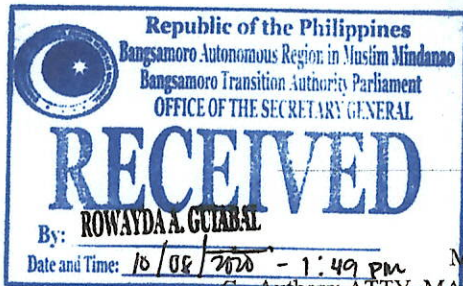


Republic of the Philippines
BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO
Bangsamoro Transition Authority
BARM Compound, Cotabato City



First Regular Session
Bill No. 69

Office of the Minority Leader-BTA
MP Atty. Laisa Alamia
RELEASED
Date: 10-08-20 By: Jem

Introduced by

Main Author: ATTY. LAISA MASUHUD ALAMIA

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EXPLANATORY NOTE

A fundamental proposition of democracy is the promise of genuine representation. It recognizes the political equality of all citizens, and legitimizes the consent of the sovereign People to be governed. Through free, fair, and sufficiently frequent elections, citizens select those who exercise political power on their behalf. It is then the duty of such elected officials to recognize and respond to the concerns of the sovereign People. Citizens, on their end, must keep track and influence the behavior of these officials, partly to ensure that their interests are satisfactorily represented.

Acting as stewards of the region, the Bangsamoro Transition Authority (BTA) is in the process of setting-up the necessary institutional mechanisms in preparation for the first elections in 2022, on top of managing and implementing day-to-day governance. Part of this responsibility is ensuring that meaningful and effective representation is achieved especially for the marginalized sectors of society. The Bangsamoro Parliament, as the wielder of legislative power, is the best venue in which to set forth such rules.

Despite the thrust of both the Constitution and the Bangsamoro Organic Law (BOL) to highlight the important role of women in society and governance, our underrepresentation persists in the Parliament. This can be traced back to the peace process, up to the formulation of the organic law. In a study conducted by the United Nations on women's participation in the peace process, it was found that during the formal talks in 1976 (Tripoli Agreement) and the years that followed, no woman was part of the peace panel. This changed in 1997, when a woman was made part of the peace negotiations. From then, there has been at least one woman appointed to the peace panel, up until the signing of the peace agreement and drafting of the Organic Law. However, despite having a seat at the table, representation still skews heavily in favor of men. According to projections by the Philippine Statistics Authority, about 50.04% of Bangsamoro residents are female, and yet only 15% of Parliament members are women.

Running for and surviving in office has always been daunting for women, as we face discrimination and beliefs that tend to limit our societal roles. We constantly face threats, violence harassment, and intimidation. We endure struggles in balancing private, family, and political life, and in gaining political and financial support. Hence, with the need for a more equitable representation for women in Parliament, it becomes all the more important to nurture and encourage the presence of women in key decision-making spaces, to advance and normalize gender equality.

To such an end, this bill seeks to establish a Women's Caucus in Bangsamoro Parliament. The Caucus shall be a venue for women in Parliament to unite and consolidate representation, crossing political divides in order to develop and sharpen an agenda, and build and mobilize political consensus to achieve meaningful progress for women's issues, gender equality, and gender development.

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

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AN ACT
CREATING THE PARLIAMENTARY WOMEN'S CAUCUS IN THE
BANGSAMORO PARLIAMENT,
PROVIDING FOR ITS POWERS, FUNCTIONS, AND COMPOSITION

Be it enacted by the Bangsamoro Transition Authority in session assembled:

Section 1. *Short Title.* - This Act shall be known as the "Bangsamoro Parliamentary Women's Caucus Act of 2020."

Sec. 2. *Declaration of Policy.* - Pursuant to the State's Policy set forth in the Constitution under Article II, Section 14 which recognizes the role of women in nation-building and ensures the fundamental equality of women and men before the law; under Article XIII, Section 14, which ensures the protection of working women by providing facilities and opportunities that will enhance their welfare and enable them to realize their full potential in the service of the nation; and in the Bangsamoro Organic Law under Article X, Section 11, which guarantees a seat for women in the Parliament and in the Cabinet, and mandates the enactment of a law that recognizes the important role of women and their representation in other decision-making and policy-determining bodies of the Bangsamoro Government; it is hereby declared the policy of the State to promote the representation of women and to advocate for issues primarily concerning women, gender equality, gender development.

Sec. 3. *Creation of the Parliamentary Women's Caucus in the Bangsamoro Parliament.* - There is hereby created a Parliamentary Women's Caucus in the Bangsamoro Parliament, hereinafter referred to as the "Caucus." It shall be recognized as an informal group in the Parliament, free from any additional legislative responsibility except those stated in this Act.

The Caucus shall constitute itself within thirty (30) days after the Bangsamoro Parliament shall have been organized with the election of the Speaker.

