



FOURTH REGULAR SESSION

BANGSAMORO AUTONOMY ACT NO. 89

Begun and held in Cotabato City, on Thursday, the 15th day of September 2022.

AN ACT ESTABLISHING A BANGSAMORO TRANSITIONAL JUSTICE AND RECONCILIATION PROGRAM, CREATING FOR THIS PURPOSE THE BANGSAMORO TRANSITIONAL JUSTICE AND RECONCILIATION COMMISSION, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* – This Act shall be known as the “*Bangsamoro Transitional Justice and Reconciliation Act of 2025.*”

SEC. 2. *Declaration of Policy.* – Pursuant to the 1987 Philippine Constitution, which mandates the establishment of an autonomous region in Muslim Mindanao for peoples with common and distinctive historical and cultural heritage, economic and social structures, and other relevant characteristics, it is hereby declared the policy of the Bangsamoro to pursue lasting and sustainable peace and development in the region. This shall be achieved through the faithful implementation of plans and programs bilaterally agreed upon between the Government of the Republic of the Philippines (GPH) and the Moro Islamic Liberation Front (MILF), as well as with the Moro National Liberation Front as integral components of the Bangsamoro peace process, and through the formulation and execution of policies, plans, and programs of the Bangsamoro Government within its mandate. The Bangsamoro Government likewise commits to the building of a just and humane society and supports initiatives and programs that ensure its people the blessings of independence and democracy under the rule of law, and within a regime of truth, justice, freedom, love, equality, and peace.

Toward this end, the Bangsamoro Government, working within its jurisdiction and authority and without prejudice to the obligations of the National Government, shall operationalize the provisions on transitional justice and reconciliation in the Comprehensive Agreement on the Bangsamoro (CAB) and Republic Act No. 11054, otherwise known as the “*Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao (OLBARMM)*”. This work shall contribute to the efforts in addressing the legitimate grievances, human rights violations, and marginalization arising from land dispossession and in correcting the historical injustices suffered by the Bangsamoro people and other indigenous peoples in the region. The Bangsamoro Government shall likewise adopt measures that would guarantee their non-recurrence.

SEC. 3. *Definition of Terms.* – As used in this Act, the following terms shall mean as follows:

- a) “*Affected Community(ies)*” – refer to individuals, groups, and entire populations who have suffered systematic or widespread human rights violations, land dispossession, and other historical injustices.
- b) “*Comprehensive Agreement on the Bangsamoro (CAB)*” – refers to the peace agreement forged between the GPH and the MILF, through their respective negotiating panels, which recognizes the justness and legitimacy of the cause of the Bangsamoro people and provides for the negotiated political settlement of the decades-long armed conflict affecting them.
- c) “*Dealing with the Past*” – refers to a framework of conflict transformation and reconciliation for societies undergoing political and social transitions following a history of gross human rights violations. It is an inclusive and comprehensive framework centered on the right to know or truth-seeking, the right to justice or accountability, the right to reparations, including socio-economic justice, healing and reconciliation, and the guarantee of non-recurrence through institutional reforms which dismantle impunity and strengthen the rule of law.
- d) “*Guarantees of Non-Recurrence*” – refers to the right of victims and society at large to be protected from further violations and to the duty of the State, including the Bangsamoro Government, to dismantle impunity, ensure good governance, strengthen the rule of law, and uphold human rights.
- e) “*Human Rights Violations*” – refer to transgressions, whether state-sponsored, state-sanctioned or independently committed by non-state actors, against internationally and constitutionally recognized rights intrinsic to every human being, encompassing their civil, political, economic, social, and cultural rights.
- f) “*Land Dispossession*” – refers to the deprivation or loss of ownership, access, or control by force, coercion, fraud, or ostensible lawful means.
- g) “*Legitimate Grievances*” – refer to those social, economic, political, cultural, and other forms of harm suffered, collectively or individually, by the Bangsamoro people and other indigenous peoples in the region throughout different periods in their history as a result of systematic and large-scale state-sponsored or state-sanctioned gross human rights violations, repression, subjugation, discrimination, and other forms of injustices as part of the imposition of a monolithic Filipino identity and a centralized Philippine State, which led to marginalization of these peoples in their own homeland.
- h) “*Marginalization*” – refers to the political and economic disenfranchisement suffered by the Bangsamoro people and other inhabitants of Mindanao and the Sulu Archipelago due to unjust national laws, programs, and policies, both formal and informal, as well as government neglect and failure to address the destructive and exploitative actions of non-state actors.
- i) “*Non-Moro Indigenous Peoples (NMIPs)*” – refer to the Teduray, Lambangian, Dulangan Manobo, B’laan, Higaonon, and Erumanen ne Menuvu.

