

FRAMEWORK AGREEMENT ON THE BANGSAMORO

Speech of President Aquino on the Framework Agreement with the MILF

Talumpati ng Kagalang-galang Benigno S. Aquino III Pangulo ng Pilipinas Ukol sa balangkas ng kasunduan sa Moro Islamic Liberation Front [Inihayag noong ika-7 ng Oktubre 2012]

Dalawang henerasyon na po ang lumilipas mula noong magsimula ang hidwaan sa Mindanao. Isang siklo ng karahasang umangkin sa buhay ng mahigit isandaang libong Pilipino-hindi lamang ng mga kawal at mandirigma, kundi pati mga inosenteng sibilyang dumanak ang dugo dahil sa alitang puwede namang naiwasan.

Marami na pong solusyong sinubok upang matapos ang hidwaang ito; nakailang peace agreement na po tayo, ngunit hindi pa rin tayo umuusad tungo sa katuparan ng ating mga pangarap para sa rehiyon. Nabigyan ng poder ang ilan, ngunit imbes na iangat ang kaledad ng buhay sa rehiyon, nagbunga ito ng istrukturang lalo silang iginapos sa kahirapan. Nagkaroon ng mga command votes na ginamit upang pagtibayin ang pyudal na kalakaran; naglipana ang mga ghost roads, ghost bridges, ghost schools, ghost teachers, at ghost students, habang tumaba naman ang bulsa ng ilan. Nag-usbungan ang mga warlord na humawak sa timbangan ng buhay at kamatayan para sa maraming mamamayan. Umiral ang isang kultura kung saan walang nananagutan, at walang katarungan; nawalan ng pagtitiwala ang mamamayan sa sistema, at nagnais na kumalas sa ating bansa.

The ARMM is a failed experiment. Many of the people continue to feel alienated by the system, and those who feel that there is no way out will continue to articulate their grievances through the barrel of a gun. We cannot change this without structural reform.

This is the context that informed our negotiations throughout the peace process. And now, we have forged an agreement that seeks to correct these problems. It defines our parameters and our objectives, while upholding the integrity and sovereignty of our nation.

This agreement creates a new political entity, and it deserves a name that symbolizes and honors the struggles of our forebears in Mindanao, and celebrates the history and character of that part of our nation. That name will be Bangsamoro.

We are doing everything to ensure that other Bangsamoro stakeholders are brought in to this process so that this peace can be claimed and sustained by all. Sovereignty resides in the people, and consistent with the constitution, a basic law will be drafted by a transition commission and will go through the full process of legislation in Congress. My administration has pledged to supporting a law that will truly embody the values and aspirations of the people of Bangsamoro. Any proposed law resulting from this framework will be subject to ratification through a plebiscite. Once approved, there will be elections.

This Framework Agreement paves the way for a final, enduring peace in Mindanao. It brings all former secessionist groups into the fold; no longer does the Moro Islamic Liberation Front aspire for a separate state. This means that hands that once held rifles will be put to use tilling land, selling produce, manning work stations, and opening doorways of opportunity for other citizens.

National government will continue to exercise exclusive powers of defense and security, foreign policy, monetary policy and coinage, citizenship, and naturalization. The Constitution and lawful processes shall govern the transition to the Bangsamoro, and this agreement will ensure that the Philippines remains one nation and one people, with all of our diverse cultures and narratives seeking the common goal. The Filipinos of Bangsamoro, on the other hand, will be assured a fair and equitable share of taxation, revenues, and the fruits of national patrimony. They will enjoy equal protection of laws and access to impartial justice.

We have gotten this far because of the trust extended to us by Al Haj Murad and his Central Committee, and the members of the MILF negotiating panel led by Mohagher Iqbal. They recognized our administration's sincerity, and our shared principles and aspirations. Together, we traversed the distance between us until we finally met in a handshake and an embrace as fellow citizens of the Philippines.

We would like to thank the government of Malaysia, who stood as facilitators as we realized our aspirations for peace; we thank in particular Prime Minister Dato' Sri Mohammad Najib bin Tun Abdul Razak, whose commitment remained firm despite considerable political and personal risk. We would also like to thank the members of the

International Contact Group: the governments of the United Kingdom, Japan, Turkey, and Saudi Arabia, and also international [SP]NGOs like Conciliation Resources, the Center for Humanitarian Dialogue, the Asia Foundation, and Muhamadiyah. Our people are also grateful for the help of the International Monitoring Team composed of the governments of Malaysia, Brunei, Libya, Norway, Indonesia, the European Union and Japan. We would also like to thank the United States, Australia, and the World Bank, among several other countries and institutions, have also provided invaluable support during the course of this process.

None of this would have been possible without the tireless efforts also of Secretary Ging Deles, Dean Marvic Leonen, his negotiating panel, and their dedicated staff at the Office of the Presidential Adviser on the Peace Process. There can be no better example of true peace advocates.

This framework agreement is about rising above our prejudices. It is about casting aside the distrust and myopia that has plagued the efforts of the past; it is about learning hard lessons and building on the gains we have achieved. It is about acknowledging that trust has to be earned-it is about forging a partnership that rests on the bedrock of sincerity, good will, and hard work.

The work does not end here. There are still details that both sides must hammer out. Promises must be kept, institutions must be fixed, and new capacities must be built nationally and regionally in order to effectively administer the Bangsamoro. The citizenry, especially the youth, must be empowered so that new leaders may emerge.

Sa mga susunod na araw, ilalathala ang balangkas at mga prinsipyo ng kasunduang ito sa mga pahayagan; makikita ang kabuoan nito sa Official Gazette ng ating pamahalaan. Inaanyayahan ko po ang lahat na makilahok sa pampublikong diskurso ukol sa kasunduan, bago magkaroon ng pinal na pirmahan. Nakalahad po ang lahat, at wala kaming tangkang magkubli o maglihim. Sinuri po namin nang maigi ang kasunduang ito; balanse ang ating naabot. Itinatama nito ang mali, at naglalagay ng mga mekanismo upang hindi na maulit ang nangyari sa nakaraan.

