023 and the First Reading ensued five days after. However, due to budget deliberation in the Congress, it was halted temporarily. The first committee hearing is set within November, 2023 to prepare for the Second and the Third Readings, he added. For the record, other esteemed members of the

Legislative Branch also proposed a similar bill, such as Sen. Robinhood C. Padilla, Cong. Yasser Alonto Balindong, and Cong. Sitti Aminah Q. Dimaporo.

Mr. Balagat continued by enumerating the proposed changes in the NCMF Charter based on the House Bill No. 9096:

(1) Amending Section 11, Article II of the NCMF Charter, which pertains to the Commission's bureaus, replacing the Bureau of Pilgrimage and Endowment with Bureau of Endowment. The latter will be "primarily responsible for the administration of 'awqaf (trust) properties and institutions, and the conduct of research and studies for the establishment and maintenance of Islamic centers and 'awqaf properties."

(2) Under the pretext of "privatization" and the "separation of Church and State," the following statement is also added in the provision: "The NCMF shall no longer perform any powers and functions relative to the administration of Hajj except to register and accredit sheikhs, who are private individuals or entities engaged in facilitating, processing, and providing guidance for the annual Hajj for Muslim Filipinos in Mecca, Saudi Arabia."

(3) Amending Section 15, Article II, which pertains to Hajj Attaché. It explicitly added the following statement: "Function of Hajj Attaché will be on matters pertaining to the conduct of the annual Hajj where government-to-government

action is necessary including certification as to change of Pilgrims' name, but not to intervene in the administration, conduct, facilitation or processing of Hajj for Muslim Filipinos." And lastly,

(4) Removing Section 16, Article II, which pertains to Amirul Hajj, pursuant to the amendment of Section 11, Article II of the NCMF Charter.

As a closing statement, Mr. Balagit hoped that the House Bill will be prioritized this year and that its passage will be expedited in the process.

Message from the Office of Hon. Yasser Alonto Balindong
Atty. Noel T. Tiampong, Chief of Staff

Atty. Noel T. Tiampong began his talk by introducing himself as the Chief of Staff of Congressman Yasser Alonto Balindong. He believed that the common aspiration of every stakeholder and the very intention of the existing provision on Hajj, as mandated in the NCMF Charter, is one and the same---to have the Hajj as successful as possible. In spite of this, hardship was still encountered by the Muslim Filipino pilgrims last year (2022), he added.



He goes on sharing the details of what had happened. Accordingly, due to a delay in visa issuance, flights of some pilgrims were delayed. In response to what had happened, several congressmen---Hataman, Adiong, and Balindong---filed a resolution leading to an investigation by the Committee of Religious Affairs in the House of Representatives. According to Atty. Tiampong, they submitted the report on March 16, 2023, and in the meantime, they are waiting for the final deliberation.

He also mentioned that new problems emerged in the 2023 Hajj management. According to him, Cong. Balindong and Cong. Adiong delivered privilege speeches on the matter which were referred to the Committee on Public Accounts. However, the deliberation for the speeches was hampered by the deliberation of the National Budget. After almost two months of waiting, the deliberation is tentatively scheduled on November 7.

He shared his observation on the mandate of the law in the NCMF Charter, which to him is very simple---as mentioned earlier, it is to ensure the success of the annual Hajj. Using the words of Hon. Tillah, Atty. Tiampong emphasized that the honorable Congressmen also want "result," that is, the Hajj should be successful according to the law. Relatively, he believed that there are only three things that the NCMF needs to do to make Hajj management successful and that is, to administer,

formulate, and coordinate. With these three things, Atty. Tiampong asked the following questions: Has the NCMF properly administered the law and the conduct of the Hajj? Has the NCMF formulated the rules and regulations that would effectively ensure the success of the annual Hajj? Had they coordinated with the proper government agencies, including the Kingdom of Saudi Arabia, to ensure the success of the Hajj?

Moving on, he mentioned that in terms of "collection," the law itself stated that it should only be limited to mutawwif, passport, and processing fee. In terms of airlines and travel agencies, the law is also clear---free choice of airlines and travel agencies, including logistics, materials, and supplies, he added. He reiterated above mentioned issues with the following questions: Does the mandate of the law being followed? Is there freedom in the choices of airlines? Is there freedom in the choices of travel agencies? In logistics, in materials, and supplies?

Before ending his message, he boldly mentioned the following statements: "Maybe our problem is not the policy because the policy is there. Probably, our problem is performance. Are we performing correctly? Maybe our problem is not the efficacy of the law because the law is there already. Maybe our problem is the efficiency of our public officials administering the law."

Proposed Bills of the House Representatives Committee on Muslim Affairs

Mandated to create enabling laws to ensure the spirit of the constitution is upheld, and specifically tasked with matters directly and principally related to Muslim affairs, including Muslim Filipinos, the House Committee on Muslim Affairs of the House of Representatives has crafted and produced the following House Bills: Nos. 6672, entitled *"An Act Amending Section 11 (e) Republic Act No. 9997, otherwise known as the National Commission on Muslim Filipinos Act of 2009, to provide better service for the Hajj Pilgrimage of Muslim Filipinos, appropriating funds thereof and for other purposes,"* authored by Rep. Sittie Aminah Q. Dimaporo; House Bill No. 9096, *"An Act Amending Republic 9997, otherwise known as the National Commissions on Muslim Filipinos Pilgrims Act of 2009, to provide better service to Muslim Filipino pilgrims during Hajj, and for other purposes,"* authored by Rep. Mujiv S. Hataman; and House Bill No. 9413, entitled *"An Act Allowing Filipino Hajj Pilgrims to Directly Register with the Ministry of Hajj and Umra of Saudi Arabia, book and pay for their flights, accommodation, and other services and requirements in connection with the annual Hajj to Mecca,"* authored by Rep. Bai Dimple Mastura. These bills aim to address the issues, problems, and concerns primarily encountered during the recently concluded Hajj in 2023.

For ease of reference, the matrix below shows the main provisions stipulated in each House Bill on Hajj and categorized based on common themes:

Category	House Bill No. 6672	House Bill No. 9096	House Bill No. 9413
Administration of the annual Hajj pilgrimage	<ul style="list-style-type: none"> • The Bureau of Pilgrimage and Endowment (BPE) shall solely be responsible for the administration of the annual Hajj • BPE to formulate guideline to ensure timely processing of the pilgrim's documents and the equitable and reasonable collection fees called the Annual Hajj Manual Operations and published and posted in all areas accessible to Muslim Filipinos not later than 2 months before the Hajj. This manual shall be approved by the NCMF en.bac • BPE responsible for the administration of awqaf properties institutions and the conduct of research and studies for the establishment and maintenance of Hajj towns, Islamic centers and awqaf projects • The DOTr, DFA, and NCMF shall coordinate and ensure better coordination, arrival, and monitoring of pilgrims from the Philippines 	<ul style="list-style-type: none"> • The Bureau of Endowment shall be primarily responsible for the administration of awqaf properties and institutions and the conduct of research and studies for the establishment and maintenance of centers and awqaf properties. • Hajj Attache: The President shall appoint a Hajj Attache from the three recommendees of the Commission. The Hajj Attache shall coordinate with the Ministry of Hajj of the Kingdom of Saudi Arabia on matters pertaining to the conduct of the annual Hajj where government-to-government actions are necessary, including certification as to a change of the Pilgrim's name, but not to intervene in the administration, conduct, or processing of Hajj for Muslim Filipinos 	<p>Pilgrims shall be allowed to register directly with the Ministry of Hajj and Umra for Saudi Arabia and pay their mutawiff, passporting, and/or processing fees</p>
Role of NCMF	<ul style="list-style-type: none"> • In the absence of the BPE Director, the Executive Director of NCMF shall assume responsibilities for the administration of 	<ul style="list-style-type: none"> • NCMF shall no longer perform any powers and functions relative to the administration of the Hajj. 	

	<p>the annual Hajj. In the absence of the NCMF Director, the NCMF Secretary shall assume responsibility.</p> <ul style="list-style-type: none"> • The NCMF Secretary is the sole authority to sign and negotiate contracts for the successful conduct of the Hajj and shall be exempted from the provisions of the Government Procurement Act when public funds from the General Appropriations Act are involved. 		
Choice of Airlines and Travel Agencies	<ul style="list-style-type: none"> • Pilgrims are accorded free choice of travel agencies, airlines, or other means of transportation to and from the site of pilgrimage, provided that pilgrims comply with the prescribed arrival and departure times fixed by the Ministry of Hajj of the Kingdom of Saudi Arabia. 		<ul style="list-style-type: none"> • Pilgrims shall be allowed to choose and book their flights provided they comply with the prescribed arrival and departure schedule fixed by the Ministry of Hajj of the Kingdom of Saudi Arabia.
Choice of Hotel and Accommodation	<ul style="list-style-type: none"> • Pilgrims, through their sheikhs, shall have the power to choose their hotels, accommodations, and other service providers for the duration of the Hajj pilgrimage. • Sheikhs shall consolidate themselves into representatives to negotiate on behalf of the Philippine Hajj Delegation. • Under no circumstance shall pilgrims be forced to purchase such logistics, materials, and supplies from the Commission or 		<ul style="list-style-type: none"> • Pilgrims shall be allowed to directly book and pay for their hotel accommodation, food services, and tent accommodation. • Pilgrims shall have the right to choose and directly purchase their logistics, materials, and other supplies for the pilgrimgae

	its authorized agents or representatives.		
Accreditation of Sheikhs	<ul style="list-style-type: none"> BPE will accredit qualified and deserving sheikhs. The requirements and licensure exams shall be stipulated in the Annual Hajj Manual of Operations. The BPE, through the NCMF, shall be authorized to charge licensure and accreditation fees, subject to the approval of the Commission en-banc, to cover the operational expenses for the licensure and accreditation process. 	<ul style="list-style-type: none"> NCMF shall administer the registration and accreditation who sheikhs. 	
Financial Management and Financing Options for the annual Hajj	<ul style="list-style-type: none"> BPE is to create the Hajj Pilgrimage Finance Committee, responsible for certifying the financial reports on the utilization and collection of the Hajj Pilgrimage funds. The committee shall be composed of one Accountant and one Treasurer, who are organic personnel within the NCMF and follow the position requirements defined by the Civil Service Commission. Collection of fees should be limited to mutawiff and passporting and processing fees only. Collected fees shall be deposited in a special trust fund established by the Commission, the expenses of which shall be subject to existing auditing laws, rules, and regulations. 		