- j) “*Perpetrator*” – refers to individuals or groups, government or private, including individuals and corporate entities, who are accountable for their direct or indirect participation in the commission of human rights violations, land dispossession, and other historical injustices.
- k) “*Reconciliation*” – refers to a complex set of processes involving building or rebuilding relationships, often in the aftermath of massive and widespread human rights violations. It may occur at the individual, interpersonal, socio-political, and institutional levels.
- l) “*Reparation*” – refers to measures taken to address the harm caused by past violations of human rights, humanitarian law, or other wrongdoings, aimed at restoring the dignity and rights of victims. These measures, often involving restitution, compensation, rehabilitation, and symbolic reparations, are a crucial part of a broader effort to achieve justice, reconciliation, and the prevention of future abuses.
- m) “*Right to Justice*” – refers to the right of victims to a fair remedy and the duty of the State, including the Bangsamoro Government, to investigate and hold perpetrators accountable.
- n) “*Right to Know or Truth-Seeking*” – refers to the right of victim-survivors, individually and collectively, and of the general public, to know the causes, perpetrators, experiences, impacts, and legacies of human rights violations, land dispossession, and other historical injustices.
- o) “*Right to Reparation*” – refers to the right of individual victims or their beneficiaries/successors-in-interest to reparation and the duty of the State to provide just satisfaction.
- p) “*Right to Truth*” – refers to the right of victim-survivors, as well as the general public, to know the causes, perpetrators, experiences, impacts, and legacies of human rights violations, land dispossession, and other historical injustices.
- q) “*Transitional Justice*” – refers to the full range of processes and mechanisms associated with a society’s attempt to come to terms with a past characterized by violent conflict, a legacy of large-scale repression, human rights violations, and other abuses, with the end in view of ensuring accountability, serving justice, and achieving reconciliation. These may include both judicial and non-judicial mechanisms, with or without international involvement, such as individual prosecutions, reparations, truth-seeking, institutional reform, vetting or dismissals, or a combination thereof. It seeks to restore dignity, reverse structural causes of marginalization and discrimination, and restore victims to their position as rights bearers and citizens.
- r) “*Transitional Justice and Reconciliation Commission (TJRC)*” – refers to the independent body created under the CAB to undertake a study and recommend to the negotiating panels of the GPH and MILF the appropriate mechanisms to address the legitimate grievances of the Bangsamoro people, correct historical injustices, and address human rights violations and marginalization through land dispossession, toward healing and reconciliation. It produced the TJRC Reports in 2016, which are referred to in this Act.

- s) “*Victims and Survivors*” – refer to individuals or groups who have suffered harm, including physical or mental injury, emotional suffering, economic loss, or substantial impairment of their fundamental rights, as a result of past conflicts, widespread human rights abuses, or systematic violations. “*Survivors*” is the preferred term to avoid re-traumatization and promote psychosocial healing.

SEC. 4. *Statement of Goals and Objectives.* – To carry out the policy outlined above, as informed by the guiding principles in Section 6 hereof, the Bangsamoro Government shall pursue the following goals and objectives:

- a) Immediately undertake measures to operationalize the provisions of the CAB, guided by the reports of the TJRC and the OLBARMM on transitional justice and reconciliation, and initiate the comprehensive regional program therefor as described in this Act;
- b) Maximize the powers of the Bangsamoro Government to act on and, when proper, resolve the transitional justice and reconciliation issues affecting the Bangsamoro;
- c) Forge institutional coordination mechanisms between the Bangsamoro Transitional Justice and Reconciliation Commission (BTJRC) and relevant Bangsamoro ministries, offices, and agencies toward the formulation of comprehensive programs, coherent implementation, and monitoring across these agencies; and ensure the integration of the comprehensive regional program with its national counterpart as soon as the latter is constituted;
- d) Work closely with the Philippine Government, through its departments, offices, and agencies, and with the National Transitional Justice and Reconciliation Commission for the Bangsamoro or its equivalent, upon its creation, toward an integrated effort to fulfill the provisions of the CAB and the TJRC Reports;
- e) Ensure that the present and future generations within and outside the Bangsamoro are cognizant of Bangsamoro history, struggle, and cause, and that recognition of history, including the atrocities committed in the past, shall engender a higher degree of respect for human rights, peaceful processes, coexistence, and the rule of law; and
- f) Foster an environment within the Bangsamoro that is conducive to unity and respect for diversity as a result of healing and reconciliation, and supportive of future initiatives under a national transitional justice and reconciliation program.