Basahin po sana natin ang kasunduang ito hindi bilang "sila" at "kami," kundi bilang nagkakaisang "tayo" sa ilalim ng bandilang Pilipino. Tapos na po ang panahon ng hindi pagkakaunawaan, at kung iisipin natin ang kapakanan ng isa't isa, oras na lang ang usapan; oras na lang bago matapos ang karahasan; oras na lang bago maabot ang normalidad sa buhay ng mga Pilipinong nasa Bangsamoro.

Umabot tayo sa puntong ito dahil sa tiwalang pumalit sa pagdududa. May mga hamon pa po tayong kakaharapin, at hinihimok ko ang bawat Pilipinong naghahangad ng kapayapaan: Gumawa po tayo ng paraan upang lalo pang lum-awak ang tiwala sa mga araw na parating. Manganganak ito ng sunud-sunod na tagumpay. Tuloy-tuloy ang magiging pag-abot ng istabilidad; damay-damay ang buong bayan sa pag-unlad ng isang bahagi ng Pilipinas; dire-diretso tayo sa katuparan ng ating mga pangarap.

Alam po ninyo, may edad na RIN ako, at mas may edad po nang kaunti sa akin si Al Haj Murad. Darating ang panahong pareho kaming wala na sa poder. Nagkakaisa po kami sa hangaring magpamana sa susunod na salinlahi ng mas mabuting situwasyon sa mga bahagi ng Mindanao na matagal nang pinupunit ng hidwaan. At dahil po sa kasunduang ito, puwede na kaming mangarap: Malapit na ang panahon na kapag may dayuhang bibisita sa Pilipinas, kasama ang mga lalawigan ng Bangsamoro sa listahan ng kanyang pupuntahan. Malapit na ang panahon na ang gustong magbakasyon sa Pagudpud, puwede na ring sa Sulu magpunta. Magiging pareho ang kaalaman ng kabataang papasok sa eskuwela, sa Quezon City man o sa Lamitan; pumunta ka man sa ospital sa Pasig o sa Patikul, magagamot ang iyong karamdaman; lalago ang iyong negosyo, sa Marikina o sa Marawi ka man mamuhunan.

Ang tagal pong naging imposibleng isipin ng mga ito. Pero napatunayan natin: Walang imposible sa mga handang magkaisa, makiambag sa mga solusyon, at kumilos tungo sa pagkakasundo. Sa wakas, naabot na natin ang kapayapaang pundasyon ng ating mga mithiin para sa Bangsamoro, para sa Mindanao, at para sa buong Pilipinas.

Maraming salamat po.

FREQUENTLY ASKED QUESTIONS ABOUT THE FRAMEWORK AGREEMENT ON THE BANGSAMORO

Q: What is the Framework Agreement on the Bangsamoro?

A: The Framework Agreement outlines the general features of the political settlement between the Philippine Government (GPH) and the Moro Islamic Liberation Front (MILF).

It defines the structure and powers of the Bangsamoro entity that will replace the Autonomous Region in Muslim Mindanao (ARMM). It also sets the principles, processes and mechanisms for the transition until the regular election in 2016 for the new Bangsamoro autonomous political entity. The Agreement paves the way forward to the just resolution of the historical divide between the Government and the Bangsamoro.

Q: Why is there a need for a Framework Agreement? What is its significance?

A: The Framework Agreement puts together the points of consensus achieved in the series of talks between the GPH and the MILF that took off with the forging of the Ceasefire Agreement in 1997. It elaborates on the nature of the political entity that will replace the ARMM. This new entity shall be called the Bangsamoro. The document also charts the road map or the steps and mechanisms for the transition leading to the creation of the Bangsamoro. The road map can aptly be described as an inclusive and people-driven process.

Q: Is this the final peace agreement?

A: Not yet. The GPH and MILF panels will continue to discuss the details that will form the different annexes to the Agreement. There shall be annexes on power-sharing, wealth-sharing, normalization and transitional mechanisms. The Framework document and the Annexes all together will constitute the comprehensive agreement. Both panels aim to finish the annexes within this year.

Q: What are the wealth- and power-sharing arrangements between the Central Government and the Bangsamoro?

A: Under power-sharing, the Parties have agreed that the Central Government will have reserved powers, and the Bangsamoro will have its exclusive or devolved powers. There will also be concurrent or shared powers between the Central and the Bangsamoro governments.

The Bangsamoro Basic Law that will be passed by Congress shall also provide for the justice institutions in the Bangsamoro that reflect the plurality and diversity of the communities in the region.

Given the importance of revenue generation and sourcing for the operation of the Bangsamoro, the Bangsamoro Basic Law shall provide for powers of the Bangsamoro to create its own sources of revenues, as well as to have a just share in the revenues derived

from natural resources. A Fiscal Policy Board and an intergovernmental sustainable development body shall be created to serve as mechanisms for partnership and coordination between the Central Government and the Bangsamoro toward building a strong fiscal foundation and sustainable development in the region.

The annexes will further provide the details on powers and wealth creation.

Q: After the signing of the Framework Agreement, what's next?

A: The President will issue an Executive Order that will create the Transition Commission (TC).¹ Eight members of the TC shall be selected by the MILF; seven shall be selected by the GPH. Both parties are committed to make the TC representative of the different sectors and groups in the Bangsamoro.²

The TC shall work on a draft Bangsamoro Basic Law. The draft law shall then be submitted to Congress for deliberation. Once the Bangsamoro Basic Law is passed and signed by the President, a plebiscite shall be conducted in the envisoned core territory of the Bangsamoro. Elections for the new Bangsamoro government will be held in 2016.

As the TC is being organized, the panels will continue to work on the Annexes. Aspects of the Agreement that do not require legislative action, such as those on development and normalization, will simultaneously be implemented through the different joint transition mechanisms that will be created.

Q: What's going to happen to the ARMM?

A: As envisioned, the Bangsamoro shall replace the ARMM. The ARMM shall continue to function until the is passed and ratified. The shall provide a transitory period whereby a Bangsamoro Transition Authority shall bridge the period between the plebiscite and the 2016 election. The Transition Authority shall prepare for the transformation of the region into the Bangsamoro.

Q: Is the Bangsamoro an amended ARMM?

A: No, it is not an amended ARMM, but a replacement of it.

