



Republic of the Philippines

Bangsamoro Autonomous Region in Muslim Mindanao

OFFICE OF THE CHIEF MINISTER

Bangsamoro Government Center, Governor Gutierrez Avenue, Rosary Heights VII, Cotabato City 9600

EXECUTIVE ORDER NO. 0005
Series of 2022

PROVIDING FOR THE IMPLEMENTING GUIDELINES GOVERNING THE SPECIAL PROVISIONS FOR MUJAHIDEEN/MUJAHIDAT UNDER ARTICLE 305 OF BANGSAMORO AUTONOMY ACT NO. 17, OTHERWISE KNOWN AS THE BANGSAMORO CIVIL SERVICE CODE

WHEREAS, the Transitory Provisions of Article 305 of the Bangsamoro Autonomy Act (BAA) No. 17 or the "*Bangsamoro Civil Service Code (BCSC)*" ordains that *Mujahideen/Mujahidat* may be hired as temporary appointees for first level positions (SG 9 and below) of the Bangsamoro Government regardless of the presence of applicants who are civil service eligible. Further, not more than 30% of the total number of entry level *plantilla* positions (SG 9 and below) of the Bangsamoro Government shall be allocated to them;

WHEREAS, the same Article 305 of the BCSC limits the application of the abovementioned provision during the transition period;

WHEREAS, there is a need to issue an Implementing Guidelines in order to provide for the procedure and requirements set forth under Article 305 of the BCSC and to ensure the orderly, efficient and effective operationalization thereof;

WHEREAS, Article VII, Section 32 of Republic Act (RA) No. 11054 or the "*Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao*" empowers the Chief Minister to issue executive orders and other policies of the Bangsamoro Government;

WHEREAS, under Section 1, Chapter 1, Title I, Book IV of BAA No. 13 or the "*Bangsamoro Administrative Code*", the Chief Minister shall have control and supervision over all ministries, agencies, offices, bureaus, commissions, boards, and instrumentalities in the Bangsamoro Government. The Chief Minister shall ensure that laws are faithfully executed;

NOW THEREFORE, I, AHOD B. EBRAHIM, Chief Minister of the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM), do hereby issue the following Implementing Guidelines that shall carry out and operationalize the provisions of Article 305 of the BCSC:

Rule 1
GENERAL PROVISIONS

Section 1. Title. This Order shall be herein referred to and cited as the “Implementing Guidelines Governing the Special Provisions for *Mujahideen/Mujahidat* under Article 305 of the BCSC”.

Section 2. Declaration of Policies. It is the policy of the Bangsamoro Government to:

- a) Promote and ensure that appointments in the civil service are made with equality according to merit and fitness and shall consider gender and ethnic balance.
- b) Provide within the public service a progressive system of human resource administration.
- c) Adopt measures to promote morale and the highest degree of responsibility, morality, integrity, loyalty, efficiency, and professionalism in the civil service; and
- d) Ensure that every Filipino citizen in its territorial jurisdiction the provision of the basic necessities and equal opportunities in life. Social justice shall be promoted in all aspects of life and phases of development in the Bangsamoro Autonomous Region.
- e) Take cognizance of the aspirations of the Bangsamoro people and other inhabitants in the region to chart a responsive, effective, and efficient bureaucracy that will allow genuine and meaningful self-governance, and to establish an enduring peace on the basis of justice and balanced society, reflective of their system of life.
- f) Ensure that no discrimination on employment opportunities on account of age, religion, culture, ethnicity, gender, disability, or political affiliation.

Section 3. Purpose. This Implementing Guidelines is hereby promulgated to prescribe the manner and procedure for the implementation of Article 305 (Transitory Provisions) of BAA No. 17 or the Bangsamoro Civil Service Code. It shall facilitate compliance therewith and achieve the objectives of the same.