SEC. 5. *Bangsamoro Transitional Justice and Reconciliation (BTJR) Program.* – There shall be a comprehensive regional program on transitional justice and reconciliation to be known as the Bangsamoro Transitional Justice and Reconciliation Program, hereinafter referred to as “*the Program*”, which shall, as far as practicable and to the maximum extent allowed by the authorities and jurisdiction of the Bangsamoro Government under the Constitution and the OLBARMM, serve as the regional mechanism to help address the legitimate grievances, correct historical injustices, redress human rights violations, and rectify the marginalization through land dispossession suffered by the Bangsamoro people and other indigenous peoples in the region, in accordance with the relevant provisions of the CAB.

The Program shall build on the recommendations of the TJRC in its 2016 Reports and shall form part of but not supplant the national program for transitional justice and reconciliation referred to in the

CAB. *Provided*, That consistent with the TJRC Reports, the Program shall be guided by the *Dealing with the Past* framework and shall ensure that the right to know, the right to justice, the right to reparations, and the guarantee of non-recurrence shall be the hallmarks of the policies, programs, and initiatives ultimately toward healing the wounds of conflict and achieving reconciliation for all.

It shall be implemented in close coordination with the Bangsamoro ministries, offices, and agencies with existing related programs and projects.

Specifically, the Program aims to:

- a) Provide venues for the victims and affected communities to be heard, mechanisms for the investigation of serious violations of international human rights law and international humanitarian law, and enable inquiries into specific events of the armed conflict;
- b) Contribute to the resolution of outstanding land disputes in conflict-affected areas within the Bangsamoro and address the legacy of land dispossession through concrete measures for redress;
- c) Provide effective countermeasures to impunity by promoting accountability and strengthening the rule of law in relation to past and present wrongdoings, including crimes identified under international conventions to which the Philippines is a signatory;
- d) Promote healing and reconciliation among various communities affected by the conflict, and when warranted, between the Philippine State and the native inhabitants of the Bangsamoro;
- e) Capacitate local government units (LGUs) to recognize and include transitional justice and reconciliation programs and mechanisms in their local governance; and
- f) Develop partnerships with civil society organizations (CSOs) and other citizens' groups to cultivate active and effective reporting, monitoring, and feedback systems for transitional justice and reconciliation programs.

SEC. 6. Guiding Principles. – The Program shall be designed and implemented in accordance with the following principles:

- a) Human rights-based. – The Program shall be guided by the human rights principles of universality, indivisibility, equality, and non-discrimination, participation, and accountability, and shall focus on developing the individual, community, and institutional capacities of duty-bearers to meet their obligations and of rights-holders to claim their rights;
- b) Victim-centered. – The Program shall place, at the forefront of all efforts and policies, the rights, dignity, well-being, and safety of victims or survivors, including victims of sexual and gender-based violence, ensuring that their participation is voluntary, informed, and respectful of their cultural and personal circumstances. The Program shall promote their meaningful participation in all processes and respond to their needs and wishes. It shall ensure that victims or survivors are protected from harm, that no further harm is inflicted upon them as a result of their involvement in the Program, and that all necessary measures are taken to address issues and challenges affecting them during its implementation;

