



Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
BANGSAMORO TRANSITION AUTHORITY PARLIAMENT
Bangsamoro Government Center, Cotabato City



SECOND REGULAR SESSION

RESOLUTION NO. 433

RESOLUTION EXPRESSING THE SENSE OF THE PARLIAMENT IN SUPPORTING CHARTER CHANGE TO RESOLVE CONSTITUTIONAL ISSUES IN THE IMPLEMENTATION OF THE COMPREHENSIVE AGREEMENT ON THE BANGSAMORO (CAB) THAT NECESSITATES AMENDMENT OF THE 1987 CONSTITUTION

WHEREAS, the relative peace prevailing in the Bangsamoro has brought stability not only in the region but also to the entire country and has generated significant domestic and international confidence;

WHEREAS, the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) is a product of a peace agreement to correct historical injustice and to address the legitimate grievances and aspirations of the Bangsamoro people for self-determination and meaningful autonomy;

WHEREAS, since the signing of the Comprehensive Agreement on the Bangsamoro (CAB) in 2014 and the enactment of the Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao, there are remaining provisions in the peace accord that are not yet implemented due to constitutional issues that cannot be accommodated in the current 1987 Constitution, and these issues had been there since the start of the peace negotiations, but the parties were confined to operate within legal framework of the present Constitution;

WHEREAS, the peace process has three tracks: the Political track, the Normalization track and the Constitutional track. To recall, the previous Bangsamoro Transition Commission's mandate was to craft the Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao and propose constitutional amendments for contentious provisions that cannot be served by the present constitutional regime;

WHEREAS, the current move for charter change offers a golden opportunity for the Bangsamoro people to put forward the issues in the peace agreement that need constitutional amendment which includes among others: the power-sharing agreement that defines what is reserved to the national government, what is exclusive to the Bangsamoro government and what is concurrent powers to both; the Sharia Justice System; policing in the Bangsamoro; supervision and control of the regional government over its local government units; delineation of powers of the Constitutional bodies *vis-à-vis* regional government; and qualification of the Chief Minister;

WHEREAS, while the proponents for charter change intend to amend only limited economic provisions in the constitution, the Bangsamoro Parliament suggests that including certain peace provisions for amendment to accommodate the asymmetrical relationship between the national government and the Bangsamoro, is also as equally important; the CAB already found a peace formula, however, it demands constitutional amendment to be fully enforced and comprehensively implemented;

WHEREAS, we emphasize that the members of the Bangsamoro Transition Authority have sworn allegiance to the Constitution; however, the 1987 Constitution is not cast in stone and is open to amendment to adapt to the changing conditions of the time;

WHEREAS, it is for the Bangsamoro people to join the conversation on charter change in order to provide a categorical policy that will afford the highest form of autonomy for the Bangsamoro embedded in the constitutional framework;

WHEREAS, amending the 1987 Constitution to accommodate the necessary provisions for the full implementation of the peace agreement is a prudent and responsible course of action, ensuring that the Bangsamoro people are afforded the rights, autonomy, and resources they are entitled to under the peace accord;

WHEREAS, the Parliament acknowledges the need for a consultative and inclusive approach in amending the Constitution, ensuring the active participation of all stakeholders, particularly the Bangsamoro people, in the decision-making process;

WHEREAS, the Parliament affirms its commitment to the principles of peace, justice, and reconciliation, and it pledges to work tirelessly towards the attainment of genuine and lasting peace and development in the Bangsamoro region, in accordance with the aspirations of its people and the principles enshrined in the peace agreements;

WHEREAS, the Bangsamoro Parliament firmly believes that entrenching the Bangsamoro in the 1987 Philippine Constitution must be included in the current discussion of charter change under the whole-of-government and whole-of-nation approach:

NOW THEREFORE, be it

RESOLVED, as it is hereby resolved by the Bangsamoro Transition Authority, To express the sense of the Parliament in supporting charter change to resolve constitutional issues in the implementation of the Comprehensive Agreement on the Bangsamoro that necessitates amendment of the 1987 Constitution.

RESOLVED, FURTHER, To express its full support to amend the 1987 Constitution to address the constitutional issues hindering the full implementation and realization of the Bangsamoro peace agreements.

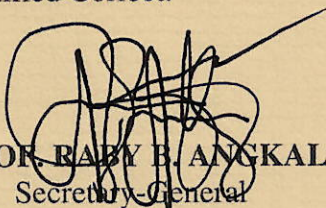
RESOLVED, FURTHERMORE, To call the Philippine National Government to entrench the Bangsamoro in the 1987 Philippine Constitution anent the on-going discussion on charter change.

RESOLVED, STILL FURTHERMORE, That the Parliament calls upon all relevant stakeholders, civil society organizations, indigenous peoples, and other concerned sectors to actively engage in consultations and dialogues to galvanize a massive support for charter change.

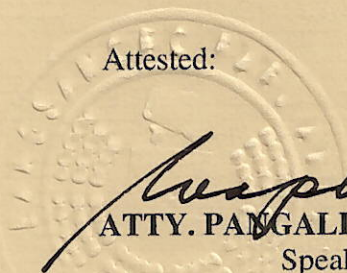
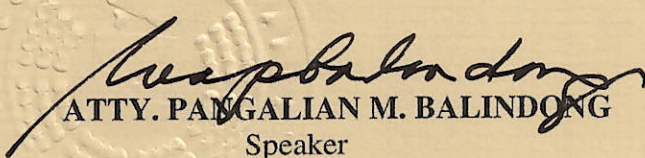
RESOLVED, FINALLY, To forward a copy of this Resolution to the Office of the President, Office of the Senate President, Office of the Speaker of the House of Representatives, and Philippine Congress Bangsamoro Parliament Forum, for their information and appropriate action.

ADOPTED, *Sha'ban* 11, 1445/February 21, 2024.

Certified Correct:


PROF. BABY B. ANGKAL
Secretary-General

Attested:



ATTY. PANGALIAN M. BALINDONG
Speaker

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