Sec. 4. *Naming the Caucus.* - The Parliamentary Women's Caucus shall adopt its own name, which may thereafter be changed once every three (3) years, during or after the election of a Chairperson. A name shall be adopted after the approval of a simple majority of all the members of the Caucus constituting a quorum.

Sec. 5. *Mandate.* - The Caucus shall have the following mandate:

1. Consolidate access and representation for women's issues, develop and sharpen a legislative agenda tackling issues primarily concerning women, gender equality, and gender development;
2. Build and mobilize political consensus among Members of Parliament to pass laws on such matters;

3. Encourage women's participation in decision-making spaces in the Bangsamoro region, including the Parliament;
4. Work for the elimination of any gender-based distinction, exclusion, discrimination or restriction through legislation;
5. Serve as a venue through which members can advance women's issues in the Bangsamoro; and
6. Promote activities and programs in the Bangsamoro that optimize women's participation and representation in politics.

Sec. 6. Membership. - Upon its constitution, all incumbent female Members of Parliament, including transgender, non-binary and gender non-conforming women, are deemed to comprise the Caucus, unless an individual requests to be excluded. Such requests shall be directed to the Speaker until after the election of the Chairperson.

After her election, all requests to leave or join the Caucus shall be directed towards the Chairperson. Any incumbent female Member of Parliament may leave or join the Caucus after the Chairperson takes due notice of such request.

Sec. 7. Officers of the Caucus. - Upon or after being duly constituted, the Caucus shall elect its Chairperson from among its members. After the initiation and during the pendency of an election for Chairperson, no member may request to leave or join the Caucus. The Chairperson shall preside over the meetings of the Caucus, act as the *de facto* spokesperson of the group, and represent the Caucus in matters relating to the Parliament. She may deputize a member to appear on behalf of the Caucus as she deems proper.

Four (4) Vice-Chairpersons shall also be elected, representing the remaining four (4) provinces of BARMM not represented by the Chairperson. The Vice-Chairpersons shall assist the Chairperson in executing the mandate of the Caucus.

A Secretary of the Caucus shall also be elected. She shall take the minutes of the meeting of the Caucus and take note of all requests to leave or join the Caucus.

The Chairperson, Vice-Chairpersons and Secretary should come from different parliamentary parties or party groupings.

Sec. 8. Women's Legislative Agenda. - Within 60 days from the election of its Officers, the Caucus shall formulate and complete a comprehensive Women's Legislative Agenda, which shall list bills and resolutions that respond primarily to issues concerning women, gender equality, gender development, and elimination of discrimination, or to other such issues as the Caucus may deem proper. The Caucus, upon agreement, may introduce additional bills and/or amendments on the Agenda at any point during its term.

Sec. 9. Internal Rules and Procedures. - The Caucus shall promulgate its own rules regarding its meetings, the election of its officers, their term of office, and other rules of procedure necessary to discharge its mandate. *Provided* that it is separate from, but consistent with, the rules of the Parliament and does not contravene the Constitution or any law.

Sec. 10. Organizational Structure – To assist the Caucus in the performance of its function and ensure multi-stakeholder coordination, there are hereby created the following subcommittees:

1. Subcommittee on Women's Rights and Gender Equality- It shall recommend, conduct and formulate policies, programs and projects on promoting gender equality and advancing the women's rights, welfare and leadership.
2. Subcommittee on Women's Social and Economic Development- It shall recommend, conduct and formulate policies, programs and projects concerning social and economic development for women.
 - a. Social development includes immediate resolution of crisis cases involving women and their families, case management, psychological services and the delivery of other social services.
 - b. Economic development includes financial education, reintegration, social entrepreneurship and livelihood services, data and communication mechanisms, and delivery of other economic services.
3. Subcommittee on Finance– It shall be responsible for developing and reviewing fiscal procedures, a fundraising plan, and annual budget which shall be approved by the Chairperson.

Chairs of sub-committees shall be appointed by the Chairperson. The Chairperson may also create other subcommittees as she may deem needed, upon approval of the majority of the members.

Sec. 11. *Parliamentary Standing.* - No parliamentary rules shall be implemented to impair the privilege given to the Caucus to present its advocacies, proposals, critiques, or sentiments upon its request to the Parliament, which may be in a committee hearing, executive session, or plenary session, unless it is contrary to the Constitution or any law.

Sec. 12. *Appropriations.* - The amount necessary for the initial implementation of this Act shall be charged against the current year's Contingent Fund, as appropriated. Subsequent funding requirements shall be included in the annual Bangsamoro Appropriations Act. The Bangsamoro Parliament shall include in its proposed budget the necessary amount for the operation and maintenance of the Caucus.

Sec. 13. *Separability Clause.* - If any part, section, or provision of this Act shall be held invalid or unconstitutional, the remainder of the law or the provisions not otherwise affected shall remain valid and binding.

Sec. 14. *Repealing Clause.* - All regional laws, orders, rules, and regulations or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

Sec. 15. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in a newspaper of local circulation in the BARMM.



MP Atty. Laisa Masuhud Alamia
Minority Leader - BTA