- c) Future-oriented. – The attainment of the objectives of the Program shall ensure non-recurrence, introduce institutional reforms and affirmative action, build trust and foster harmony, and, as far as practicable, avoid breeding and rekindling hatred and animosities while focusing on healing and reconciliation among peoples and communities, without compromising the full recognition and formal documentation of past events;
- d) Culturally sensitive to Bangsamoro and Filipino contexts. – The Program shall prioritize indigenous methodologies and processes for knowledge gathering, conflict resolution, and healing and reconciliation, and shall ensure recognition and respect for the cultural and religious sensibilities of the Bangsamoro and other indigenous peoples;
- e) People-owned. – The Program shall employ the bottom-up approach in policy- and decision-making, allowing for active participation of the communities, and doing away with the usual formalities when necessary, ensuring that accomplishments emanate from and enjoy wide acceptance by stakeholders;
- f) Women’s participation and gender equality. – The Program shall ensure the impactful participation of women of diverse identities at all levels of decision and policy-making and in the implementation of the initiatives. As far as practicable, gender balance shall be reflected in the recruitment of the BTJRC, in the engagement of consultants, and in the identification of participants in all aspects of the Program;
- g) Respect for diversity and inclusivity. – The Program shall promote cultural diversity and inclusivity by ensuring the meaningful participation of peoples from different communities, including indigenous peoples and minority ethnolinguistic groups, and by ensuring that their perspectives inform the formulation and implementation of programs, policies, plans, and projects, thereby fostering social cohesion and inclusive development;
- h) Transgenerational. – The Program recognizes the obligation of the current generation to transmit a legacy of justice, peace, and reconciliation to future generations, including those not yet born;
- i) Conflict-sensitivity and peace promotion. – The Program shall employ an approach that takes cognizance of the context in which it operates, particularly inter-group relations, and shall adopt measures designed to avoid or exacerbate negative impacts and maximize positive impacts, consolidate peaceful relations, and strengthen viable political, socio-economic, and cultural institutions capable of handling conflict, and strengthen other mechanisms that will create or support the necessary conditions for sustained peace;
- j) Do no harm. – The Program, while seeking to address past wrongdoings, shall ensure that it does not inadvertently cause further harm or exacerbate existing conflicts. It emphasizes the importance of careful planning, implementation, and evaluation of transitional justice initiatives such that it does not inflict more wounds but rather brings about healing;

- k) Trauma-informed. – The Program shall take cognizance of the pain of victim-survivors and employ interventions that preserve their mental, emotional, and psychosocial well-being, while accomplishing the goals of transitional justice mechanisms;
- l) Intersectionality. – This acknowledges how social categorizations, such as race, class, gender, and ethnicity, create overlapping systems of discrimination or disadvantage. By recognizing that individuals can experience unique disadvantages due to the combination of multiple identities, transitional justice processes can better address the specific needs and challenges faced by diverse populations;
- m) Restorative Justice. – The Program shall promote mechanisms for delivering justice that repair harm, restore relationships, and rebuild trust among people and communities; and
- n) Cooperation and complementarity. – The Program shall work together with the National Government, LGUs, CSOs, and international partners to ensure coordination, avoid duplication of efforts, and promote shared responsibility.

SEC. 7. *Components of the Program.* – The Program shall have the following main components:

- a) Human rights violations, whereby transgressions of human rights committed against the Bangsamoro people and other indigenous peoples in the region from the American period up to the ratification of the OLBARMM shall be properly documented, together with preparations for possible prosecution or claims for reparation, when appropriate. This shall include, but is not limited to, the gathering of testimonies, historical records, and forensic evidence to support appropriate measures for prosecution and reparation. *Provided, That,* the violations covered under the Program shall be those that are emblematic and/or committed as a result of the purposive or unintentional imposition of a monolithic Filipino identity and a centralized Philippine State upon the Bangsamoro people and other indigenous peoples in the region;
- b) Land dispossession, whereby the evolution of land policies and the patterns of land dispossession from the Treaty of Paris in 1898 onward are mapped, and recommended measures shall be submitted to relevant local, regional, and national agencies; and
- c) History, memory, and truth, whereby a complete picture of the earliest recorded history of the Bangsamoro people and other indigenous peoples in the region up to the ratification of the OLBARMM, is established to the fullest extent possible, making full disclosure of the facts relating to or associated with historical injustices and reporting the same to the public. Toward this end, historical memories as told by survivors and affected communities, as well as forensic truth, shall both be solicited, received, and processed.

SEC. 8. *Bangsamoro Transitional Justice and Reconciliation Commission.* – There is hereby created an independent Bangsamoro Transitional Justice and Reconciliation Commission, hereinafter referred to as the “*BTJRC*”. The BTJRC shall design and formulate the plans and mechanisms to implement and supervise the Program. For this purpose, the BTJRC shall adopt its own institutional guidelines and rules of procedure, which shall ensure the active participation of stakeholders without being restricted by the usual formalities of law and judicial processes.