	<ul style="list-style-type: none"> • Government Financial Institutions and/or Local Government Units shall provide a credit line through Amana Bank or Land Bank to allow NCMF the financial requirement to conduct the Hajj. • Sheikhs may apply for Hajj Pilgrimage Financing through Amana Bank to ensure timely payment for hotels, accommodations, and service providers for the upcoming Hajj. The credit line cannot be used for flights. • NCMF Revolving Fund may operationalize from the national government or local government units for the purpose of conducting a successful Hajj pilgrimage. It shall be in the form of a credit line from government financial institutions. The maximum allowable credit to NCMF shall not exceed the three-year average for the total Hajj expenses. • The Department of Finance or MDFO may place a GFI time deposit as a form of collateral for the NCMF credit line. • COA shall conduct a special audit on the annual Hajj and submit the report to the House Committee on Muslim Affairs no more than 90 days after the completion of the Hajj. 		
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**The copies of these House Bills are attached as appendices.*

IV. QUESTION AND ANSWER FORUM

Prof. Julkipli M. Wadi, Dean of UP Diliman Institute of Islamic Studies served as the moderator of the question and answer forum. He started by giving a brief recap of what transpired in the morning session, which included presentations from different groups and agencies and their roles in the implementation of the Hajj pilgrimage in the Philippines. This enables the Institute to gather the following important points utilized during the questions and answer forum.



Context: *In 1978, the establishment of the Philippine Pilgrimage Authority (PHILPA) revealed the presence of unscrupulous parties with motives driven by personal, social, financial, political, and other self-serving interests. These motives had a detrimental impact on the conduct of the pilgrimage, as indicated in PD 1302 in 1978. Consequently, this exploitation led to numerous irregularities, which, in turn, fueled negative propaganda and criticism against the Republic of the Philippines, both domestically and internationally. Remarkably, 45 years later, it seems that this characterization remains unchanged.*

Question 1: **What do we think are the reasons why these negative impressions for institutions handling the Hajj had not developed positively? Are our institutions the problem? Or are we simply lacking capability as individuals working in Muslims Institutions? Despite the Philippine Pilgrimage Authority's transformations into the Office of Muslim Affairs and Cultural Communities, then the Office of Muslim Affairs, and later the National Commission on Muslim Filipinos, the impression seems to remain the same.**

Responses:

Dr. Abdul Hannan M. Tago

Executive Assistant IV, NCMF

Dr. Tago worked in Saudi Arabia as a reporter and news writer for 25 years. During this time, he covered events such as the Hajj pilgrimage, where he often received calls from hujjaj (pilgrims) seeking assistance. However, for this year's Hajj, Dr. Tago pointed out that it has garnered widespread attention due to the prevalence of social media, the internet, and high-tech devices. This has worsened the issue of the Hajj, as virtually everyone has become a reporter, making the situation more challenging. In contrast to the past, people can now instantly report their own experiences and perspectives, transforming the way information is disseminated.

Dr. Tago strongly concurs with Hon. Tillah, the Presidential Adviser on Muslim Affairs, who emphasized the importance of addressing issues within the Muslim community through constructive discussions, rather than directly pointing out faults or individuals. Drawing from his experience as a former reporter, Dr. Tago stressed the significance of verifying information before publication, especially considering the existence of laws on cybercrime. He noted that the issue regarding the Hajj initially arose without consulting the NCMF spokesperson, which exacerbated the situation.

Furthermore, Dr. Tago pointed out that the NCMF faced challenges stemming from political agendas, particularly the political rivalries involving Atty. Mamondiong. These political dynamics had a negative impact on the NCMF and its newly appointed personnel. Dr. Tago emphasized the importance of considering the 11 million Muslims served by the NCMF before making accusations against the institution.

For the administration and financing of Hajj, Dr. Tago recommended that the NCMF appoint someone who is knowledgeable about the responsibilities associated with Hajj and is a graduate of Shari'ah. Another suggestion he made was to ensure that the funds used for traveling to Saudi Arabia is Halal. Hence, as one of the directors, he reiterated the importance of supporting Al-Amanah Islamic Investment Bank of the Philippines (AAIIBP).

Commissioner Yusoph J. Mando

Commissioner, NCMF

Commissioner Mando emphasized that when it comes to Hajj, the mindset should be "for the sake of Allah (SWT)." Furthermore, he addressed the concern raised by Hon. Balindong's Chief of Staff regarding the airlines' freedom. According to him, the airlines do possess the freedom, and the NCMF is not involved in ticketing and bookings. In fact, the NCMF assisted

travel agencies to see how they coordinate with airlines, which was the cause of the flight delays. Under the current administration led by Atty. Mamondiong efforts were made, resulting in the signing of a memorandum of agreement with Philippine Airlines. Collaborations with various travel agencies were undertaken to improve the administration of Hajj. As a result, Comm. Mando shared that, for the first time, there were no delayed flights. Additionally, addressing concerns with immigration, NCMF established an express lane for pilgrims as well. Through the management of Philippine Airlines, there are now direct flights from Mindanao to Saudi Arabia.

Comm. Mando provided additional context, referencing Dean Wadi's mention of the establishment of PHILPA in 1978. Even before that period, Hajj engagements were managed by private institutions according to Comm. Mando. The need for an organized body arose due to the chaos caused by pilgrims. The operations were disorganized, leading to conflicts and the imposition of dues in Saudi Arabia. NCMF brought about significant change by creating a Hajj manual for the first time in its 13-year existence, offering clear guidelines. Furthermore, Commissioners now have an active role for the first time, with their presence and functions being recognized, even in Saudi Arabia.

However, the issue that NCMF was unable to address in its recent Hajj implementation is the problem in Saudi Arabia with various service providers and stakeholders they have contracted. According to him, this is beyond the sole control of NCMF. Nevertheless, due to the proliferation of misinformation on social media, non-Muslim are misinformed about issues such as delayed meal service. He explained that it is customary for Muslims, and there is also a time adjustment in Saudi Arabia of 5 hours. While these may appear as significant concerns to non-Muslims, for Muslims, they have been accustomed to such practices as part of their religious sacrifices during fasting.

According to Comm. Mando, Hajj itself has never been perfect, and issues should be discussed by Muslims, especially concerning religious matters. He also noted that most of the complaints about the recent Hajj came from politicians, emphasizing that Hajj should not be politicized. Nevertheless, he expressed gratitude for the legislators who are working to find solutions to address Hajj issues. He concluded by stating, "NCMF's position now is whatever is good for the Ummah, and the pleasure of Allah, and we leave it to the community." He also stressed the importance of having consultations as mentioned by Hon. Tillah.

Context: *The budget of NCMF is limited, with 83% allocated to salaries, leaving only 17% for other expenses. There is a need for additional financing, but no source is available. During the presentation by Al-Amanah Islamic Investment Bank of the Philippines, they offered 60 million to NCMF, which could have served as a source of funds for the Hajj implementation. However, this arrangement did not push through, although it could have potentially addressed the funding issues raised during the 2023 Hajj.*

Question 2: Why did the negotiation with Al-Amanah Islamic Investment Bank of the Philippines not materialize?

Responses:

Atty. Imelda Tarhata F. Macarambon

Acting Chief Operating Officer/ Legal Counsel, AAIIBP

AAIIBP was supposed to establish a Memorandum of Agreement with NCMF to fund the implementation of the Hajj pilgrimage in the Philippines. The bank offered 60 million. Unfortunately, this plan did not materialize. Atty. Macarambon explained that a crucial part of the MOA was for the bank to become a collecting agent, ensuring appropriate payments which were anticipated to come from the fees paid by Filipino Muslims participating in the Hajj pilgrimage.

Atty. Macarambon further explained that the partnership with NCMF did not materialize due to the failure to sign the MOA and because of time constraints. According to her, NCMF was supposed to provide a schedule for the marketing of deposits. Initially, they had agreed that the schedule would be determined after NCMF's team returned from Saudi Arabia with quotations from service providers. However, AAIIBP approached NCMF for a second time, and the Secretary asked them to wait. Despite this, no MOA was signed, and the Secretary informed them that there was no longer sufficient time to proceed with the arrangement with them.

Dr. Abdul Hannan M. Tago

Executive Assistant IV, NCMF

According to Dr. Tago, he was the one who tried to convince the Secretary to sign the MOA with AAIIBP. He explained that, due to the substantial amount involved, they had doubts about AAIIBP's ability to provide the funds. Dr. Tago insisted that if NCMF didn't initiate an agreement with AAIIBP, when would they ever do so? Dr. Tago further emphasized that the person responsible for overseeing the Hajj pilgrimage in the Philippines should possess strong political will and be a religious leader capable of making such decisions. He observed that when the Secretary sought advice from individuals who didn't

understand the significance of having Halal money, it was a contributing factor to the agreement not materializing. This is how Dr. Tago viewed the situation.

NCMF is seeking an alternative source of funds, such as those available from BARMM, as they have substantial funds for the Hajj. Dr. Tago, based on his personal perspective, emphasized that the funds should originate from AAIIBP.

Commissioner Yusoph J. Mando

Commissioner, NCMF

Comm. Mando explained that one of the reasons the arrangement with AAIIBP did not materialize was because NCMF's activities were dependent on advisory from Saudi Arabia, and funds needed to be transferred promptly. While it's true that money from government operations goes through a government bank, Comm. Mando clarified that Hajj funds are not government funds. Therefore, they should be held in a special account because they won't remain in the bank for long, as they need to be transferred to another bank in Saudi Arabia. Additionally, an IBAN (International Bank Account Number) is required, and the accounts must match those in Saudi Arabia. This requires a real-time partnership with Saudi banks, he added.