According to former GPH peace panel chair Dean Marvic Leonen, to "replace" it is part of the MILF's language that needs to be accommodated. "If you want to strike a bargain between the two so that both are in the same roadmap towards a more peaceful accommodation of their interest and decades of war then, therefore, we will have to accommodate the language of each other in order to reach that kind of a frameworkagreement."

Q: How will the Bangsamoro government look like?

A: The Bangsamoro shall have a ministerial form. Voters will vote for political parties, and the parties who win seats in the legislative body shall elect the head of the Bangsamoro.

¹ On December 17, 2012, President Aquino signed Executive Order 120 which mandated the creation of the TC.

² On February 25, 2013, President Aquino appointed the 15 members of the TC.

The GPH believes that the ministerial system will support the development of a strong and responsible party system in the Bangsamoro. The MILF and all other political forces, through political parties, will be able to participate in elections and seek power through democratic and peaceful means.

Q: What does a ministerial form of government mean?

A: In a ministerial form of government, the people will elect their representatives to the assembly. This assembly will then elect its leader who will be called the chief minister.

Q: What is meant by an asymmetrical relationship between the Bangsamoro and the Central Government?

A: An asymmetrical relationship implies a special status of the Bangsamoro vis-a-vis the Central government that is different from that of local governments and administrative regions. The autonomous regions for Muslim Mindanao and the Cordillera contemplated in the Constitution partakes of this special and distinct status and can thus be described as asymmetrical.

Q: Can the Bangsamoro be established without a Constitutional amendment?

A: Yes. The terms of the Agreement can be implemented without changing the present Constitution. The relevant provisions in Article X of the 1987 Philippine Constitution on the creation of Autonomous Regions shall apply, in the spirit of accommodation and flexibility. The GPH is fully committed to supporting the passage of the Bangsamoro Basic Law by Congress before the 2016 regular election.

Consistent with the right of any citizen or group of citizens and the procedures provided by the Constitution, the Transition Commission may work on further proposals for constitutional reform.

Q: Is the Framework Agreement a threat to national sovereignty and integrity?

A: The Framework Agreement adheres to the principles of territorial integrity and national sovereignty of the Philippine Republic. The process of entrenching the new political entity will comply with procedures mandated under the Constitution. As President Aquino said in his speech on the Framework Agreement on October 7, 2012:

"The Constitution and lawful processes shall govern the transition... and this Agreement will ensure that the Philippines remains one nation and one people, with all of our diverse cultures and narratives seeking the common goal."

Instead of threatening national sovereignty, the Agreement will pave the way for national unity where "the Filipinos of the Bangsamoro, on the other hand, will be assured a fair and equitable share of taxation, revenues and the fruits of national patrimony. They will enjoy equal protection of laws and access to impartial justice."

Q: What is the geographical coverage of the Bangsamoro?

A: The geographical scope of the Bangsamoro shall be determined through the plebiscite that will be held after Congress passes the Bangsamoro Basic Law. The people will decide whether they will join the Bangsamoro or not.

The plebiscite will be held in the envisioned core territory of the Bangsamoro, namely, the current ARMM provinces and Marawi City; the cities of Cotabato and Isabela; the six municipalities in Lanao del Norte that voted for inclusion in the ARMM in the 2001 plebiscite (Baloi, Munai, Pantar, Nunungan, Tagaloan, Tangkal); and the 39 barangays in six municipalities of North Cotabato province that likewise voted for inclusion in 2001 (Labacan, Carmen, Aleosan, Pigkawaya, Pikit and Midsayap).

All other contiguous areas where there is a resolution of the local government unit or a petition of at least 10 percent of the qualified voters in the area may ask for their inclusion in the plebiscite, at least two months prior to its conduct, for the ratification of the Bangsamoro Basic Law and the process of delimitation of the Bangsamoro.

Q: What will happen if people reject the Bangsamoro entity in the plebiscite?

A: If it is not agreed upon by the people themselves to establish the Bangsamoro entity, then there will be no mandate. It will mean that there will be no Bangsamoro.

Q: Who or what is the Bangsamoro?

A: Those who at the time of conquest and colonization were considered natives or original inhabitants of Mindanao and the Sulu archipelago and its adjacent islands including Palawan, and their descendants whether mixed or of full native blood shall have the right to identify themselves as Bangsamoro by ascription or self-ascription. Spouses and their descendants shall also enjoy this right. The freedom of choice of other Indigenous peoples shall be respected.

All peoples in the Bangsamoro are Filipino citizens.

The name Bangsamoro thus is an identity, not a citizenship. It also refers to the new autonomous political entity that shall be created in replacement of the ARMM.

Q: Why is the new political entity named Bangsamoro?

A: President Aquino, in his October 7 speech announcing the signing of the draft GPH-MILF Framework Agreement, said that this new political entity will be called Bangsamoro as "it it deserves a name that symbolizes and honors the struggles of our forebears in Mindanao, and celebrates the history and character of that part of our nation."

Q: What will happen to the LGUs in the Bangsamoro?

A: The Bangsamoro Basic Law shall define the relations between the local government units and the Bangsamoro and Central Governments. The creation of the Bangsamoro does not

diminish the existing powers of the LGUs unless modified or reformed for good governance. Like the existing ARMM, the Bangsamoro may also have the power to legislate its local government code.

Q: What will happen to the armed members and weapons of the MILF?

A: The MILF shall undertake a graduated program for the decommissioning of its forces so that they are put beyond use. In a gradual and phased process, law enforcement shall be transferred to the police force for the Bangsamoro. The police force shall be civilian in character and accountable and responsible both to the Central and Bangsamoro governments, and the communities that it serves. Both parties have also committed to work in partnership for the reduction and control of firearms in the area and the disbandment of private armies and other armed groups.

The details of the normalization process will be spelled out in an annex.

Q: Who will monitor the implementation of the Framework Agreement and its Annexes?

A: There will be third-party monitoring mechanisms composed of international and domestic bodies to monitor the different components of the Agreement.

Q: Is the Bangsamoro an Islamic state?

A: No. The Bangsamoro Government will be a secular government where basic rights of all will be protected.

Q: What will happen to the judicial system under the Bangsamoro?