Section 4. Definition of Terms. The following terms are defined as follows:

- a. “Bangsamoro” refers to those who, at the advent of the Spanish colonization, were considered natives or original inhabitants of Mindanao and the Sulu archipelago and its adjacent islands whether of mixed or full blood.

- b. "Eligible" refers to a person who obtains a passing grade in a civil service examination or is granted civil service eligibility under special laws or issuances of the Commission which can be used for purposes of appointment in the government.
- c. "Examination" refers to a civil service examination conducted by the Civil Service Commission.
- d. "Certification" refers to the official document issued to an applicant by the Central committee of MILF/MNLF attesting to his legitimacy as *Mujahideen/Mujahidat*.
- e. "Temporary appointment" is issued to a person who meets the education, experience and training requirements for the position to which he/she is being appointed to, except for the appropriate eligibility.
- f. "*Mujahideen/Mujahidat*" refers to the legitimate members (men and women), of the Moro Islamic Liberation Front (MILF) and the Moro National Liberation Front (MNLF) duly certified by the Chair of their respective Central Committees.

Rule 2 COVERAGE

Section 1. Who are Covered. This Implementing Guidelines shall apply to the hiring of *Mujahideen/Mujahidat* for first level positions (SG 9 and below) within the Bangsamoro Government.

Section 2. Threshold. Only thirty (30%) percent of the total number of entry level *plantilla* positions (SG 9 and below) of the Bangsamoro Government shall be allocated to the *Mujahideen/Mujahidat*.

Rule 3 APPOINTMENTS

Section 1. Waiver of Qualifications Standards. Only the eligibility requirement under the BCSC shall be waived.

Section 2. Appointments. The appointments of *Mujahideen/Mujahidat* shall partake the nature of a temporary appointment, and shall be valid for twelve (12) months, renewable for three (3) times.

However, if the appointee has possessed the required eligibility within that period, he/she shall be qualified for permanent appointment to said position, subject to performance appraisal and without prejudice to the discretion of the appointing authority.

Rule 4 CERTIFICATION PROCESS

Section 1. Role and Function of the Central Committee of MILF and MNLF.

The Central Committees of the MILF and the MNLF shall determine the *Mujahideen/Mujahidat* in the roster of their organic members who may avail of the Special Provision under Article 305 of the BCSC.

Section 2. Procedure for Validating & Certifying the Legitimate Mujahideen and Mujahidat.

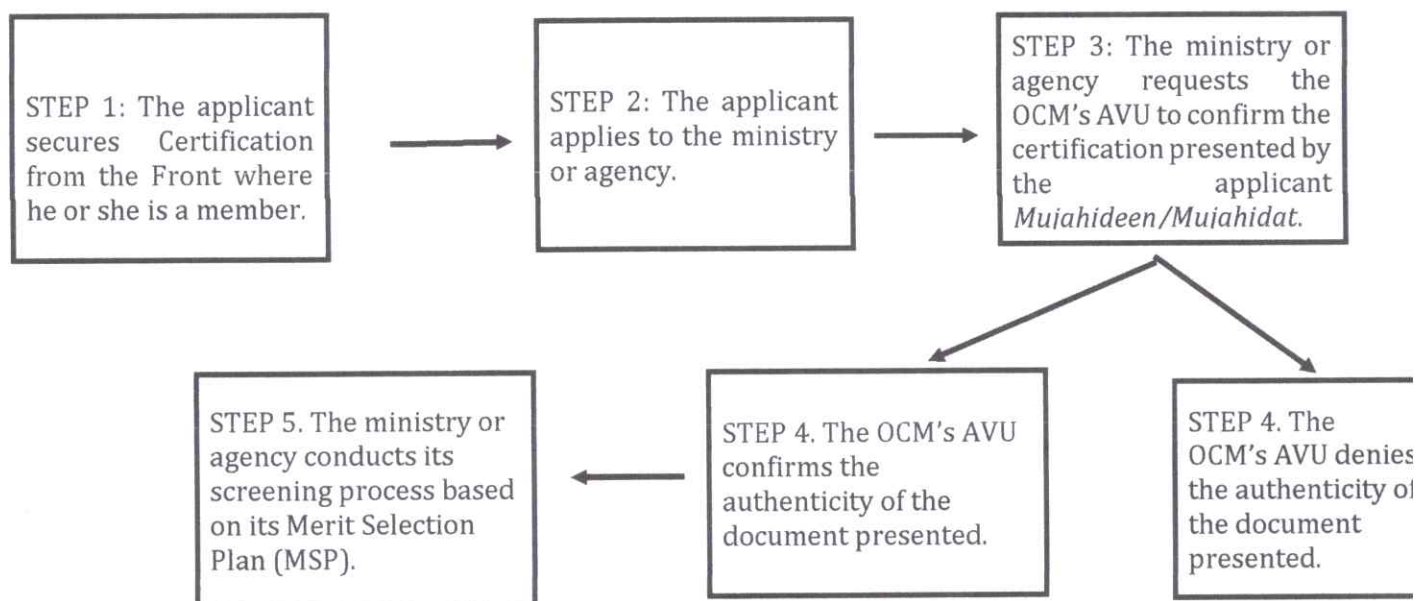
The concerned Central Committees of the MILF and MNLF shall each designate an authorized signatory to issue the necessary certification based on its internal rules and established policies and mechanisms.