Comm. Mando also agrees with Atty. Macarambon and Dr. Tago, and he hopes that this time, the arrangement with AAIIBP will materialize since they now have sufficient time to cooperate, given AAIIBP's willingness to assist.

Atty. Imelda Tarhata F. Macarambon

Acting Chief Operating Officer/ Legal Counsel, AAIIBP

Atty. Macarambon responded, stating that NCMF pre-judged AAIIBP and its services, assuming that a small bank could not deliver. She explained that AAIIBP had established a partnership with China Bank, one of the strongest banks with strong relations with Saudi Arabia. She also described how AAIIBP had diligently pursued this partnership with China Bank and even Landbank, investing a significant amount of resources and conducting numerous meetings with the boards, all in an effort to open an account with China Bank. However, NCMF disregarded these efforts, she added.

AAIIBP offered financing, and what it could provide was assistance for travel, given its limited dealings with NCMF as a government institution. However, she reiterated that even if the money came from pilgrims, once it becomes part of the government's revenue, it is obligated to be managed responsibly and in accordance with accounting and government regulations. It's similar to a tax, but the fees are payments for flights and hotels, making NCMF more accountable to the Hajj pilgrims. She emphasized that although the mission is religious, people don't go to Hajj to die or meet accidents. Their sacrifices

might include dealing with various challenges such as unpredictable weather, untimely food service, and encounters with people from different walks of life who have different attitudes. She concluded by saying, “Let us not use faith to excuse ourselves from negligence.”

Follow up question: Can the same arrangement be done for Hajj 2024?

Atty. Imelda Tarhata F. Macarambon

Acting Chief Operating Officer/ Legal Counsel, AAIBP

AAIBP is planning to lend the assistance directly to the Hajj pilgrims instead.

Mr. Jamaloding Solaiman

Representative, GlobalStar Travel Management

Mr. Solaiman responded to the comment about airlines. According to him, it is true that the NCMF does not control ticketing, and travel agencies are the ones assisting with ticketing. However, he emphasized that the NCMF has control over choosing which airlines to partner with to transport pilgrims from the Philippines to Saudi Arabia and vice versa. This leaves the pilgrims with no choice, even though there are other airlines that offer cheaper flights, like Cebu Pacific. Hence, he strongly agrees with the proposed bill to privatize the implementation of the Hajj, as it will allow travel agencies to offer pilgrims multiple flight and airline options. Moreover, it will also enable them to partner with AAIBP to handle financial matters. He personally tried to have a transaction with them and can testify that they have the capability to transmit the money to Saudi Arabia.

He pointed out that having an advance payment is crucial when coordinating with service providers catering for ‘Umrah in Saudi Arabia. Hence, a revolving fund must be secured to ensure good coordination.

Moreover, Mr. Solaiman mentioned that, as per the Constitution, there is a separation between the Church and State. That is the reason why the NCMF has no revolving funds for the Hajj. As one of the active travel agencies assisting in Hajj, Mr. Solaiman asked how much the NCMF needs from travel agencies, given the significance of Hajj to the pilgrims. He suggested that funds in advance may come from travel agencies and be paid after three months. Because of these issues, travel agencies strongly support the privatization of Hajj and, with the support of AAIBP, to be assigned in handling and transacting the money. He also mentioned that privatization will enable travel agencies to have data on identified pilgrims in advance who will be joining in 2025 and the following years. Payments for these pilgrims will already be made in advance and deposited through AAIBP.

Follow up question: Do the travel agencies have the capacity to arrange the accommodation, food, and other needs of the pilgrims in Saudi Arabia without the need to coordinate with the service providers? Can AAIBP provide the funds?

Atty. Imelda Tarhata F. Macarambon

Acting Chief Operating Officer/ Legal Counsel, AAIBP

Atty. Macarambon added that for an individual to be eligible to avail of AAIBP's financial program, they have to be a member of the program. The travel agencies can also avail if there is a need for a significant amount of money to reserve accommodation in Saudi Arabia.

Additionally, the agencies can serve as guarantors for the pilgrims. Hence, she suggested that travel agencies can classify pilgrims into different travel packages based on their preferred location of accommodation and services. This will broaden the opportunities for those interested in choosing packages depending on their budget and preference, she said.

Mr. Jamaloding Solaiman

Representative, GlobalStar Travel Management

Mr. Solaiman responded that travel agencies like theirs have the capability to finance the Hajj pilgrimage and arrange the accommodation of the hujjaj in Saudi Arabia. Prior to the actual Hajj pilgrimage, Mr. Solaiman shared that their travel agency has already identified hotels in Saudi Arabia. Hence, come 2025 and 2026, hotel rooms will already be available in Saudi Arabia. Moreover, they have a legitimate partner in Saudi who owns hotels.

He also suggested that through the assistance of AAIBP, there is a possibility that more Filipino Muslims will find the interest to perform Hajj. Travel agencies can serve as promoters of the financial assistance offered by AAIBP especially to those who are interested but lack funds.

Atty. Haron R. Ali

Founding Chairman, Better Hajj and 'Umrah Movement

Regarding the comment from the NCMF Secretary about the unavailability of funds, Atty. Ali responded by mentioning that government funds cannot be used for religious activities. In contrast, travel agencies have the capacity to provide contingency and revolving funds to pay in advance. Moreover, travel agencies can secure travel insurance for the pilgrims in case of accidents. Furthermore, if there is a breach of contract with the service provider, pilgrims can take legal action against them.

He also pointed out that NCMF communicates and coordinates with the service providers and pays them, so they still have a level of responsibility. According to him, they displayed reckless prudence by not adequately overseeing the service providers in Saudi Arabia. Additionally, he quoted that "what cannot be done directly cannot be done indirectly." As a government entity, NCMF should not allow service providers to deliver subpar services to Filipino pilgrims, and they can take legal action against the service providers if necessary. He also mentioned that privatization is a form of *ibadah* (worship).

Question 3: What are NCMF's comments on the issue of the privatization of Hajj? Do you merely accept it, or do you have other proposals?

Responses:

Commissioner Yusoph J. Mando

Commissioner, NCMF

Comm. Mando responded by saying that he is awaiting the position paper from NCMF. He mentioned that they do not have significant issues with privatization, but they will be reviewing the previous experiences and implementations of the Hajj. He reiterated that there was no Hajj implementation that did not face any problems. According to him, Hajj has been a perennial problem, even before it was taken over by NCMF. Unfortunately, the 2023 Hajj has become the most controversial due to reports by politicians coupled with the proliferation of various situations posted on social media.

He clarified that the delay experienced by the 51 hujjaj from Saudi Arabia back to the Philippines was not the fault of NCMF. It was due to the lapse of the company based in Saudi Arabia, but the company addressed it and shouldered the hotel, accommodation, and flight expenses of the affected hujjaj. The second delay was due to a technical problem with PAL on the return flight to the Philippines, involving 279 pilgrims, including NCMF staff. According to Comm. Mando, these are significant issues that were sensationalized on social media, even though the lapse was not the fault of NCMF. Many citizens were misinformed, but if discussions like the forum, where NCMF is able to present their side, were conducted, there would be a better understanding of the situation.

Atty. Haron R. Ali

Founding Chairman, Better Hajj and 'Umrah Movement

Atty. Ali and the members of his non-governmental organization are advocating for the privatization of the Hajj. They raise several key points:

First, they argue that RA 9997 introduces double standards because Muslims who perform the Hajj pilgrimage are controlled by a government agency, while non-Muslims who perform a pilgrimage are not subject to government control. They consider this situation to be unfair and view it as an issue related to democracy.

Second, they believe that this arrangement violates the principle of the separation of Church and State, and violation of economic freedom under the constitution. They argue that the government should not act as a middleman in contracts between private entities, such as those involving Hajj, travel agencies, or service providers. Atty. Ali and his organization assert that Hajj pilgrims should have complete economic freedom to enter into arrangements and make choices regarding accommodation and other aspects of their pilgrimage. This approach aligns with the government's policies aimed at increasing revenue through taxation and creating job opportunities for Filipinos. Privatizing the Hajj, they argue, could reduce the number of days required for the pilgrimage, saving time, money, and effort. They believe that the current system is problematic, leading them to advocate for privatization by reaching out to the House of Representatives, Sen. Padilla, the DILG, and various congressmen. Atty. Ali emphasizes that their efforts are collective, aimed at privatizing Hajj, accommodating the less fortunate members of society, and granting them the freedom to enter into contracts. This move would also provide opportunities for Filipino travel agencies and service providers to thrive while supporting Filipino Muslims and endorsing AAIBP.

Follow up question: Why does the NCMF insist on a 30-day duration of Hajj? Is there a way to reduce the cost of Hajj?

Dr. Abdul Hannan M. Tago
Executive Assistant IV, NCMF

Dr. Tago clarified that the Hajj lasts only fifteen days. He also explained the importance of understanding the roles of the three involved parties in the implementation of the Hajj. These parties have their own roles: the sheikhs, the NCMF, which issues the visa because it is official and communicates directly with the Ministry of Hajj (which is the only recognized government entity), and the Saudi Arabian companies.

He shared that when something happens in Saudi Arabia, it is often attributed to the NCMF, but he emphasized that it is beyond the NCMF's jurisdiction. Dr. Tago added that the NCMF's responsibilities are primarily in the Philippines. Any lapses that occur in Saudi Arabia should not be attributed to the NCMF because there is already a signed agreement with service providers in Saudi Arabia who are responsible for providing transportation and other services. Therefore, if there is a delay in transportation in Saudi Arabia due to issues, the NCMF should not be held accountable.

Atty. Imelda Tarhata F. Macarambon

Acting Chief Operating Officer/ Legal Counsel, AAIBP

Atty. Macarambon responded to the comments raised by Dr. Tago. According to her, if NCMF's responsibilities are only applicable within Philippine territory, it would contradict its Charter, which mandates the agency to ensure a smooth administration of the Hajj in Saudi Arabia. Furthermore, suing NCMF, as a collective organization, can be challenging and may result in unfairness for personnel affected by the issue. Hence, she suggested that if travel agencies were to administer the Hajj, it would be easier for clients to exercise their rights in ensuring that the agency delivers what they paid for. If not, it would also be easier to sue the agency.

