



Republic of the Philippines
BANGSAMORO PARLIAMENT
Bangsamoro Autonomous Region in Muslim Mindanao
BARMM Compound, Cotabato City

**BANGSAMORO TRANSITION AUTHORITY
(FIRST REGULAR SESSION)**

BANGSAMORO AUTONOMY ACT NO. 8

Begun and held in Cotabato City, on Friday, the 29th day of March, 2019.

**AN ACT
CREATING THE BANGSAMORO WOMEN COMMISSION OF THE BARMM,
PROVIDING FOR ITS POWERS, FUNCTIONS AND COMPOSITION AND
APPROPRIATING FUNDS THEREFOR**

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

Section 1. Short Title. – This Act shall be known as the Bangsamoro Women Commission Act of 2020.

Section 2. Declaration of Policy. – The Bangsamoro Government reaffirms the vital role of women in nation building and regional development in Republic Act No. 11054 otherwise known as the *Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao*.

The Bangsamoro Government recognizes, promotes, protects, and upholds the fundamental rights of women to representation in all levels of governance, to engage in lawful employment and be protected from exploitation, abuse or discrimination, as embodied in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). It shall also ensure the representation and participation of women in governance as provided for under Section 5, Article XIII of Republic Act No. 11054 otherwise known as the Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao.

The Bangsamoro Government ensures that women are at the forefront of all peace-building efforts, including conflict prevention, conflict resolution and conflict management, in keeping with its commitment under United Nation Security Council Resolution (UNSCR) 1325.

TITLE I: THE BANGSAMORO WOMEN COMMISSION

Section 3. Bangsamoro Women Commission Creation. – There is hereby created a Bangsamoro Women Commission, hereinafter referred to as the 'Commission'. The Chief Minister shall exercise supervision over the Commission which shall have the same status as that of a Bangsamoro Government agency attached to the Office of the Chief Minister.

The Commission shall exercise corporate powers. It shall have a seal and may sue and be sued.

Section 4. Mandate. – The Commission shall promote, protect and uphold women’s rights as human rights, work for the elimination of all forms of discrimination against women, ensure that legal measures are taken to promote gender justice, women’s rights and welfare, and promote gender and development including the meaningful participation of women in all levels of governance, policy and decision-making.

In furtherance of the above-stated mandate, the Commission shall be the primary policy-making, coordinating and monitoring body of women, gender and development in the Bangsamoro Autonomous Region.

Section 5. Composition. – The Commission shall be composed of one (1) Chairperson and four (4) regular Commissioners representing the territorial jurisdiction of the Bangsamoro Autonomous Region namely, the Province of Basilan including Lamitan City, Sulu, Tawi-Tawi, Lanao del Sur including Marawi City, and Maguindanao including Cotabato City and the 63 barangays of North Cotabato.

There shall be two ex-officio Commissioners representing the non-moro indigenous peoples and settler communities. For this purpose, the heads of the Ministry of Indigenous People’s Affairs and the office for settler communities, or if unqualified, their representatives, shall be designated as ex-officio Commissioners, respectively. The ex-officio Commissioners shall have the right to vote.

Section 6. Qualification. – No person shall be appointed as Chairperson or a Commissioner, unless she possesses the following qualifications:

- (1) A citizen of the Philippines;
- (2) At least 25 years of age at the time of appointment;
- (3) A resident of the Bangsamoro Autonomous Region at least five (5) years prior to the date of appointment;
- (4) A registered voter in the Bangsamoro Autonomous Region;
- (5) Have occupied positions of responsibility and leadership in the government, duly registered women’s organizations, or women-serving organizations and/or institutions;
- (6) Have not been convicted of any crime involving moral turpitude.

A majority of the Commissioners shall hold a bachelor’s degree or its equivalent.

Section 7. Appointment and Term of Office. – The Chief Minister shall appoint the Chairperson and the four Commissioners of the Bangsamoro Women Commission.

Of those first appointed under this Act, the chairperson shall hold office for five (5) years, two (2) members for four (4) years and two (2) members for three (3) years. The succeeding appointment after the expiration of the term of the first in appointees under this act shall serve the term of three (3) years. In all cases, no member of the commission including the chairperson shall serve for more than two (2) consecutive terms.

TITLE II: POWERS AND FUNCTIONS

Section 8. Powers of the Commission. – In the performance of its functions, the Commission shall have the following powers:

- a. To select, hire and promote the Division Chief and other personnel lower than Salary Grade 25 of the Commission subject to civil service rules and regulations;
- b. To suspend, dismiss or otherwise discipline for a cause officials and employees of the Commission except officials and employees from Salary Grade 25 and up;
- c. To enter into contract in relation to their mandates;
- d. To acquire, possess, and dispose of real and personal properties in furtherance of its mandates;
- e. Solicit and accept grants, aid, donations and gift, in cash or in kind, or enter into agreements with any legitimate entity, local or foreign, consistent with its mandate;
- f. To accredit women and people's organizations operating in the Bangsamoro engaged in women's rights protection and promotion; and
- g. To perform any and all other acts incident to or required by virtue of its creation.

Section 9. Functions of the Commission. – the Commission shall have the following functions:

1. Policy Formulation and Technical Assistance:

- 1.1. Issue guidelines for the formulation of gender development plans of the Bangsamoro Government and of the Local Government Units within the Bangsamoro Autonomous Region;
- 1.2. Prepare the Bangsamoro Gender and Development plan with relevant ministries, agencies, offices and other stakeholders;
- 1.3. Conduct research to support the development of policies for women designed to promote, uphold, protect the welfare and rights of women;
- 1.4. Pilot special programs for women that can be replicated in the Bangsamoro;
- 1.5. Recommend policies and legislations to the Bangsamoro Parliament relating to women, in coordination with concerned ministries, offices and agencies; and
- 1.6. Provide technical assistance and capacity building to the Bangsamoro Government agencies, LGUs and stakeholders.