A: The Bangsamoro Basic Law shall shape the judicial system. The civil courts for non-Muslims will be maintained, while Sharia courts will be established for Muslims. There will also be a judicial process for indigenous rights.

The Bangsamoro judicial system will not be independent of the Supreme Court as the Constitution mandates. There is always one Supreme Court.

Q: How will non-Muslims be affected by this?

A: The Framework Agreement reiterates the Parties' recognition of basic rights that shall continue to be enjoyed by all. These include, but are not limited, to the following:

- Right to life and to inviolability of one's person and dignity;
- Right to freedom and expression of religion and beliefs;
- Right to privacy;
- Right to freedom of speech;
- Right to express political opinion and pursue democratically political aspirations;
- Right to seek constitutional change by peaceful and legitimate means;
- Right of Women to meaningful political participation, and protection from all forms of violence;

- Right to freely Choose one's place of residence and the inviolability of the home;
- Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity;
- Right to establish cultural and religious associations;
- Right to freedom from religious, ethnic and sectarian harassment; and
- Right to redress of grievances and due process of law.

Other provisions state that Indigenous Peoples' rights shall be respected. Their customary rights and traditions shall be taken into consideration in the formation of the Bangsamoro's justice system.

Q: What is the timetable for crafting the Bangsamoro Basic Law?

A: Both Parties want the Bangsamoro Basic Law to come out within the term of President Aquino because the goal is to sign, implement, and assess the agreement before passing it to the next administration.

The timetable is that there should be an exercise to ratify the Bangsamoro Basic Law prior to 2016, which is the time when this administration will have to hand over the reins of government to a new set of public officials.

Q: How long is the transition period?

A: Ideally the transition period will be completed by the elections in 2016. The intention is to have a full and functional ministerial Bangsamoro Government in place after being elected in 2016.

Q: What are the assurances that both parties will honor the Framework Agreement?

A: Both sides have committed to working together to complete the implementation of the Framework Agreement.

Former GPH peace panel chair Dean Marvic Leonen said that peace agreements are political commitments made by one party to the other. "Although we can put numbers, we can put dates in the agree¬ment, in the ultimate analysis, it is the good faith of both sides. It is in the good faith of both sides that the agreement is implemented."



In the Name of God, the Beneficent, the Merciful

FRAMEWORK AGREEMENT ON THE BANGSAMORO

The Philippine Government (GPH) and the Moro Islamic Liberation Front (MILF) herein referred to as the Parties to this Agreement,

HAVE AGREED AND ACKNOWLEDGED AS FOLLOWS:

- I. ESTABLISHMENT OF THE BANGSAMORO
 - 1. The Parties agree that the status quo is unacceptable and that the Bangsamoro shall be established to replace the Autonomous Region in Muslim Mindanao (ARMM). The Bangsamoro is the new autonomous political entity (NPE) referred to in the Decision Points of Principles as of April 2012.
 - 2. The government of the Bangsamoro shall have a ministerial form.

The Parties agree to entrench an electoral system suitable to a ministerial form of government. The electoral system shall allow democratic participation, ensure accountability of public officers primarily to their constituents and encourage formation of genuinely principled political parties. The electoral system shall be contained in the Bangsamoro Basic Law to be implemented through legislation enacted by the Bangsamoro Government and correlated with national laws.

3. The provinces, cities, municipalities, barangays and geographic areas within its territory shall be the constituent units of the Bangsamoro.

marin

Page 1 of 14

yCI

tran

The authority to regulate on its own responsibility the affairs of the constituent units is guaranteed within the limit of the Bangsamoro Basic Law. The privileges already enjoyed by the local government units under existing laws shall not be diminished unless otherwise altered, modified or reformed for good governance pursuant to the provisions of the Bangsamoro local government code.

- 4. The relationship of the Central Government with the Bangsamoro Government shall be asymmetric.
- 5. The Parties recognize Bangsamoro identity. Those who at the time of conquest and colonization were considered natives or original inhabitants of Mindanao and the Sulu archipelago and its adjacent islands including Palawan, and their descendants whether of mixed or of full blood shall have the right to identify themselves as Bangsamoro by ascription or selfascription.

Spouses and their descendants are classified as Bangsamoro. The freedom of choice of other Indigenous peoples shall be respected.

II. BASIC LAW

4.

- 1. The Bangsamoro shall be governed by a Basic Law.
- 2. The provisions of the Bangsamoro Basic Law shall be consistent with all agreements of the Parties.
- The Basic Law shall reflect the Bangsamoro system of life and meet internationally accepted standards of governance.
 - It shall be formulated by the Bangsamoro people and ratified by the qualified voters within its territory.

Page 2 of

III. POWERS

1. The Central Government will have reserved powers, the Bangsamoro Government shall have its exclusive powers, and there will be concurrent powers shared by the Central Government and the Bangsamoro Government.

The Annex on Power Sharing, which includes the principles on intergovernmental relations, shall form part of this Agreement and guide the drafting of the Basic Law.

- 2. The Central Government shall have powers on:
 - a. Defense and external security
 - b. Foreign policy
 - c. Common market and global trade, provided that the power to enter into economic agreements already allowed under Republic Act No. 9054 shall be transferred to the Bangsamoro
 - d. Coinage and monetary policy
 - e. Citizenship and naturalization
 - f. Postal service

13

This list is without prejudice to additional powers that may be agreed upon by the Parties.

The Parties recognize the need to strengthen the Shari'ah courts and to expand their jurisdiction over cases. The Bangsamoro shall have competence over the Shari'ah justice system. The supremacy of Shari'ah and its application shall only be to Muslims.

The Bangsamoro Basic Law may provide for the power of the Bangsamoro Government to accredit halalcertifying bodies in the Bangsamoro.

Page 3 of 1

- The Bangsamoro Basic Law shall provide for justice 5. institutions in the Bangsamoro. This includes:
 - The competence over the Shari'ah justice system, a. as well as the formal institutionalization and operation of its functions, and the expansion of the jurisdiction of the Shari'ah courts:
 - Measures to improve the workings of local civil b. courts, when necessary; and
 - Alternative dispute resolution systems. c.
- 6. The customary rights and traditions of indigenous peoples shall be taken into consideration in the formation of the Bangsamoro's justice system. This may include the recognition of indigenous processes as alternative modes of dispute resolution.