Context: *Considering the capabilities of travel agencies to provide financing and arrange accommodation in Saudi Arabia, the program for Hajj can be improved.*

Question 4: Why did the travel agency not collaborate with NCMF?

Response:

Mr. Jamaloding Solaiman

Representative, GlobalStar Travel Management

As mentioned by Atty. Mamondiong, Mr. Solaiman reiterated that his travel agency did not win the bidding, even though it was the only service provider that offered three categories to expand the options for clients.

However, he suggested the need to first establish what Hajj entails, specifically the number of required days for pilgrims to complete the Hajj. Furthermore, he added that it did not materialize because he believed it was not their time yet. Hopefully, when the privatization pushes through, that would be the right time, as travel agencies are 100% in support of it as the only viable solution.

Points Raised:

Hon. Almarim Centi Tillah

Presidential Adviser, OPAMA

Hon. Tillah emphasized that the purpose of the forum is to unite, not to divide. He also shared that he had a lengthy conversation with the DILG Secretary about the Hajj. Initially, DILG had planned to pursue an investigation of what happened, but Hon. Tillah suggested that this could be put on the back burner and instead focus on the administration of the forthcoming Hajj in 2024.

Moreover, Hon. Tillah also shared that when he visited the Office of Middle East and African Affairs, DFA, the issue of Hajj was also raised. BARMM also wants to facilitate the Hajj. Hence, there are three entities eyeing the management of the Hajj: the NCMF, BARMM, and private groups. This makes the issues more confusing and more significant, he added.

Hon. Tillah also emphasized that there are two main issues regarding the Hajj: administration and financing. As for the administration, he suggested revisiting the PHILPA, the foundational document of Hajj, which can provide in-depth information about the administration of Hajj. Regarding financing, he explained that AAIIBP was established under the leadership of the late President Marcos with the clear intention of providing Islamic banking due to the large Muslim population in the country and its dealings with other countries, including Muslim nations. However, after President Marcos's leadership, the role of AAIIBP was diluted and it did not receive enough support.

Hon. Tillah suggested creating a resolution focusing on these two issues, specifically assigning AAIIBP the role of the financing institution for the Hajj. According to him, this could be accomplished through a presidential directive and by requesting the President to direct all government agencies to place their funds in AAIIBP for the sake of profit and to help it survive. Additionally, he mentioned that BARMM funds should also be deposited in AAIIBP. Moreover, all policies must be considered on a long-term basis to find lasting solutions.

Question 5: Did the AAIIBP take the initiative to coordinate with Muslim Local Government Units so that their internal revenue allotment can be deposited in the bank?

Responses:

Atty. Imelda Tarhata F. Macarambon

Acting Chief Operating Officer/ Legal Counsel, AAIIBP

Based on the Department of Finance (DOF) Circular, AAIIBP failed to qualify as one of the banks eligible to become a government depository bank. The bank did not meet the criteria specified by the DOF, particularly the requirement to achieve a CAMELS 3 classification. Atty. Macarambon mentioned that this occurred around the time of President Noynoy Aquino.

As one of her initial tasks at AAIIBP, Atty. Macarambon appealed to the Department of Budget and Management (DBM) to reconsider the bank's status as a government depository bank. Approximately a month after her appeal, a new DBM Circular was issued, changing the classification and officially designating AAIIBP as a government depository bank.

In BARMM, it was initially conveyed that only Landbank was recognized as the sole government depository bank. This information was corrected by the Secretary of DBM when AAIIBP raised the issue in an open forum they attended. Consequently, a directive was formulated to address this misunderstanding.

AAIIBP has been engaging with BARMM. One of their recent interactions was with Governor Sakur M. Tan of Sulu before the onset of the pandemic. Additionally, they offer Islamic microfinance, which has received substantial support from Jolo residents, making it the third biggest AAIIBP branch. Marawi remains the largest in terms of deposits, followed by Cotabato.

Follow up question: Can AAIIBP provide funding for the Hajj? Can this be already used for the Hajj 2024?

Atty. Imelda Tarhata F. Macarambon

Acting Chief Operating Officer/ Legal Counsel, AAIIBP

Atty. Macarambon responded that the AAIIBP's Pilgrimage Savings Plan (PSP) was created for this purpose. However, only the PSP account holders can be members of the program. Hence, she calls for the support of everyone to help them campaign PSP. Through the program, the AAIIBP can already provide assistance to pilgrims for Hajj 2024. They will be launching the program and its product in December 2023.

Follow up question: What kind of efforts does it require for AAIIBP to be supported by BARMM?

Atty. Imelda Tarhata F. Macarambon

Acting Chief Operating Officer/ Legal Counsel, AAIIBP

Atty. Macarambon responded that BARMM is working on due diligence with AAIIBP. However, she explained that the bank lacks funds for its marketing initiatives. She traveled to Mindanao using her own money, given the limited travel funds provided by the bank. Additionally, AAIIBP departments are managed by one person per department, making it understaffed.

Follow up question: Are you contemplating forming a high-level delegation perhaps with the Office of the Presidential Adviser on Muslim Affairs and members of the cabinet related to financing and budget?

Atty. Imelda Tarhata F. Macarambon

Acting Chief Operating Officer/ Legal Counsel, AAIBP

Atty. Macarambon mentioned that they plan to visit Hon. Tillah's office to explore collaboration opportunities. She also added that through the program providing assistance for Hajj, support for AAIBP will increase.

Context: *The NCMF Charter states that it has a free choice in terms of selecting travel agencies and airline companies.*

Question 6: Why did NCMF choose a limited number of airlines such as PAL?

Response:

Commissioner Yusoph J. Mando

Commissioner, NCMF

Comm. Mando mentioned that other airline companies were previously involved, such as Oman Air and Qatar Airways. However, when issues arose, there were difficulties in communicating with these airlines. Additionally, these airlines did not offer direct flights to Mecca. Passengers had to have layovers in different countries, which added to the stress for the pilgrims.

Question 7: Is the discussion involving AAIBP in the privatization raised at the Congress level? Are the positions of Cong. Hataman and Cong. Balindong harmonized?

Responses:

Mr. John Louie Balagat

Chief of Staff, Office of Cong. Mujiv S. Hataman

According to Mr. Balagat, when the committee hearings regarding the proposed bill begin, that's when all parties involved will be invited to speak on the issue. He also mentioned that Cong. Dimaporo, who has also filed her version of the bill, had initial conversations with Cong. Hataman. The opportunity for all Congressmen and Congresswomen in the Committee on Muslim Affairs to discuss the proposed bill will be during the committee hearings, which he hopes will be conducted in November 2023.

Atty. Noel T. Tiampong

Chief of Staff, Office of Cong. Yasser Alonto Balindong

According to Atty. Tiampong, this was not yet discussed among the Congressmen. He mentioned that Cong. Mastura also filed his version of the bill.

Additional Comments/Inputs/ Reactions:

Dr. Abdul Hannan M. Tago

Executive Assistant IV, NCMF

Dr. Tago clarified the roles of the three entities involved in administering the Hajj. Once pilgrims are in Saudi Arabia, it becomes the supervision and responsibility of the service providers. NCMF doesn't accept blame for incidents in Saudi Arabia because they cannot control the operations, especially during Hajj when there are 3 million pilgrims. According to Dr. Tago, it's not that easy. Therefore, he emphasized that NCMF is no longer responsible for what happens in Saudi Arabia. However, NCMF does send a supervisory medical team composed of 100 people to assist pilgrims.

Mr. Jamaloding Solaiman

Representative, GlobalStar Travel Agency

Mr. Solaiman explained that their proposal is to have the same service providers in the Philippines based in Saudi Arabia, similar to Malaysia's Tabung Haji. Instead of relying on Saudi-based service providers, Filipino Muslim service providers already exist and can offer the same services. According to him, even as a Filipino, you can become a service provider in Saudi Arabia for Filipinos and individuals of other nationalities.

He also added that BARMM has a substantial budget, but they cannot utilize it for religious purposes like the Hajj, as it still falls under the national government's jurisdiction. There are other issues that BARMM should address, such as improving roads and other infrastructure projects in BARMM.

Hon. Almarim Centi Tillah

Presidential Adviser, OPAMA

Hon. Tillah requested that AAIIBP visit his office to discuss areas for collaboration. He also suggested the creation of a resolution as an output of the forum to increase support for AAIIBP by requiring BARMM provinces to make it the main depository bank.

Sheikh Kaberl O. Hajilan

Vice Chancellor for Research and Extension, MSU-TCTO

Sheikh Hajilan mentioned that if they start off on the wrong foot, it will likely end badly. He also pointed out that the mandate of the NCMF has changed. During the time of Secretary Sadain in 2011 and 2012, he shared his positive experience as a sheikh guiding the pilgrims. They followed the NCMF's mandate, which allowed for a free choice of travel agency and airlines. This

flexibility enabled them to access the most affordable flights and other services. According to him, having multiple airline options can help avoid flight delays.

He also responded to the presentation by the Chief of Staff of Cong. Hataman regarding the accreditation of sheikhs by the NCMF. Sheikh Hajilan suggested that sheikhs already accredited by the NCMF should not be required to undergo a renewal of accreditation. He then raised a question: What will happen to the sheikhs if privatization proceeds? How will the NCMF handle accreditation and its impact on sheikhs? In his view, he still supports the NCMF running the Hajj, but he believes it's important to reinstate the mandate of allowing a free choice of travel agencies and airlines.

Mr. Ahmed C. Tillah

Finance and Administrative Director, PCID

Mr. Tillah of Philippine Center for Islam and Democracy (PCID) suggested strengthening the online presence of NCMF by posting all the Hajj processes online, including passport, visa, ticketing, and more. According to him, this would make it more transparent for the pilgrims, allowing them to access information and check their schedules and other status. The University of the Philippines Diliman has a Computer Science Department that could assist with website development. This could be done through the UP Diliman assistance of the Institute of Islamic Studies.