2. Ensure and Monitor Compliance:

- 2.1. Monitor, assess and ensure compliance of Bangsamoro Government agencies with the issued guidelines and implementation of their GAD plans. For this purpose, the Commission may require all ministries, agencies and offices of the Bangsamoro Government to submit their GAD plan and budget as well as regular reports on the status of implementation and utilization thereof.
- 2.2. Recommend polices to the Bangsamoro Government measures for the successful implementation of GAD plans;
- 2.3. Monitor and assess the compliance of the Bangsamoro Government on CEDAW, UNSCR 1325, and all other international instruments to which the Philippines is a signatory;
- 2.4. Participate in the reporting to international bodies tasked to monitor implementation of CEDAW and other instruments.

3. Coordination with Bangsamoro Government, LGUs and Stakeholders:

- 3.1. Closely work with and coordinate with the Bangsamoro Planning and Development Authority (BPDA) to generate sex dis-aggregated data in furtherance of evidence-based policies for the welfare of women;
- 3.2. Refer specific cases of women needing assistance and interventions to Bangsamoro Government agencies, national government agencies and other stakeholders;
- 3.3. Work with law enforcement agencies, Shari'ah and regular courts, and other institutions and stakeholders to address gender-based violence, and other women's issues;
- 3.4. Convene an advisory council composed of representatives from Bangsamoro ministries and other offices including representatives from local government units in the BARMM and one woman representative each from the following stakeholders: youth, civil society organizations, traditional leaders, Bangsamoro communities outside BARMM and religious leaders. For this purpose, the Commission shall issue guidelines for the convening of the Council.

In addition, the Commission may perform any and all other acts incidental to delivery of its mandate.

TITLE III: ORGANIZATION AND STRUCTURE

Section 10. The Commission as a Collegial Body. – The Bangsamoro Women Commission is composed of the Chairperson, four (4) regular Commissioners and two (2) ex-officio Commissioners. As a collegial body, the Commission shall promulgate rules, orders, and resolutions necessary for the efficient conduct of its business and administration, towards the performance of its mandates.

In the exercise of its powers and functions, the Commission shall sit and render its order and resolution en banc. Every such order or resolution of the Commission must bear the concurrence and signature of majority of Members thereof.

The Commission shall meet regularly. A majority of the Members constitutes a quorum needed in any en banc meeting of the Commission.

Section 11. Structural Organization of the Commission. – The Commission shall have the following offices and units:

1. Office of the Chairperson;
2. Office of the Commissioners;
3. Office of the Executive Director which shall be the head Secretariat of the Commission and shall also be in charged with the over-all supervision of the operations of the Commission;
4. Administrative and Finance Services Division which shall provide administrative support services to the Commission and to its divisions and offices; and
5. Technical Services Division which shall be responsible for providing the Commission with efficient and effective services in terms of planning, implementation, monitoring

and evaluation. It shall be composed of 3 units, namely: Policy and Program Development Unit (PPDU), Monitoring and Evaluation Unit (MEU), and Coordinating and Public Engagement Unit.

Section 12. Salaries. – The Chairperson and the regular Commissioners shall receive compensation equivalent to salary grade 28 and 27, respectively.

Section 13. Offices of the Commissioners. – Each Commissioner shall have an office in the province that she represents.

Section 14. Access to Funds. – The budget allocated for the Commission shall be directly transferred to the Commission, for efficiency of operation, subject to usual accounting and auditing rules and regulations.

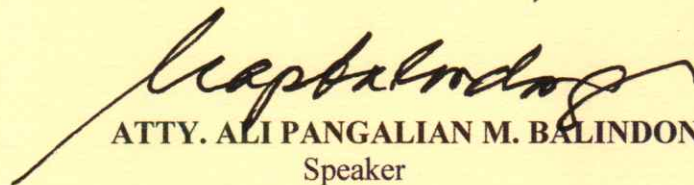
Section 15. Appropriations. – The initial amount of Fifteen Million Pesos (P15,000,000) for the Personal Services, Fourteen Million Pesos (P14,000,000) for the Miscellaneous and Other Operating Expenses, and One Million Pesos (P1,000,000) for the Capital Outlay of the Commission shall be sourced from the Miscellaneous Personnel Benefits Fund (MPBF) and the Contingent Fund, respectively in accordance with Bangsamoro Act No.3, subject to existing rules and regulations. Additional funding for personnel services, maintenance and other operating expenses and capital outlay may be charged to the MPBF and Contingent Fund. Subsequent funding requirements shall be included in the Bangsamoro Appropriations Act.

Section 16. 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.

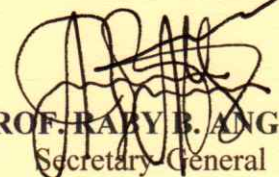
Section 17. Repealing Clause. – All regional laws, orders, rules and regulations or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

Section 18. Effectivity. – This Act shall take effect fifteen (15) days after its publication in a newspaper of local circulation in the BARMM.

APPROVED.


ATTY. ALI PANGALIAN M. BALINDONG
Speaker

This Act was passed by the Bangsamoro Parliament on January 31, 2020.


PROF. RABY B. ANGKAL
Secretary General

APPROVED:


AHOD BALAWAG EBRAHIM
Chief Minister

Date: 02-13-2020