IV. REVENUE GENERATION AND WEALTH SHARING

- 1. The parties agree that wealth creation (or revenue generation and sourcing) is important for the operation of the Bangsamoro.
- 2. Consistent with the Bangsamoro Basic Law, the Bangsamoro will have the power to create its own sources of revenues and to levy taxes, fees, and charges, subject to limitations as may be mutually agreed upon by the Parties. This power shall include the power to determine tax bases and tax rates, guided by the principles of devolution of power, equalization, equity, accountability, administrative simplicity, harmonization, economic efficiency, and fiscal autonomy.

The Bangsamoro will have the authority to receive grants and donations from domestic and foreign sources, and block grants and subsidies from the Central Government. Subject to acceptable credit

Horson

3.

Page 4 of 14

Q

HAST

worthiness, it shall also have the authority to contract loans from domestic and foreign lending institutions, except foreign and domestic loans requiring sovereign guaranty, whether explicit or implicit, which would require the approval of the Central Government.

- 4. The Bangsamoro shall have a just and equitable share in the revenues generated through the exploration, development or utilization of natural resources obtaining in all the areas/territories, land or water, covered by and within the jurisdiction of the Bangsamoro, in accordance with the formula agreed upon by the Parties.
- 5. The Bangsamoro may create its own auditing body and procedures for accountability over revenues and other funds generated within or by the region from external sources. This shall be without prejudice to the power, authority and duty of the national Commission on Audit to examine, audit and settle all accounts pertaining to the revenues and the use of funds and property owned and held in trust by any government instrumentality, including GOCCs.
- 6. The details of revenue and wealth sharing arrangements between the Central Government and the Bangsamoro Government shall be agreed upon by the Parties. The Annex on Wealth Sharing shall form part of this Agreement.
- There shall be an intergovernmental fiscal policy 7. board composed of representatives of the Bangsamoro and the Central Government in order to address revenue imbalances and fluctuations in regional financial needs and revenue-raising capacity. The Board shall meet at least once in six (6) months to determine necessary fiscal policy adjustments. subject to the principles of intergovernmental relations mutually agreed upon by both Parties. Once full fiscal autonomy has been achieved by the Bangsamoro then it may no longer be necessary to have a representative from the Central Government to sit in the Board. Fiscal autonomy shall mean generation and budgeting of the Bangsamoro's own

6

Page 5 of 14

Suct

Andre

sources of revenue, its share of the internal revenue taxes and block grants and subsidies remitted to it by the central government or any donor.

The Parties agree that sustainable development is 8. crucial in protecting and improving the quality of life of the Bangsamoro people. To this end, the shall develop comprehensive Bangsamoro а framework for sustainable development through the proper conservation, utilization and development of natural resources. For efficient coordination and assistance, the Bangsamoro legislative body shall create, by law, an intergovernmental body composed of representatives of the Bangsamoro and the Central Government, which shall ensure the harmonization of environmental and developmental plans, as well as formulate common environmental objectives.

V. TERRITORY

2.

The core territory of the Bangsamoro shall be 1. composed of: (a) the present geographical area of the ARMM; (b) the Municipalities of Baloi, Munai. Nunungan, Pantar, Tagoloan and Tangkal in the province of Lanao del Norte and all other barangays in the Municipalities of Kabacan, Carmen, Aleosan, Pigkawayan, Pikit, and Midsayap that voted for inclusion in the ARMM during the 2001 plebiscite; (c) the cities of Cotabato and Isabela; and (d) all other contiguous areas where there is a resolution of the local government unit or a petition of at least ten percent (10%) of the qualified voters in the area asking for their inclusion at least two months prior to the conduct of the ratification of the Bangsamoro Basic Law and the process of delimitation of the Bangsamoro as mentioned in the next paragraph.

The Parties shall work together in order to ensure the widest acceptability of the Bangsamoro Basic Law as drafted by the Transitory Commission and the core areas mentioned in the previous paragraph, through a process of popular ratification among all the

Page 6 of 14

4.CA

Bangsamoro within the areas for their adoption. An international third party monitoring team shall be present to ensure that the process is free, fair, credible, legitimate and in conformity with international standards.

- 3. Areas which are contiguous and outside the core user territory where there are substantial populations of the Bangsamoro may opt anytime to be part of the territory Arara upon petition of at least ten percent (10%) of the residents and approved by a majority of qualified woters in a plebiscite.
- The disposition of internal and territorial waters shall be referred to in the Annexes on Wealth and Power Sharing.
- 5. Territory refers to the land mass as well as the maritime, terrestrial, fluvial and alluvial domains, and the aerial domain and the atmospheric space above it. Governance shall be as agreed upon by the parties in this agreement and in the sections on wealth and power sharing.
- The Bangsamoro Basic Law shall recognize the collective democratic rights of the constituents in the Bangsamoro.

VI. BASIC RIGHTS

- 1. In addition to basic rights already enjoyed, the following rights of all citizens residing in the Bangsamoro bind the legislature, executive and judiciary as directly enforceable law and are guaranteed:
 - Right to life and to inviolability of one's person and dignity;

Right to freedom and expression of religion and b. beliefs:

Page 7 of 14 e l

c. Right to privacy;

- d. Right to freedom of speech;
- e. Right to express political opinion and pursue democratically political aspiration;
- f. Right to seek constitutional change by peaceful and legitimate means;
- Right of women to meaningful political participation, and protection from all forms of violence;
- Right to freely choose one's place of residence and the inviolability of the home;
- Right to equal opportunity and non-discrimination in social and economic activity and the public service, regardless of class, creed, disability, gender and ethnicity;
- j. Right to establish cultural and religious associations;
- k. Right to freedom from religious, ethnic and sectarian harassment; and
- I. Right to redress of grievances and due process of law.
- 2. Vested property rights shall be recognized and respected. With respect to the legitimate grievances of the Bangsamoro people arising from any unjust dispossession of their territorial and proprietary rights, customary land tenure or their marginalization shall be acknowledged. Whenever restoration is no longer possible, the Central Government and the Government of the Bangsamoro shall take effective measures for adequate reparation collectively beneficial to the Bangsamoro people in such quality, quantity and status to be determined mutually.