Comm. Yusoph J. Mando

Commissioner, NCMF

According to Comm. Mando, the NCMF has been operating online since 2023, which is why pilgrims are no longer required to travel to Manila. Regarding the accreditation of the sheikhs, he mentioned that it now involves online training, which is mandatory. Sheikhs must enhance their knowledge of online transactions to better assist pilgrims, especially those who are not tech-savvy.

On the issue of suing the service providers for a breach of contract, Comm. Mando explained that they already have a legal team currently working on this matter. Instead of waiting for the case results, which can take time, the NCMF has contacted the Kingdom of Saudi Arabia to address the issues with service providers. According to him, this is the fastest way to revoke the service provider contracts.

He also emphasized that the NCMF team did not leave the pilgrims. There was a misinterpretation because they wore the same clothing as the pilgrims, which led to their not being identified immediately. According to him, the NCMF team was the last group to leave Muzdalifah. Among the many

countries that participated in the Hajj, only the Filipino pilgrims did not experience any deaths during the Hajj. The NCMF was also granted an express pass for the next Hajj.

He recommends that the group unify their voice, set a common goal, and make a collective decision to ensure a positive Hajj experience that is acceptable to Allah (SWT).

Atty. Noel T. Tiampong

Chief of Staff, Office of Cong. Yasser Alonto Balindong

Atty. Tiampong raised two questions for the NCMF. According to the NCMF, the money paid by pilgrims is being deposited in the PNB. Why isn't it deposited in the AAIBP? Second, one of the mandates of the NCMF is "to promote the development of a Hajj assistance fund that shall be created from contributions of Muslim Filipinos and other donors, which shall be used to support the financial needs of deserving Muslim Filipinos intending to undertake the annual Hajj." Is this mandate being implemented by the NCMF? According to him, implementing this could help with the financing issue, rather than relying solely on government funds, considering the separation of Church and State.

Comm. Yusoph J. Mando

Commissioner, NCMF

Comm. Mando responded by stating that the philanthropies directly sponsor their pilgrims. Part of this sponsorship is from other countries and is now being done directly.

He also mentioned that the issue of BARMM being the third party has already been resolved, as the Ministry of Hajj in Saudi Arabia and Malacañang through the Department of Foreign Affairs (DFA) have already held discussions. The DFA emphasized that NCMF has the mandate and jurisdiction over the administration of Hajj. However, Comm. Mando added that the NCMF is ready for future endeavors with BARMM and other stakeholders.

Comm. Mando further suggested making AAIBP the official depository of BARMM to provide support to AAIBP and other Muslim agencies.

Atty. Imelda Tarhata F. Macarambon

Acting Chief Operating Officer/ Legal Counsel, AAIBP

Atty. Macarambon emphasized that AAIBP's position is to push for the PSP (Pilgrimage Savings Program) program to proceed, with hopes of launching it in December 2023.

She also commented that donors are becoming frustrated with providing sponsorships in the Philippines. Therefore, she suggested that the AAIIBP program could serve as a means to restore the country's relations with Saudi Arabia by offering them a strong tourism and economy. She also pointed out that the country cannot expect assistance from Saudi Arabia without offering something in return.

Atty. Macarambon stressed that AAIIBP acknowledges the roles of each sector involved in the implementation of Hajj. She clarified that they do not undermine the administrative authority of the NCMF because its role is significant. She added that without government interventions, travel agencies can potentially misuse their privileges. Therefore, NCMF should implement and exercise its regulatory power in accordance with the law, she reiterated.

Mr. Nords Maguindanao

Anchor, PTV4 Salam Radyo

Mr. Maguindanao responded to Comm. Mando's point regarding the exclusive authority of the NCMF to issue visas due to the one portal, one country policy. According to Mr. Maguindanao, this is where the problem arises. Privatization cannot be pursued because during 'Umrah, pilgrims can easily obtain their visas from the travel agency. However, during Hajj, the Ministry of Hajj sends the visa only to NCMF. The question is, is NCMF willing to share the visas with travel agencies and the BPE (Bangsamoro Pilgrimage Executive) in BARMM? According to him, if NCMF is willing to share the visas with specific agencies or governments interested in handling Hajj, privatization can be achieved.

Comm. Yusoph J. Mando

Commissioner, NCMF

Comm. Mando responded, stating that, for now, the only authorized agency to issue visas is NCMF, based on the current setup. However, if the law on privatization is established, NCMF can address and resolve this concern.

Comm. Mando also explained the reason behind the desire to privatize the Hajj. It's because the 'Umrah is already privatized. People perceive 'Umrah as a smoother process compared to Hajj. 'Umrah can be performed at any time and typically involves smaller groups of jama'ah (congregation), unlike the Hajj, which is a one-time event involving 7,000 pilgrims in a single transaction. He also pointed out that 'Umrah also faces its own set of issues.

Mr. Jamaloding Solaiman

Representative, GlobalStar Travel Management

Mr. Solaiman responded that the issue of the “One Portal, One Country” policy and the issuance of visas can be addressed by the Saudi Arabian Embassy. He pointed out that there is only one agency that handles the Hajj and ‘Umrah. In America, for example, the same agency that conducts ‘Umrah also handles Hajj. If this can be done in the United States, it can also be applied in the Philippines. He also mentioned that Saudi Arabia can issue and provide multiple portals. If the law on privatization is legalized, there will be no problem with the portal. As a suggestion, he recommended that travel agencies come together and take over the portal from NCMF. They can distribute the pilgrims equally among the travel agencies. The role of the government is to regulate by ensuring that prices are set correctly and that other processes applied by travel agencies are fair and just.

Atty. Mikhail Jude R. Fabio III

Representative, Department of the Interior and Local Government

Atty. Fabio mentioned that the DILG is mandated by the Constitution to have supervisory power over the NCMF. The department is always open to discussion and is ready to hear concerns and cases, given that it also deals with Mindanao's problems and special concerns. He also added that the department fully supports this kind of forum, stating, “so we can be of one mind and one spirit as we address all these problems that we are trying to solve. We look forward to a better Hajj based on all the things we discussed.”

Ms. Jane Cuevas

Representative, Warner Barnes Travel, Inc.

Ms. Cuevas from Warner Barnes Travel Agency shared that it is possible for travel agencies to issue visas because they did so in 2003. Warner Barnes facilitated the processing of visas, hotels, taxis, and other services for 1000 pilgrims through coordination with the NCMF, Malacañang, and the Embassy of Saudi Arabia. However, she mentioned that if the NCMF continues to handle the administration of Hajj, they will still comply with its regulations.

Comm. Yusoph J. Mando

Commissioner, NCMF

Comm. Mando responded to Warner Barnes, noting that it was 10 years ago. Since the COVID-19 pandemic, all transactions have been conducted virtually and online. Unlike before, the issuance of visas is now managed by the office responsible for managing the Hajj. He also emphasized that communicating with this managing office, especially when it comes to the Hajj, is not easy because it requires government-to-government transactions. As a result,

communication with the Ministry of Hajj in Saudi Arabia is conducted through the DFA.

Dr. Abdul Hannan M. Tago
Executive Assistant IV, NCMF

Dr. Tago commented on the proposed bill by Cong. Hataman, expressing his approval of the mention of Arabic-speaking personnel to address the language barrier. He also reiterated that given the presence of the DILG that the leadership of Hajj should be assigned to someone who is Arabic-speaking and an 'alim (Muslim scholar).

Dean Julkipli M. Wadi ended the question and answer forum by thanking everyone for their comments, inputs, and suggestions.



CLOSING REMARKS

Atty. Mehol K. Sadain

Professorial Lecturer, UP Institute of Islamic Studies
Former Secretary, NCMF

Atty. Mehol K. Sadain, Professorial Lecturer at UP IIS and former Secretary of NCMF, delivered the closing remarks of the forum. Atty. Sadain began by thanking all the invitees for their participation in the forum. He then emphasized that the preparation and actual implementation of the Hajj start within the hearts of individual Muslims and consequently extend to the Muslim community. Atty. Sadain used a metaphor to illustrate this point, likening the disorderly nature of pilgrims' movements during Hajj, where people often disrupt their procession during tawaf. He associated this disorder with the external aspects of Hajj, while stressing that the internal experiences within the pilgrims' hearts are what truly matter.

Atty. Sadain expressed his appreciation for the forum as an important initiative, enabling Muslims to discuss, not to perfect the Hajj, but improve its administration and financing. Drawing from his experience as the Secretary of NCMF, he acknowledged that they had their own share of problems. One key lesson



from his experience was the importance of constant consultation with the hujjaj through the sheikhs. He recounted daily meetings held during his leadership to address problems and even shared an instance during 'Arafa when he went from tent to tent to apologize to the hujjaj for inconveniences caused by the NCMF. He emphasized that these inconveniences were their major faults. For example, just as there can be an abuse of discretion among lawyers, there can also be an abuse of sabar (patience) if they ask the hujjaj to practice sabar without doing their part.

Going back to the purpose of the forum, Atty. Sadain explained that the information gathered from the presentations, discussions, and question-and-answer session will be compiled and provided to various stakeholders, including the NCMF,

DILG, House of Representatives, Senate, the association of sheikhs, travel agencies, and other service providers.

Atty. Sadain continued by highlighting that the issue with the Hajj primarily stems from factors beyond the control of NCMF, particularly concerning the collection of funds. This circumstance led Atty. Sadain to acknowledge and appreciate the active involvement of the AAIIBP in the forum. He recounted NCMF's attempt during his leadership to introduce a Hajj savings plan, offering a savings account for prospective hujjaj and to be deposited in the AAIIBP. Upon reaching the required funds for the Hajj, participants would secure a guaranteed slot for the pilgrimage. Similar systems are in place in Malaysia and Indonesia under the Tabung Haji. However, Atty. Sadain pointed out this was not practiced in the Philippines because of an excess of slots, leading to a lack of urgency. Atty. Sadain then suggested that, with the offer and program of AAIIBP and the recommendation of the Presidential Adviser on Muslim Affairs to encourage local government units and the Department of Finance to designate AAIIBP as a depository of IRA funds, there would be a guaranteed source of funding for the Hajj.