In the certification process of Bangsamoro Islamic Armed Forces (BIAF)/Bangsamoro Armed Forces (BAF) member, however, it must be certified first by the respective Base Commander, to be confirmed by the Front Commander.

Section 3. Endorsement of Validated List. The Chairman of each Front shall officially endorse the validated list of *Mujahideen/Mujahidat* applicants to the Authentication and Validation Unit of the Ad Hoc Office on Bangsamoro Policing under the Office of the Chief Minister created through Executive Order No. 0003, s. 2022.

Section 4. The Roles and Authority of the AVU. Upon the request of the concerned ministry or agency, the AVU shall be responsible for verifying and authenticating the certification presented by the applicant *Mujahideen/Mujahidat*.

Section 5. Flowchart. The following flowchart shows the application and certification process.



Rule 5
AGENCY'S BANGSAMORO PROMOTION AND SELECTION BOARD

Section 1. Role of the Agency's Bangsamoro Promotion and Selection Board. The Bangsamoro Promotion and Selection Board (BPSB) of each ministry, office, or agency shall work closely with the AVU of the Office of the Chief Minister to evaluate and ensure the authenticity of the documents submitted by the *Mujahideen/Mujahidat* applicants.

Rule 6
RECRUITMENT AND RENEWAL PERIOD

Section 1. Recruitment Period. The hiring should be within the transition period.

Section 2. Renewal Period. The renewal period may extend beyond the transition period.

Rule 7
FINAL PROVISIONS

Section 1. Specialized Training and Development. The concerned ministry or agency shall request for specialized training programs/interventions from the Development Academy of the Bangsamoro (DAB) for the training and professional development of the hired *Mujahideen/Mujahidat*.

Section 2. Effect of Obtaining the Required Qualifications Standards. If the appointee has obtained the required eligibility within the period of his/her temporary appointment, the *Mujahideen/Mujahidat* shall be qualified for permanent appointment, subject to the discretion of the appointing authority.

Section 3. Separability Clause. If any part, section, or provision of this Implementing Guidelines shall be held invalid or unconstitutional, no other part, section, or provision hereof shall be affected thereby.

Section 4. Effectivity. This Executive Order shall take effect fifteen (15) days from its publication in a regional newspaper of general circulation and the Bangsamoro Gazette.

DONE in the City of Cotabato, this 29th April 2022.




AHOD B. EBRAHIM
Chief Minister



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By: hanan
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Bangsamoro Autonomous Region in Muslim Mindanao
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