Indigenous peoples' rights shall be respected.

Page 8 of 1

4. The Central Government shall ensure the protection of the rights of the Bangsamoro people residing outside the territory of the Bangsamoro and undertake programs for the rehabilitation and development of their communities. The Bangsamoro Government may provide assistance to their communities to enhance their economic, social and cultural development.

VII. TRANSITION AND IMPLEMENTATION

- 1. The Parties agree to the need for a transition period and the institution of transitional mechanisms.
- 2. The Parties agree to adopt and incorporate an Annex on Transitional Arrangements and Modalities, which forms a part of this Framework Agreement.
- 3. There shall be created a Transition Commission through an Executive Order and supported by Congressional Resolutions.
- 4. The functions of the Transition Commission are as follows:
 - To work on the drafting of the Bangsamoro Basic Law with provisions consistent with all agreements entered and that may be entered into by the Parties;
 - b. To work on proposals to amend the Philippine Constitution for the purpose of accommodating and entrenching in the constitution the agreements of the Parties whenever necessary without derogating from any prior peace agreements;
 - c. To coordinate whenever necessary development programs in Bangsamoro communities in conjunction with the MILF Bangsamoro Development Agency (BDA), the Bangsamoro

ponn

Page 9 of 14

el

1Bm

Leadership and Management Institute (BLMI) and other agencies.

- 5. The Transition Commission shall be composed of fifteen (15) members all of whom are Bangsamoro. Seven (7) members shall be selected by the GPH and eight (8) members, including the Chairman, shall be selected by the MILF.
- 6. The Transition Commission will be independent from the ARMM and other government agencies. The GPH shall allocate funds and provide other resources for its effective operation. All other agencies of government shall support the Transition Commission in the performance of its tasks and responsibilities until it becomes *functus oficio* and ceases to exist.
- 7. The draft Bangsamoro Basic Law submitted by the Transition Commission shall be certified as an urgent bill by the President.
- 8. Upon promulgation and ratification of the Basic Law, which provides for the creation of the Bangsamoro Transition Authority (BTA), the ARMM is deemed abolished.
- 9. All devolved authorities shall be vested in the Bangsamoro Transition Authority during the interim period. The ministerial form and Cabinet system of government shall commence once the Bangsamoro Transition Authority is in place. The Bangsamoro Transition Authority may reorganize the bureaucracy into institutions of governance appropriate thereto.

10. The Bangsamoro Transition Authority shall ensure that the continued functioning of government in the area of autonomy is exercised pursuant to its mandate under the Basic Law. The Bangsamoro Transition Authority will be immediately replaced in 2016 upon the election and assumption of the members of the Bangsamoro legislative assembly and the formation of the Bangsamoro government.

Page 10 of 14

4.C7 1

- 11. There will be created a third party monitoring team to be composed of international bodies, as well as domestic groups to monitor the implementation of all agreements.
- 12. At the end of the transition period, the GPH and MILF Peace Negotiating Panels, together with the Malaysian Facilitator and the Third Party Monitoring Team, shall convene a meeting to review, assess or evaluate the implementation of all agreements and the progress of the transition. An 'Exit Document' officially terminating the peace negotiation may be crafted and signed by both Parties if and only when all agreements have been fully implemented.
- The Negotiating Panel of both Parties shall continue the negotiations until all issues are resolved and all agreements implemented.

VIII. NORMALIZATION

3.

- 1. The Parties agree that normalization is vital to the peace process. It is through normalization that communities can return to conditions where they can achieve their desired quality of life, which includes the pursuit of sustainable livelihoods and political participation within a peaceful deliberative society.
- 2. The aim of normalization is to ensure human security in the Bangsamoro. Normalization helps build a society that is committed to basic human rights, where individuals are free from fear of violence or crime and where long-held traditions and value continue to be honored. Human insecurity embraces a wide range of issues that would include violation of human and civil rights, social and political injustice and impunity.

As a matter of principle, it is essential that policing structure and arrangement are such that the police service is professional and free from partisan political control. The police system shall be civilian in character so that it is effective and efficient in law enforcement, fair and impartial as well as accountable under the law

Page 11 of 14

for its action, and responsible both to the Central Government and the Bangsamoro Government, and to the communities it serves.

- 4. An independent commission shall be organized by the Parties to recommend appropriate policing within the area. The commission shall be composed of representatives from the parties and may invite local internaand international experts on law enforcement to assist the commission in its work.
- The MILF shall undertake a graduated program for decommissioning of its forces so that they are put beyond use.
- 6. In a phased and gradual manner, all law enforcement functions shall be transferred from the Armed Forces of the Philippines (AFP) to the police force for the Bangsamoro.

The Parties agree to continue negotiations on the form, functions and relationship of the police force of the Bangsamoro taking into consideration the results of the independent review process mentioned in paragraph 4.

7. The Joint Coordinating Committees on Cessation of Hostilities (JCCCH) as well as the Ad hoc Joint Action Group (AHJAG) with the participation of the International Monitoring Team (IMT) shall continue to monitor the ceasefire agreement until the full decommissioning of the MILF forces. These existing coordinating mechanisms shall be the basis for the creation of a Joint Normalization Committee (JNC) to ensure the coordination between the Government and remaining MILF forces, and through which MILF shall assist in maintaining peace and order in the area of the Bangsamoro until decommissioning shall have been fully completed.

 Both Parties commit to work in partnership for the reduction and control of firearms in the area and the disbandment of private armies and other armed groups.

Page 12 of 14

Ly Cf

- The details of the normalization process and timetables for decommissioning shall be in an Annex on Normalization and shall form part of this Agreement.
- 10. The Parties agree to intensify development efforts for *licke* rehabilitation, reconstruction and development of the Bangsamoro, and institute programs to address the Work needs of MILF combatants, internally displaced persons, and poverty-stricken communities.
- 11. The Parties recognize the need to attract multi-donor country support, assistance and pledges to the normalization process. For this purpose, a Trust Fund shall be established through which urgent support, recurrent and investment budget cost will be released with efficiency, transparency and accountability. The Parties agree to adopt criteria for eligible financing schemes, such as, priority areas of capacity building, institutional strengthening, impact programs to address imbalances in development and infrastructures, and economic facilitation for return to normal life affecting combatant and non-combatant elements of the MILF, indigenous peoples, women, children, and internally displaced persons.
- 12. The Parties agree to work out a program for transitional justice to address the legitimate grievances of the Bangsamoro people, correct historical injustices, and address human rights violations.