Furthermore, Atty. Sadain explained that when viewed through the lens of law, all the hujjaj are considered principal clients because they make payments, whether through the sheikhs, which then goes to the bank and is subsequently managed by NCMF. Therefore, the NCMF functions as the agent of the hujjaj. However, NCMF falls under a different category in the law of agency due to its supervisory role in overseeing the Hajj. According to him, this is why, when the Hajj calls come, it is NCMF that goes to Saudi Arabia, owing to the "One Portal, One Organization" system. Consequently, NCMF must be responsive and provide detailed Hajj information to the Ministry of the Hajj in Saudi Arabia, which reciprocally shares information with NCMF.

Atty. Sadain proposed that if the Hajj were to be privatized, one approach would be to establish a group capable of responding to the Hajj calls, rather than relying solely on NCMF. This group could comprise travel agencies, private sectors, government agencies, and even the BARMM.

Regarding the matter of the portal, Atty. Sadain mentioned that it is irrelevant because several portals can be opened, as demonstrated by the approach employed by Diyanet (Directorate of Religious Affairs in Turkey), which manages the Hajj in Istanbul. Once Diyanet receives the allocation and guidelines for the Hajj, it shares this information with travel agencies and distributes it to them. Subsequently, the travel agencies create staggered schedules for Hajj accommodations and transportation. In contrast, the Philippines lacks a similar organizational system. According to Atty. Sadain, this role could potentially be assumed by the Dar ul-Ifta or the muftis, who have the expertise to handle the accreditation of the sheikhs, given the religious nature of the Hajj.

In the concluding part of his remarks, Atty. Sadain quoted verses from the Quran that emphasize how Muslims should manage religious affairs:

إِنَّمَا يَعْمُرُ مَسَاجِدَ اللَّهِ مَن ءَامَنَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَأَقَامَ الصَّلَاةَ وَءَاتَى
الزَّكَاةَ وَلَمْ يَخْشَ إِلَّا اللَّهَ فَعَسَىٰ أُولَٰئِكَ أَن يَكُونُوا مِنَ الْمُهْتَدِينَ ﴿١٨﴾

The mosques of Allah shall be visited and maintained by such as believe in Allah and the Last Day, establish regular prayers, and practise regular charity, and fear none (at all) except Allah. It is they who are expected to be on true guidance. (Al-Qur'an, Chapter 9, Verse 18)

According to Atty. Sadain, this particular verse emphasizes that religious affairs should be managed by Muslims themselves: "It has to be a Muslim, and reforms must come from us, Muslims. The reform is a guided reform, to return to Allah (SWT) for guidance."

Another verse talks about maintaining the masajid (mosques), the place of worship in Islam, which states:

وَإِذْ بَوَّأْنَا لِإِبْرَاهِيمَ مَكَاتِ الْبَيْتِ أَنْ لَا تُشْرِكْ بِي شَيْئًا وَطَهِّرْ بَيْتِيَ
لِلطَّائِفِينَ وَالْقَائِمِينَ وَالرُّكَّعِ السُّجُودِ ﴿٢٦﴾

Behold! We gave the site, to Abraham, of the (Sacred) House, (saying): "Associate not anything (in worship) with Me; and sanctify My House for those who compass it round, or stand up, or bow, or prostrate themselves (therein in prayer). (Al-Qur-an, Chapter 22, Verse 26)

Atty. Sadain explained that Hajj started with the traditions of Prophet Abraham. It is an exercise of sujud (prostration to Allah) for Muslims.

In the last part of Atty. Sadain's speech, he mentioned that "if we do good for the pilgrims, it is for our good as NCMF." He concluded his speech by sharing that in 2012, they went on Hajj for the first time. They selected around two dilapidated buildings. In the past, the NCMF typically brought the money to pay the last installment to the service providers in Saudi Arabia. Due to the condition of the buildings, they received complaints from the pilgrims. As a result, Atty. Sadain negotiated with the service providers, informing them that they would not pay the entire amount but rather allocate some funds to the pilgrims. Approximately 500,000

Saudi Riyals were distributed back to the pilgrims. The following year, Atty. Sadain shared that NCMF conducted several forums and had the opportunity to ask the pilgrims where they wanted to stay with the assistance of the sheikhs. Consequently, in 2013, two groups of pilgrims were formed and stayed in two locations, one in Muzdalifah and one in Aziziyah. This also resolved the overcrowding issue in Aziziyah because it is much closer to Mina, enabling pilgrims to return to their hotels and making Mina a convenient place to stay due to the ample space it offers.

Atty. Sadain hoped that the participants of the forum were able to learn a lot. He also wished them well and expressed hope that the bills, wherever they are going, will be processed as soon as possible. He concluded by saying that “all of us will benefit from these efforts, not just those implementing the Hajj, but more importantly, the hujjaj who are the beneficiaries.”

VI. ISSUES, LESSONS AND RECOMMENDATIONS

The National Commission on Muslim Filipinos (NCMF) plays a leading role in the implementation of the Hajj pilgrimage in the Philippines. Over the course of thirteen years, NCMF has made significant progress and improvements in the Hajj implementation. These efforts include the creation of Hajj guidelines and manuals, as well as the active involvement of selected NCMF administrators in overseeing the Hajj in Saudi Arabia. All these measures are taken to fulfill NCMF's mandate of ensuring the successful execution of the annual Hajj. Additionally, NCMF is tasked with promoting the development of a Hajj Assistance Fund, which is funded by contributions from Muslim Filipinos and other donors. This fund is intended to provide financial support to deserving Muslim Filipinos who wish to participate in the annual Hajj (NCMF, n.d.).

However, the presentations and discussions during the Hajj forum revealed that NCMF has been encountering challenges in the implementation of the annual Hajj. According to both current and former representatives of NCMF, there has not been a single Hajj pilgrimage without its share of issues and criticisms, which NCMF has not been able to avoid.

Based on the data collected from the forum, it becomes evident that these challenges and criticisms primarily stem from the administrative and financial aspects of the annual Hajj implementation. Specifically, the following gaps are categorized based on the data obtained:

Politics and Financial Challenges:

- Politics influence the appointment of the NCMF Secretary, which should ideally require unquestionable integrity, probity, and sense of fairness.
- The Constitutional separation of Church and State limits the NCMF from acquiring sufficient government funds to be used for Hajj. Private fund sources on the other hand, depend on the number of intending pilgrims and their time of payment.
- Money for Hajj should be Halal.
- The NCMF does not have revolving funds to pay service providers in Saudi Arabia in advance.
- The MOA with Al-Amanah Islamic Investment Bank of the Philippines (AAIIBP) did not materialize.

Airline and Transportation Issues:

- Limited airline options causing flight delays.
- Difficulty in communicating with other airline companies.
- Lack of direct flights to Mecca from some airline companies.
- Double booking of seat blockings from sheikhs for different airlines and travel agencies.
- Delay/adjustment of critical deadlines (registration, mutawwif, issuance of visas, exemption certificates)

Service Provider and Logistics Problems:

- Lack of transparency in the contract forged between NCMF and Service Providers; lack of proper documentation on how the contractual obligation has been performed between and among parties involved.
- Problems in food service including accommodation and transportation in Saudi Arabia attributed to service providers not to NCMF.
- No delineation of responsibility on the problems encountered.

Administrative and Organizational Challenges:

- NCMF's control over choosing airlines and travel agencies.
- NCMF's current process limits Hajj pilgrims' economic freedom.
- NCMF's limited responsibility within the Philippines, contradicting its charter's goal of ensuring a successful Hajj.
- Review of NCMF's mandate, structure and function.

The identified categories encompass a broad spectrum of issues, including political challenges, financial constraints, transportation and logistical concerns, service provider problems, and administrative complexities. All of these factors collectively influence the administration and financing of the Hajj pilgrimage. Addressing these gaps is crucial to enhance the overall Hajj experience and ensure its successful implementation.

Hence, in addition to identifying these gaps, the participants of the forum also proposed the following solutions:

Enhancing Administration and Governance:

- Conducting consultations and forums with NCMF to discuss issues and problems.
- Appointing NCMF leaders with knowledge of Hajj and Arabic speaking abilities.
- Appointing NCMF leaders with strong political will.
- Developing resolutions focusing on the administration and financing issues of Hajj.
- Revisiting the role of the PHILPA other subsequent and pertinent laws that led to the creation of NCMF.

Financial Support and Collaboration:

- Providing funds for Hajj derived from BARMM's budget.
- Making AAIBP the partner of NCMF in offering financial assistance.
- Supporting AAIBP's Pilgrimage Savings Plan program.
- Strengthening AAIBP's collaboration with high-level delegations, such as OPAMA.
- Making AAIBP a depository bank for Hajj in the Philippines.

Privatization and Choice Enhancement:

- Privatizing the implementation of Hajj, allowing travel agencies to participate due to their capacity to provide advance payments.
- Privatizing the implementation of Hajj to offer multiple options to pilgrims.
- Privatizing the implementation of Hajj through travel agencies to offer different travel packages based on preferences and budgets.
- Privatizing the implementation of Hajj for pilgrims to attract more participants.
- Privatizing the implementation of Hajj through agencies to assist in the promotion of AAIBP.
- Privatizing the implementation of Hajj to allow pilgrims to exercise their rights and enable them to sue travel agencies for inconveniences.
- Reinstating the mandate of NCMF, allowing free choice of travel agencies and airlines.

Digitalization and Process Improvement:

- Opening other options for airlines and travel agencies.
- Finding ways for NCMF to acquire revolving funds for transactions requiring advance payments.
- Strengthening the online presence of NCMF and making the Hajj application digital.
- Reducing the number of required pilgrimage days to save time, money, and effort.
- Advocating for the rights and legal protections of Hajj pilgrims, including their ability to take legal action against travel agencies.

It is important to note, however, that these data are limited to the information provided by the attendees of the forum, composed of authorities and representatives of institutions, agencies, and groups holding significant roles in the management and financing of the Hajj pilgrimage in the Philippines.

POLICY IMPLICATION

As an academic and research institution, the UP Diliman Institute of Islamic Studies organized and facilitated the forum on Hajj with the aim of providing research-based insights and recommendations to policymakers, while fostering collaboration between academia and society. As a result, the following policy implications are presented as references that can be used to enhance the implementation of Hajj through policy measures.

