



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
Second Regular Session
House Bill No. 8117



Introduced by **REPRESENTATIVE ESMAEL "TOTO" G. MANGUDADATU**

AN ACT AMENDING SECTION 13 ARTICLE XVI OF REPUBLIC ACT 11054, ENTITLED "AN ACT PROVIDING FOR THE ORGANIC LAW FOR THE BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO, REPEALING FOR THE PURPOSE REPUBLIC ACT 6734, ENTITLED "AN ACT PROVIDING FOR THE ORGANIC LAW OF THE AUTONOMOUS REGION IN MUSLIM MINDANAO" AS AMENDED BY REPUBLIC ACT 9054, ENTITLED "AN ACT TO STRENGTHEN AND EXPAND THE ORGANIC ACT FOR THE AUTONOMOUS REGION IN MUSLIM MINDANAO" AND FIXING FOR THIS PURPOSE THE FIRST REGULAR ELECTION FOR THE BANGSAMORO GOVERNMENT

EXPLANATORY NOTE

Sections 15 to 21, Article X of the 1987 Philippine Constitution mandates for the creation of autonomous regions in Muslim Mindanao, which the government has initially tried to deliver on through the passage of Republic Act No. 6734 as amended by Republic Act No. 9054. However, the said Acts were repealed by the more comprehensive Republic Act No. 11054 to pave the way for a more powerful, strengthened, empowered, and self-governing Bangsamoro Autonomous Region in Muslim Mindanao (BARMM). Likewise, RA 11054 mandated for the creation of a Bangsamoro Transition Authority (BTA) to attend to the normalization and political tracks of the Comprehensive Agreement on the Bangsamoro (CAB) and to lay the groundworks for a well-functioning and responsive regional bureaucracy.

But just as RA 11054 has conferred unto the Bangsamoro Autonomous Regional government broad powers, authorities and resources, it has also vested the autonomous regional government with huge responsibilities. The pressure of this reality is more pronounced and felt by the BTA as the transitional government is mandated to deliver on various commitments and expectations as contained in the political and normalization tracks of the CAB within a three-year period.

Section 13, Article XVI of RA 11054 states that "*Section 13. First Regular Election. - The first regular election for the Bangsamoro Government under this Organic Law shall be held and synchronized with the 2022 national elections. The Commission on elections, through the Bangsamoro Electoral Office, shall promulgate rules and regulations for the conduct of the elections, enforce and administer them pursuant to national laws, this Organic Law and the Bangsamoro Electoral Code.*"

The National Government and the Bangsamoro Government remain as steadfast partners, as they go about to find lasting solutions to the past, present and future concerns of our Bangsamoro brethren.

However, during the meetings conducted by the Special Committee on Peace, Reconciliation and Unity, the leadership and representatives of the Office of the Presidential Adviser on the Peace Process (OPAPP), the Intergovernmental Relations Board (IGRB), the BARMM BTA, and Moro Islamic Liberation Front (MILF) presented the updates on the implementing peace talks between

the National Government and the MILF. It was learnt that the implementation of the Normalization Track of the CAB is hampered by the present health crisis. Although all of the stakeholders want to expedite its implementation based on the projected time-lines, the decommissioning of the combatants could not yet be fully realized. The national coffers have been limited to the pandemic response. Thus, funding 40 billion pesos for the 40,000 fully-decommissioned combatants, admittedly, is a very huge amount for the Government at this time.

The pandemic has also substantially affected the implementation of the Political Track of the CAB. While every stakeholder in the peace agreement is eager to do each one's respective task, uncontrollable factors brought about by the crisis have prevented the national and the regional governments from realizing their respective immediate goals, such as the full transition of the BTA and passage of its legislative agenda. The national and BARMM governments, too, are beset with funding releases which prevent the full implementation of the BOL.

Nevertheless, the implementation of the CAB is still moving forward. However, there is a need to give the BTA and the national government more time to deliver on each other's commitments in relation to the implementation of the peace agreement. The difficulties and challenges brought about by the COVID-19 pandemic to all stakeholders have made the RA 11054-mandated three-year transitional timeframe unrealistic for the national government and the BARMM BTA and MILF to fully deliver on their respective commitments in the peace agreement. Thus, the postponement of the first BARMM elections from 2022 to 2025 is hereby sought in order for the national government and the MILF and MNLF to lay better and sturdier foundations and, as such, successfully translate the efforts on and the gains from the peace agreement into lasting and sustainable peace, not only in Mindanao but in the whole Philippines.

In view of the foregoing, approval of this bill is earnestly sought.


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

SECTION 1. Section 13 Article XVI of the Bangsamoro Organic Law is hereby amended to read as follows:

SECTION 13. *First Regular Election.* – The first regular election for the Bangsamoro Government under this Organic Law shall be held and synchronized with the 2025 national elections. The Commission on Elections, through the Bangsamoro Electoral Office, shall promulgate rules and regulations for the conduct of the elections, enforce and administer them pursuant to national laws, this Organic Law and the Bangsamoro Electoral Code.

Section 2. *Separability Clause.* – If for any section or provision of this Act is declared unconstitutional, the other section or provision not so declared shall continue to be in full force and effect.

Section 3. *Repealing Clause.* – All laws, decrees, orders, rules and regulations and other issuances or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

Section 4. *Effectivity.* – This Act shall take effect fifteen (15) days following its complete publication in the *Official Gazette* and in at least two (2) national newspapers of general circulation, and one (1) local newspaper of general circulation in the autonomous region.

Approved.