IX. MISCELLANEOUS

1. This Agreement shall not be implemented unilaterally.

The Parties commit to work further on the details of the Framework Agreement in the context of this document and complete a comprehensive agreement by the end of the year.

ß

2.

Page 13 of 14

l

Done and initialed this 12th day of October 2012 in Kuala Lumpur, Malaysia and signed in Manila, Philippines on the 15th day of October 2012.

FOR THE GPH:

Marvic M.V.F. Leonen

GPH Panel Chairman

FOR THE MILF:

A

Mohagher Iqbal MILF Panel Chairman

WITNESSED BY:

Tengku Dato' Ab Ghafar bin Tengku Mohamed Malaysian Facilitator

IN THE PRESENCE OF:

Benigno Simeon Aquino III President of the Republic of the Philippines Dato' Sri Hj. Mohd Najib Bin Tun Hj. Abdul Razak Prime Minister of Malaysia

and

Al Haj Murad Ebrahim Chairman of the Moro Islamic Liberation Front

Page 14 of 14

FRAMEWORK AGREEMENT ON THE BANGSAMORO

Signed 15 October 2012

ANNEX ON TRANSITIONAL MODALITIES AND ARRANGEMENTS

Signed 27 February 2013 Roadmap attached

ANNEX ON REVENUE GENERATION AND WEALTH SHARING

Signed 13 July 2013

- Components:
- Revenue Generation
- Wealth Sharing
- Fiscal Administration

ANNEX ON POWER SHARING

Signed 8 December 2013

Components:

- Principles of Intergovernmental Relations
- Government Structure
- Delineation of Powers under the three lists of powers--reserved, concurrent, and shared
- Other Matters

ANNEX ON NORMALIZATION

Components:

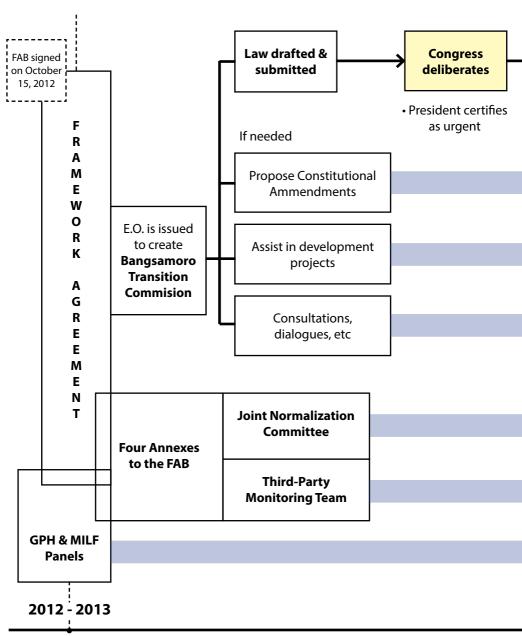
- Policing
- Transitional Security Arrangements
- Decomissioning
- Disposition of AFP
- Disbandment of Private Armed Groups
- Socio-Economic Programs
- Reconciliation and justice

COMPREHENSIVE AGREEMENT

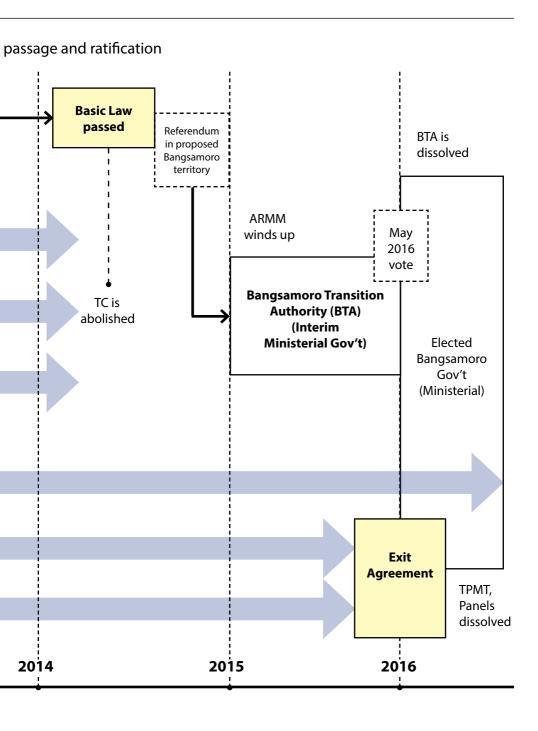
Components:

- Framework Agreement on the Bangsamoro
- 4 annexes
- Introductory text
- Addendum on the matter of Bangsamoro Waters

ROADMAP TO THE BANGSAMORO POLITICAL ENTITY



Advocates campaign for



MESSAGES OF SUPPORT FOR THE BREAKTHROUGH IN THE GPH-MILF PEACE TALKS

"The United Nations stands ready to provide assistance to the parties, as needed, in implementing the Framework Peace Agreement."



- UN Secretary General Ban Ki-moon



"Peace that involves both the MNLF and the MILF from the Moro community and the Government of the Philippines would provide a comprehensive solution to the conflict that over the past four decades have taken many lives and material loss."

- Republic of Indonesia



"I am delighted that through this historic deal, the rights, dignity and future prosperity of the Bangsamoro people will be protected, while at the same time the sovereignty and constitution of the Philippines will be preserved."

- Malaysian Prime Minister Dato' Sri Mohd Najib Bin Tun Haji Abdul Razak

"The early signature of this truly bistorical document is a major step towards a longlasting peace in Mindanao, which will lead the island to stability and prosperity."

- Catherine Ashton, High Representative of the European Union for Foreign Affairs and Security Policy and VP of the Commission



"Full implementation of the agreement by 2016 can bring about peace, security, and development. That will be good not only for Mindanao, but for the whole of the Philippines."

- UK Foreign Secretary William Hague





"I particularly acknowledge the leadership of Philippines President Benigno Aquino, who has been a strong advocate for peace."