Enhancing Administration and Governance:

- a) Policy for Regular Consultations: Establish a policy framework that mandates regular consultations and forums with NCMF to discuss issues and problems related to the Hajj pilgrimage, promoting transparency and accountability. Revisit prior legislation and executive issuances including the establishment of the PHILPA [P.D. No. 1302].
- b) Leadership Qualifications: Enforce qualifications for NCMF leaders, including knowledge of Hajj and Arabic-speaking abilities, ensuring that leaders possess the necessary skills for effective administration. Encourage the development of policies that prioritize the appointment of NCMF leaders with a strong political will to address political challenges and ensure efficient administration.
- c) Comprehensive Resolution: Encourage the development and implementation of policies that require the creation of comprehensive resolutions to address administrative and financing issues associated with the Hajj pilgrimage.
- d) Pilgrimage Duration Policy: Develop and implement policies that reduce the number of required pilgrimage days, saving time, money, and effort while maintaining the pilgrimage's spiritual essence.
- e) Pilgrim Rights Protection: Establish policies to safeguard the rights and legal protections of Hajj pilgrims, ensuring they have recourse to legal action in case of disputes or negligence by travel agencies.

Financial Support and Collaboration:

- a) Banking Partnerships: Create policies that facilitate and promote partnerships with financial institutions, such as AAIIBP, to provide financial assistance to Hajj pilgrims.
- b) Savings Program Promotion: Policy initiatives should support and promote the expansion of AAIIBP's Pilgrimage Savings Plan program to encourage savings for the Hajj.

- c) Bank Depository: Explore the development of policies that enable AAIIBP to act as a depository bank for Hajj funds in the Philippines, streamlining financial management.

Privatization:

- a) Privatization Guidelines: Establish guidelines and policies for the privatization of specific aspects of Hajj implementation, enabling reputable travel agencies to participate. Introduce policies that grant Hajj participants the freedom to choose their preferred travel agencies, airlines, food, accommodations, transportations, and other Hajj concerns, emphasizing transparency and options.

References:

National Commission on Muslim Filipinos (n.d.). Powers and Functions.
<https://ncmf.gov.ph/about-us/powers-and-functions/>

The Quranic Arabic Corpus -Translation (n.d.). Verse 18, Chapter 9: Sūrah at-Tawbah (The Repentance).
<https://corpus.quran.com/translation.jsp?chapter=9&verse=18>

The Quranic Arabic Corpus -Translation (n.d.). Verse 26, Chapter 22: Sūrah Al-Hajj (The Pilgrimage).
<https://corpus.quran.com/translation.jsp?chapter=22&verse=26>

APPENDIX 1: House Bill No. 6672

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6672



Introduced by Rep. Sittie Aminah Q. Dimaporo

EXPLANATORY NOTE

As one of the Five Pillars of Islam, the conduct of the *Hajj*, the annual pilgrimage to Mecca, Kingdom of Saudi Arabia, is a religious obligation for all Muslims that must be carried out at least once in their lifetime by all adult Muslims who are physically and financially capable. As the Philippines has a significant number of Muslim Filipinos among its population, it is therefore reasonable for the national government to include a program to facilitate the conduct of this annual pilgrimage, through the National Commission on Muslim Filipinos.

However, the annual *Hajj* operations has been plagued with problems and controversies perennially. It is the aim of this bill to provide a proactive solution to most of these problems, particularly in securing the issuance of the *Hajj* Visas from the Kingdom of Saudi Arabia, sign contracts with service providers, enforce the strict accreditation and licensing of *Hajj* Pilgrimage Guides, and provide a *Hajj* Pilgrimage credit line to ensure the timely payments of the financial requirement as imposed by the Kingdom of Saudi Arabia. It is also the objective of this legislative measure to require the NCMF to issue an annual Manual of Operations for the *Hajj* Pilgrimage that shall be the basis for the strict compliance of processes to avoid the problems of the previous *Hajj* operations.

In view of the foregoing, the passage of this bill is earnestly sought


SITTIE AMINAH Q. DIMAPORO
2nd District, Lanao del Norte

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6672

Introduced by Rep. Sittie Aminah Q. Dimaporo

AN ACT

AMENDING SECTION 11 (e) OF REPUBLIC ACT NO. 9997 OTHERWISE KNOWN AS THE NATIONAL COMMISSION ON MUSLIM FILIPINOS ACT OF 2009, TO PROVIDE BETTER SERVICE FOR THE HAJJ PILGRIMAGE OF MUSLIM FILIPINOS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Be it enacted by the Senate and the House of Representatives of the Philippines, in Congress assembled:

SECTION 1. Short Title. – This Act shall be known as “Hajj Pilgrimage Reform Act of 2023”.

SECTION 2. Section 11 (e) of Republic Act No. 9997 is hereby amended to read as follows:

“(e) Bureau of Pilgrimage and Endowment. - This Bureau shall be [SOLELY] responsible for the administration of the annual Muslim pilgrimage to Mecca, Kingdom of Saudi Arabia; and the formulation and implementation of programs, projects and activities for the efficient and effective administration and supervision of the conduct of pilgrimage activities: *Provided,* That the supervision accorded the Bureau under this section shall not include control. [*Provided, further,* THAT IN THE ABSENCE OF THE DIRECTOR OF THE BUREAU, THE EXECUTIVE DIRECTOR OF THE NCMF SHALL ASSUME THE RESPONSIBILITIES OF THE DIRECTOR OF THE BPE AND IN THE ABSENCE OF THE EXECUTIVE DIRECTOR, THE SECRETARY OF THE NCMF SHALL ASSUME THE RESPONSIBILITIES OF THE DIRECTOR OF THE BPE: *Provided, finally,* THAT THE PRESIDENT HAS NOT APPOINTED THE SECRETARY, EXECUTIVE DIRECTOR AND DIRECTOR OF THE BPE, THE HAJJ PILGRIMAGE FOR THAT YEAR CANNOT TAKE PLACE.]

[THE BPE shall also create the Hajj Pilgrimage Finance Committee, which is responsible for certifying the financial reports in regards to the utilization and collection of Hajj Pilgrimage funds. The members of the Committee shall be composed of one (1) Budget Officer, one (1) Accountant, and one (1) Treasurer, who are organic personnel withing the NCMF, and follow the position requirements defined by the Civil Service Commission.]

Pursuant to the above responsibilities, the Bureau shall formulate the necessary guidelines to ensure the timely processing of the pilgrim's travel documents and

the equitable and reasonable collection of fees [which shall be called the Annual Hajj Manual of Operations, and shall be published and posted in all areas accessible to Muslim Filipinos not later than two (2) months before the Hajj, *Provided*, that the Annual Hajj Manual of Operations shall be approved by the NCMF en-banc.] Such collection [of fees] shall be limited to mutawiff and passporting and/or processing fees only. Collected fees shall be deposited in a special trust fund which shall be established by the Commission, the expenses from which shall be subject to existing auditing laws, rules and regulations.

[THE NCMF Secretary shall have sole authority to sign and negotiate contracts for the successful conduct of the Hajj and shall be exempted from the provisions of the Government Procurement Act when public funds from the General Appropriations Act are not involved: *Provided*, that the authority to sign contracts shall be approved by the Commission en-banc in a form of a resolution.]

The pilgrims shall be accorded free choice of travel agencies and airlines or other means of transportation to and from the site of pilgrimage: *Provided*, That pilgrims comply with the prescribed arrival and departure schedule fixed by the Ministry of Hajj of the Kingdom of Saudi Arabia. [The DOTr, DFA and NCMF shall coordinate to ensure that flights for the purpose of the Hajj Pilgrimage confirm to the schedule approved by the NCMF en-banc. The DOTR, CAAP and other agencies shall prohibit flights to Saudi Arabia for the purpose of Hajj which are not scheduled and approved by the NCMF en-banc for the purpose of better coordination, arrival and monitoring of pilgrims from the Philippines]; *Provided, further*, That all pilgrims shall be legitimate holders of round- trip tickets to and from the Kingdom of Saudi Arabia: *Provided, furthermore*, That the pilgrims shall be free to choose on where to purchase or acquire other logistics, materials and supplies for the pilgrimage.

[The pilgrims, through their sheikhs, shall/may have the power to choose their hotel, accommodations, and other service providers for the duration of the Hajj Pilgrimage, considering that there is coordination with the NCMF, the sheikhs shall consolidate themselves into ten (10) representatives to negotiate on behalf of the Philippine Hajj Delegation.]

In no instance shall the pilgrims be forced to purchase such logistics, materials and supplies from the Commission or its authorized agents or representatives.

The Bureau shall also accredit qualified and deserving sheikhs. [The requirements and licensure exams shall be stipulated in the Annual Hajj Manual of Operations. The Bureau, through the NCMF, shall be authorized to charge licensure and accreditation fees, subject to the approval of the Commission en-banc. The fees shall amount to the operational expense for the licensure and accreditation process.]

The Bureau shall likewise be responsible for the administration of awqaf properties and institutions, and the conduct of research and studies for the establishment and maintenance of Hajj towns, Islamic centers and awqaf projects.”

APPENDIX 2: House Bill No. 9413

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS

Second Regular Session

HOUSE BILL NO. 9413



Introduced by REP. SITTIE SHAHARA "BAI DIMPLE" I. MASTURA

EXPLANATORY NOTE

Republic Act No. 9997 provides that the National Commission on Muslim Filipinos or NCMF shall:

“Administer all programs, projects and activities, formulate the necessary rules and regulations, and coordinate with pertinent offices to ensure the success of the annual Hajj (pilgrimage) to Mecca, Kingdom of Saudi Arabia.”¹

The law also created the Bureau of Pilgrimage and Endowment which provides that:²

“(e) Bureau of Pilgrimage and Endowment. - This Bureau shall be primarily responsible for the administration of the annual Muslim pilgrimage to Mecca, Kingdom of Saudi Arabia; and the formulation and implementation of programs, projects and activities for the efficient and effective administration and supervision of the conduct of pilgrimage activities: Provided, That the supervision accorded the Bureau under this section shall not include control.

