

1 Republic of the Philippines
2 Bangsamoro Autonomous Region in Muslim Mindanao
3 BANGSAMORO TRANSITION AUTHORITY
4 Cotabato City



BTA PARLIAMENT
Second Regular Session

Parliament Bill No. 220



11
12 Introduced by
13 MP Engr. Don Mustapha A. Loong, JD, MPSA, CESE

14
15 Co-authored by
16 MPs Atty. Laisa A. Alamia, Engr. Baintan A. Ampatuan, Atty. Rasol Y. Mitmug,
17 Amilbahar S. Mawallil, Atty. Suharto M. Ambolodto, Rasol E. Ismael, Benjamin T.
18 Loong, Jaafar Apollo Mikhail L. Matalam, Abdulkarim T. Misuari, Atty. Jose I.
19 Lorena, Abdulaziz M. Amenoden, Diamila D. Ramos, Adzfar H. Usman, Mohammad
20 Kelie U. Antao, Eddie M. Alih, Tawakal B. Midtimbang, Mudjib C. Abu, Suwaib L.
21 Oranon, Bassir D. Utto, Bai Maleiha B. Candao, Michael E. Midtimbang, Basit S.
22 Abbas, Muslimin A. Jakilan, and Dr. Susana S. Anayatin

23
24
25 AN ACT
26 PROVIDING FOR THE DIVERSITY, EQUITY, AND INCLUSIVITY IN PUBLIC
27 SERVICE ACT OF 2023

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29
30 EXPLANATORY NOTE

31
32 The Bangsamoro Organic Law (BOL) mandates the Bangsamoro Government to
33 promote unity, peace, justice, and goodwill among all people. It also obliges the
34 Bangsamoro Government to ensure that every Filipino within its jurisdiction is afforded
35 equal opportunities and promotes social justice in all aspects of life and phases of
36 development in the region. It is further required to recognize and promote the rights of
37 non-Moro indigenous peoples.

38
39 Finally, the BOL also prescribed that the Bangsamoro Government shall protect all
40 persons from harassment or any undue pressure, coercion, and violence due to religion.

41
42 These are all aligned to the principle of moral governance that the present
43 government advocates, which is an adaptation of what Prophet Muhammad (SAW) said
44 in his Last Message when he in part said:

1
2 "All mankind is from Adam and Eve. An Arab has no superiority over a non-Arab,
3 nor does a non-Arab have any superiority over an Arab; a white has no superiority over
4 a black, nor does a black have any superiority over a white; [none have superiority over
5 another] except by piety and good action. Learn that every Muslim is a brother to every
6 Muslim and constitutes one brotherhood. Nothing shall be legitimate to a Muslim that
7 belongs to a fellow Muslim unless given freely and willingly. Do not, and therefore, do
8 injustice to yourselves."

9
10 The Bangsamoro knows best how discrimination based on belief and cultural
11 differences can affect peaceful co-existence. Our decades of bloody struggle were
12 precisely a demand for equal treatment and equal rights.

13
14 Our region comprises diverse tribes, religious beliefs, and cultural differences.
15 Indeed, there is beauty amidst diversity. Consequently, new legislation measures are
16 timely to counter absenteeism, low performance, and resentment from the locals.

17
18 This government promised Moral Governance, and with Moral Governance, we
19 shall stand. The passage of this proposed bill is earnestly sought.

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23
24 HON. ENGR. DON MUSTAPHA A. LOONG, JD, MPSA, CESE
25 *Member of Parliament - Bangsamoro Transition Authority*

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25 AN ACT
26 PROVIDING FOR THE DIVERSITY, EQUITY, AND INCLUSIVITY IN PUBLIC
27 SERVICE ACT OF 2023

28
29 *BE IT ENACTED* by the Bangsamoro Transition Authority in Parliament assembled:

30
31 **SECTION 1. Short Title.** - This Act shall be known as "The Diversity, Equity, and Inclusivity
32 in Public Service Act of 2023".

33
34 **SECTION 2. Declaration of Policy.** - It is both the obligation and the declared policy of
35 the Regional Government under the principle of "Moral Governance" to ensure that
36 every Bangsamoro resident "enjoys equal opportunities in life" and to promote "social
37 justice in all aspects of life and phases of development in the Bangsamoro Autonomous
38 Region." The regional government also recognizes the cultural and religious diversity of
39 its residents and the need for an all-inclusive government.

40
41 Towards this end, appointment to public service in the Bangsamoro shall be equitably
42 distributed among the diverse groups within the Bangsamoro Region, namely: Meranaw,
43 Maguindanao, Tausog, Iranun, Yakan, Sama, Non-Moro tribes, Indigenous Peoples, and
44 Christian Settler communities.