- Australian Foreign Minister Bob Carr

"Japan strongly bopes that both parties will steadily implement the contents of the Framework Agreement and continue their persistent negotiation efforts towards the early realization of the final agreement."



- Japanese Foreign Minister Koichiro Gemba



"This agreement is a testament to the commitment of all sides for a peaceful resolution to the conflict in the southern Philippines."

- U.S. Secretary of State Hillary Rodham Clinton

"I tbink tbis is now the time for all Filipinos, not only the Mindanaons, to support the President's efforts for lasting peace settlement with the MILF and other armed groups in Mindanao. Just like my parents and many others, I am one in this endeavor."

 Ms. Reina Mari Q. Doria,
3rd Year High School Student Leader of NDMU-IBED of Koronadal City



"The Framework Agreement would pave the way for a final and lasting peace and will open doors of opportunities for much-needed livelihood and socioeconomic programs in the entire Mindanao."

- Senator Franklin Drilon





"A lasting peace deal in the Philippine island group of Mindanao would be supportive of both public and private sector investment in the area, and may boost the investment rate for the economy as a whole, supporting economic growth."

- Fitch Ratings

"I urgently encourage you for the sake of the Bangsamoro and for all the other people of Mindanao to forge ahead with determination, patience, goodwill, sincerity and transparency."

- Orlando B. Quevedo, O.M.I. Archbishop of Cotabato

"We are confident that the creation of the Bangsamoro, as a tangible output of the peace process, will be more responsive to the needs of Filipinos in the south."

- Senator Francis Pangilinan

"I believe that this framework agreement is an opportunity for each citizen to contribute to a peace agreement that addresses the legitimate grievances and claims of the Bangsamoro people, the sentiments of other stakeholders on the ground, and the dream of each Filipino of a progressive, united and peaceful nation."





- Senator Teofisto Guingona III

"With the Framework Agreement finally achieved, it is time for all of us to do our part in order ensure its full implementation. Let us all unite in giving it a chance to be realized and implemented in letter and in spirit."

- Mindanao People's Caucus (MPC)



"It is among the most beautiful places on earth and the creation of Bangsamoro and the unity of all Filipinos will give Mindanao tourism the break it has been waiting for."

- Tourism Secretary Ramon Jimenez

"MCW, as an NGO of women leaders whose mission is to influence public policy and public opinion, and the Mothers for Peace movement are committed to support the new Bangsamoro political entity. We also continue to hold that women's voices are necessary in peacebuilding..."



 Irene Santiago, Chair Emerita and CEO, Mindanao Commission on Women and Convenor, Mothers for Peace



"The peace dividend that will ensue will undoubtedly positively impact not only the business climate but eventually the quality of life of all Mindanaons. We, in the business sector in Mindanao, trust that our brothers in the MILF and the administration of PNoy will pursue peace relentlessly until a final agreement is signed."

- Bronx Hebrona, Regional Governor for Southwestern Mindanao of the Philippine Chamber of Commerce and Industry



"Peace in Mindanao means peace for the whole country. I urge everyone, Muslims and non-Muslims, to give this agreement a chance to work."

- Senator Koko Pimentel



"We, representatives of civil society organizations in Mindanao, commit to supporting all processes that will be undertaken to ensure the full implementation of the Framework Agreement, including the work of the Transition Commission leading up to the establishment of the Bangsamoro, the new autonomous political entity that will replace the ARMM."

- Mindanao Coalition of Development NGO Networks (MINCODE)

"PRO ARMM believes that the successful implementation of this agreement is the key to a much-improved security situation in the Region, paving the way for stability and progress."

- Mario A. Aveno, Regional Director, PRO ARMM



So many challenges await us... We shall hold up that bridge of trust with the force of our dreams and ideals, enabling it to bring our entire society together and enrich the democratic institutions we all hold dear until we all breach the firmament of hope and arrive together, finally, in the bright realm of greatness as one people, under one Republic, sharing one destiny.

Presidential Adviser on the Peace Process Teresita Quintos Deles Speech during the signing of the FAB at Malacañan Palace, Manila, on October 15, 2012



Today, we are here to celebrate a victory for the Bangsamoro people and the Filipino nation that is shared by the international community and the Muslim World: a victory earned not by war but by that collective desire tempered by the inner nobility of human nature to restore justice and peace to a troubled land.

MILF Chairman Al Haj Murad Ebrahim Speech during the signing of the FAB at Malacañan Palace, Manila, on October 15, 2012



"We also commend both the government and the MILF panels for coining the word 'inclusive' in the peace negotiations, for previously bolding consultations not only with the regional officials but also with various sectors of the society. And we in the regional government assure the public, our people, of a smooth transition of power to the new entity in case of a peace settlement."

- ARMM Governor Mujiv Hataman



"This 'roadmap of peace' should be owned and shared by all as we forge our common quest of building a just and sustainable peace

in Mindanao. This desired end remains our shared task, our common duty, an end we must not lose sight of."

- Mindanao Peace Weavers (MPW)



"The Framework Agreement provides the roadmap of a process to build the foundation for an inclusive, responsive and efficient infrastructure for peace and development in the southern Philippines."

- Atty. Benedicto Bacani, Institute for Autonomy and Governance (IAG)



"Our call to all Filipinos is let's unite in this vision and framework for peace. Together let's make another milestone in Philippine history where all Filipinos across the country unite for peace, freedom, and justice."

- Young Moro Professionals Network



"The Mindanao Business Council lauds the finalization of a framework for the Peace Agreement between the MILF and the Philippine Government. We support all efforts that will lead to lasting peace in Mindanao and to the harmonious co-existence of the

different cultures of its peoples."

- Mindanao Business Council (MBC)

"...the just recently forged framework" agreement will open the avenue and pave the way for final solution of the conflicts in Mindanao and later peace, justices and development will prevail."

- Civil Society Organizations, Non-government Organizations and People's Organizations in the Province of Maguindanao

For inquiries, you may contact us at: gphpanelsecretariat@gmail.com

SMART 0928-661-4981



OPAPP Office of the President of the Philippines **OFFICE OF THE PRESIDENTIAL ADVISER ON THE PEACE PROCESS**

www.opapp.gov.ph