“Pursuant to the above responsibilities, the Bureau shall formulate the necessary guidelines to ensure the timely processing of

¹ Paragraph (q), Section 8 of Republic Act No. 9997.

² Paragraph (e), Section 11 of Republic Act No. 9997.

the pilgrim's travel documents and the equitable and reasonable collection of fees. Such collection shall be limited to mutawiff and passporting and/or processing fees only. Collected fees shall be deposited in a special trust fund which shall be established by the Commission, the expenses from which shall be subject to existing auditing laws, rules and regulations.

“The pilgrims shall be accorded free choice of travel agencies and airlines or other means of transportation to and from the site of pilgrimage: Provided, That pilgrims comply with the prescribed arrival and departure schedule fixed by the Ministry of Hajj of the Kingdom of Saudi Arabia: Provided, further, That all pilgrims shall be legitimate holders of round- trip tickets to and from the Kingdom of Saudi Arabia: Provided, furthermore, That the pilgrims shall be free to choose on where to purchase or acquire other logistics, materials and supplies for the pilgrimage.

“In no instance shall the pilgrims be forced to purchase such logistics, materials and supplies from the Commission or its authorized agents or representatives.

“The Bureau shall also accredit qualified and deserving sheikhs. It shall also formulate, subject to the approval of the Commission, the timetable of annual Hajj activities which must be posted in all areas accessible to Muslim Filipinos.

“The Bureau shall likewise be responsible for the administration of awqaf properties and institutions, and the conduct of research and studies for the establishment and maintenance of Hajj towns, Islamic centers and awqaf projects.”

In spite of the creation of the Bureau of Pilgrimage and Endowment and the provision of its powers, duties and responsibilities, Filipino Hajj pilgrims still encounter problems such as delay in the release of Hajj visas, delayed flights to and from Saudi Arabia, poor accommodation, inefficient transportation services, and delayed and insufficient food services, among others.

In this connection, this Bill seeks to allow Filipino Hajj pilgrims to register directly with the Ministry of Hajj and Umra of Saudi Arabia, pay

their *mutawiff*, passporting and/or processing fees. They shall also be allowed to choose and book their flights: Provided that they comply with the prescribed arrival and departure schedule fixed by the Ministry of Hajj of the Kingdom of Saudi Arabia. They shall be allowed to directly book and pay for their hotel accommodation, food services, and tent accommodation. The pilgrims shall also have the right to choose and directly purchase their logistics, materials, and other supplies for the pilgrimage.

Early approval of this measure is earnestly sought.



SITTIE SHAHARA "BAI DIMPLE" I. MASTURA

Representative

*Lone District of Maguindanao del Norte
with Cotabato City*

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS

Second Regular Session

HOUSE BILL NO. 9413

Introduced by REP. SITTIE SHAHARA "BAI DIMPLE" I. MASTURA

AN ACT

ALLOWING FILIPINO HAJJ PILGRIMS TO DIRECTLY REGISTER WITH THE MINISTRY OF HAJJ AND UMRA OF SAUDI ARABIA, BOOK AND PAY FOR THEIR FLIGHTS, ACCOMMODATION, AND OTHER SERVICES AND REQUIREMENTS IN CONNECTION WITH THE ANNUAL HAJJ TO MECCA

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Notwithstanding the provisions of Republic Act No. 9997 otherwise known as the "National Commission on Muslim Filipinos Act of 2009," Muslim Filipino Hajj pilgrims shall be allowed to register directly with the Ministry of Hajj and Umra of Saudi Arabia and pay their *mutawiff*, passporting and/or processing fees.

SEC. 2. Muslim Filipino Hajj pilgrims shall also be allowed to choose and book their flights: Provided that they comply with the

prescribed arrival and departure schedule fixed by the Ministry of Hajj of the Kingdom of Saudi Arabia.

SEC. 3. Muslim Filipino Hajj Pilgrims shall also be allowed to directly book and pay for their hotel accommodation, food services, and tent accommodation. They shall also have the right to choose and directly purchase their logistics, materials, and other supplies for the pilgrimage.

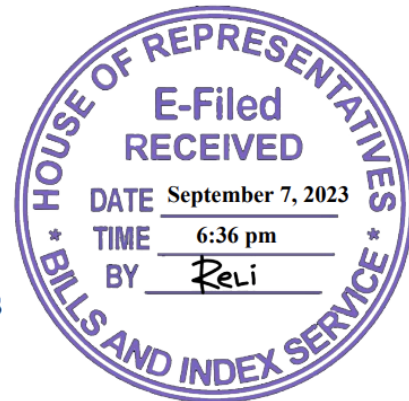
SEC. 4. This Act shall take effect upon its approval.

Approved,

APPENDIX 3: House Bill No. 9096



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9096

Introduced by **HON. MUJIV S. HATAMAN**
of the Lone District of Basilan

EXPLANATORY NOTE

THE 1987 Philippine Constitution guarantees the Freedom of Religion or the free exercise thereof. Section 5, Article 3 of the Constitution provides that “no law shall be made respecting an establishment of religion or prohibiting the free exercise thereof. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed.”

The performance of Hajj or the annual pilgrimage to the Holy City of Makkah, Saudi Arabia is one of the Five fundamental Pillars of Islam. Muslims in the Philippines and around the world who are able and capable of performing hajj are obligated to do so at least once in their lifetime. Therefore, the performance of Hajj is purely a religious matter that should be left without government interference.

The recent issues surrounding the plight of Filipino Muslim pilgrims during the 2023 Hajj in Saudi Arabia brought to light, yet again, the years of poor treatment of Filipino pilgrims suffering from poor living conditions, delayed and substandard meals, and delayed transportation, among others. These services are provided or facilitated by the National Commission on Muslim Filipinos (NCMF); a service Filipino Pilgrims paid for at high costs.

Despite paying quite a huge sum of money, Filipino Pilgrims were not provided with adequate hotel accommodations, oftentimes cramming several persons in a small hotel room.

Worse, their meals were given late or hours after the scheduled eating time. As if this ordeal is not enough, hundreds – if not thousands – of Filipino Muslim pilgrims were left stranded at Mudzdalifa because the NCMF-contracted buses that were supposed to take them did not arrive.

It is the contention of this representation that these difficulties and discomfort should never be allowed to plague our pilgrims who will be embarking on this once-in-a-lifetime experience during hajj.

It is clear that NCMF is not in a position to cater to the needs of Filipino Muslim pilgrims. For years already, NCMF failed to provide the required services during hajj. Therefore, there is a need to unburden NCMF with this task.

The conduct, processing and facilitation of the hajj for Muslim Filipinos should be left to the competence of the private sector whose expertise and experiences in hajj would ensure that our pilgrims will be provided with the best services. This bill aims to do just that.

Amending Republic Act No. 9997 or the NCMF Law is now necessary, and the approval of this measure is highly sought.



HON. MUSIY S. HATAMAN
Representative
Lone District, Basilan



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9096

Introduced by **HON. MUJIV S. HATAMAN**
of the Lone District of Basilan

AN ACT
AMENDING REPUBLIC ACT NO. 9997, OTHERWISE KNOWN AS THE
NATIONAL COMMISSION ON MUSLIM FILIPINOS ACT OF 2009, TO PROVIDE
BETTER SERVICES TO MUSLIM FILIPINO PILGRIMS DURING HAJJ, AND
FOR OTHER PURPOSES

Be it enacted by the Senate and the House of Representatives of the Philippines, in Congress assembled:

SECTION 1. *Short Title.* – This Act shall be known as “**The NCMF Reform Act of 2023**”.

SECTION 2. The powers and functions of NCMF over annual hajj administration as provided in R.A. No. 9997 is hereby removed. Hence, Section 11, Article II of Republic Act No. 9997 is hereby amended to read as follows:

***Section 11. Bureaus.** - The Bureaus of the Commission shall consist of the Bureau of Muslim Economic Affairs, Bureau of Muslim Cultural Affairs, Bureau of Muslim Settlement, Bureau of External Relations, **Bureau of Endowment**, Bureau of Peace and Conflict Resolution, and the Bureau of Legal Affairs. Each of these Bureaus shall be headed by a Director who shall hold the same rank, salary, and privileges of a Staff Bureau Director. The Bureau Director shall be appointed by the President from among the names or nominees submitted by the Commission to the President.*

(a) xxx xxx xxx

(b) xxx xxx xxx

(c) xxx xxx xxx

(d) xxx xxx xxx

(e) **Bureau of Endowment.** - *This Bureau shall be primarily responsible for the administration of awqaf properties and institutions, and the conduct of research and studies for the establishment and maintenance of Islamic centers and awqaf projects.*

(f) xxx xxx xxx

(g) xxx xxx xxx

The NCMF shall no longer perform any powers and functions relative to the administration of hajj except to register and accredit sheiks, who are private individuals or entities engaged in facilitating, processing, and providing guidance for the annual hajj for Muslim Filipinos in Makkah, Saudi Arabia.

SECTION 3. Section 15 of Republic Act No. 9997 is hereby amended to read as follows:

“Section 15. Hajj Attache. - The President shall appoint a Hajj Attache from among the three (3) recommendees of the Commission within fifteen (15) days from the submission of such recommendees by the Commission. The Hajj Attache shall coordinate with the Ministry of Hajj of the Kingdom of Saudi Arabia on matters pertaining to the conduct of the annual Hajj where government-to-government action is necessary including certification as to change of Pilgrims’s name, but not to intervene in the administration, conduct, facilitation or processing of hajj for Muslim Filipinos. He/She shall be an academic degree holder and must be able to write and speak fluently the Arabic language. He/She shall hold office in the Kingdom of Saudi Arabia and shall enjoy the same rank, salary, and privileges as those of Attache of the national government.”

SECTION 4. Section 16 of Republic Act No. 9997 is hereby **DELETED**.

SECTION 5. Separability Clause – If any part or provision of this Act shall be held unconstitutional or invalid, other provisions which are not affected thereby shall continue to be in full force and effect.

SECTION 6. Repealing Clause. – All laws, decrees, orders, issuances, rules and regulations that are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 7. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,