1
2 **SECTION 3. *Appointment to Public Office in the Bangsamoro.*** - The Chief Minister, the
3 Bangsamoro Parliament, members of the cabinet, and other officials exercising
4 appointing authority shall ensure that appointment to positions at the regional office is
5 equitably distributed among various provinces and cities composing the autonomous
6 region and that of each Moro tribe, namely: Meranaw, Maguindanao, Tausug, Iranun,
7 Yakan and Sama; including representatives from the Non-Moro tribes; Indigenous
8 Peoples; and, the settler communities in the Bangsamoro, are equitably represented.

9
10 In the local government units, the appointing authority shall, without prejudice to the
11 provisions of the Indigenous Peoples' Representation Act (IPRA Law), also ensure that
12 the people belonging to the minority group or tribe within its jurisdiction are equitably
13 represented in its offices.

14
15 **SECTION 4. *Inclusivity in Bangsamoro and its offices.*** - Except in the absence of a
16 qualified applicant from a different tribal or cultural background, the minister, director,
17 or head of each ministry, bureau, agency, or office and the deputy minister, assistant
18 director, or assistant chief of an office or agency shall not belong to the same tribal
19 affiliation.

20
21 Provided further that the Office of the Chief Minister, the Bangsamoro Parliament, and
22 the Regional Offices of the different Ministries shall all be inclusive and diverse, where
23 each Moro tribal group, namely: Meranaw, Maguindanao, Tausug, Iranun, Yakan, and
24 Sama; Non-Moro tribal group; Indigenous Peoples; and, Christian settlers, are equally
25 represented.

26
27 **SECTION 5. *Localization of Employment.*** - **As far as practicable**, appointments to any
28 position at the provincial or local office of any ministry or office, in addition to the
29 qualifications prescribed by the Bangsamoro Civil Service Code and other existing laws,
30 shall be local applicants of the said province.

31
32 **SECTION 6. *Prohibition Against Discrimination on Account of Tribal or Cultural***
33 ***Affiliation and Religion.*** - Appointment to public office in the Bangsamoro shall be free
34 from discrimination on account of tribal or cultural affiliation, membership in any
35 organization, or religion.

36
37 **SECTION 7. *Obligations of the Regional Government.*** - The Autonomous Regional
38 Government and officers authorized to issue appointments shall take appropriate actions
39 to encourage applicants from diverse tribal groups, indigenous peoples, and settler
40 communities and to continuously provide public service training programs on diversity,
41 cultural and religious understanding, and other interventions designed to produce a
42 cohesive, peaceful and all-inclusive Bangsamoro constituency;

1 **SECTION 8. *Creation of an All-Inclusive Focal Point System.*** - All concerned agencies
2 and instrumentalities of the regional government shall develop an All-Inclusive Focal
3 Point System (AIFPS), designate a focal person, therefore, and demonstrate and accelerate
4 all-inclusiveness within the agency.

5
6 **SECTION 9. *Equal Access to Employment Opportunities Mechanism.*** - In the
7 recruitment and hiring process, all Ministries, Commissions, and other Offices of the
8 BARMM shall provide affirmative action and mechanisms to ensure equal access to
9 employment opportunities to marginalized or under-represented groups in the region by
10 conducting job fairs, information dissemination campaigns, and conducting the
11 interviews in the various provinces in the Bangsamoro Region.

12
13 **SECTION 10. *Penalty.*** - Without prejudice to the criminal liability incurred under
14 existing national laws, any violation of this act shall constitute neglect of duty that shall
15 be sufficient ground for disciplinary action and may be punished by suspension for not
16 more than thirty (30) days and a fine of Ten Thousand Pesos; provided, that public
17 officers who exerted efforts and due diligence to encourage applicants from various tribal
18 groups, indigenous peoples and settler communities shall not be liable under this Act.

19
20 **SECTION 11. *Prospective effect.*** - This law shall be applied only to appointments made
21 after the effectivity of this Act.

22
23 **SECTION 12. *Separability clause.*** - If any of the sections or provisions of this Act is
24 adjudged invalid, all its other provisions not affected thereby shall remain in force.

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26 **SECTION 13. *Effectivity.*** - This Act shall take effect immediately after its approval.

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29 **APPROVED,**

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32 Author:

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Certified Correct:

PROF. RABY B. ANGKAL
Secretary General

Attested:

HON. ATTY. PANGALIAN M. BALINDONG
Speaker