SEC. 9. *Powers and Functions.* – The BTJRC shall have the following powers and functions:

- a) Design, formulate, and implement the plans and mechanisms of the BTJR Program pursuant to the attainment of transitional justice and reconciliation goals for the Bangsamoro;
- b) Establish strong coordination mechanism/s with the Philippine Government to jointly pursue collaboration in the implementation of the BTJR Program, particularly on human rights violations, land dispossession, and memorialization;
- c) Conduct information, education, and communication programs for the popularization, through physical and digital means, acting independently or in collaboration with other agencies, of the rationale and principles of transitional justice and reconciliation, as well as their implementing mechanisms;
- d) Investigate, study, and recommend measures to the appropriate agencies for the resolution of cases of individuals and communities adversely affected by armed conflict, serious violations of human rights and international humanitarian law, projects that resulted in massive displacement and harm to the environment, and outstanding land disputes in conflict-affected areas;
- e) Take testimony or receive evidence, administer oaths, summon witnesses, and require the production of documents through *subpoena duces tecum*;
- f) Exercise the power of contempt against those who disrupt or obstruct proceedings of the BTJRC, or defy or violate its orders;
- g) Determine the factors that contribute to impunity in the perpetration of human rights violations, land dispossession, and other historical injustices, and recommend appropriate actions to the Philippine Government, the Bangsamoro Government, the local governments, and other stakeholders, to dismantle impunity, promote accountability, ensure non-recurrence, and strengthen the rule of law;
- h) Ensure the delivery of necessary interventions for mental health and psychosocial support for individuals and communities, with priority given to minors, who have directly experienced or suffered the adverse effects of armed conflict, human rights violations, including gender-based violence, and other forms of conflict;
- i) Call upon Bangsamoro ministries, offices, and agencies to provide support necessary to carry out the mandates of the BTJRC and to implement the BTJR Program;
- j) Call upon civil society, development partners, humanitarian organizations, and the academe, for their assistance in promoting awareness of transitional justice and reconciliation, in reporting cases of violations and injustice, in contributing to efforts toward peacebuilding and normalization, and in developing a robust monitoring and feedback mechanism for transitional justice and reconciliation programs;
- k) Coordinate with the public and private sectors in the formulation of short, medium, and long-term programs toward a comprehensive approach to transitional justice and reconciliation;
- l) Establish and maintain an archive of official records composed of documents, testimonies, artifacts, and other materials generated through studies and investigations during the course of

program implementation, ensuring proper preservation and compliance with data privacy laws. Certain materials may be made accessible to the public in a secure and controlled manner, subject to security and confidentiality requirements.

The BTJRC shall assist the Bangsamoro Commission for the Preservation of Cultural Heritage (BCPCH) and other relevant agencies in documenting and promoting Bangsamoro history through the said archive.

Upon the dissolution of the BTJRC, the records shall be transferred, in an orderly manner, to the Bangsamoro Library Archives for preservation, subject to practical physical and financial limitations;

- m) Publish periodic thematic reports, as well as a terminal report covering its findings and recommendations, which shall be made available to the public;
- n) Submit to the Philippine Congress and the Bangsamoro Parliament annual reports, and propose legislative measures, when appropriate;
- o) Identify gaps and recommendations for the Philippine Government to adopt, implement, or otherwise address to fully realize transitional justice and reconciliation for the Bangsamoro, including but not limited to, prosecution, witness support and protection, reparation, compensation, rehabilitation, restitution, institutional reform, vetting and lustration, and public recognition or apologies;
- p) Accept donations, contributions, grants, bequests, or gifts from domestic or foreign sources, for purposes relevant to its mandate and functions, in accordance with applicable laws, rules, and regulations, subject to government accounting and auditing rules and regulations;

On Human Rights Violations:

- q) Conduct fact-finding activities, including hearings fully evidenced by documentation, preferably from primary sources, and/or community-based listening sessions with survivors or their kin and affected communities, to author comprehensive truth-telling narrations of events comprising massive and emblematic human rights violations;
- r) Recommend, when warranted, the filing of legal action before the appropriate forum;
- s) Identify, recommend, and oversee within the region the operationalization of appropriate forms of memorialization or commemoration of notable occurrences and victims of human rights violations, martyrs of the struggle for the right to self-determination, and other educational initiatives; and encourage the Philippine Government and the relevant LGUs to recognize and adopt the same outside the region;

On Historical Injustice:

- t) Support the BCPCH and other agencies in the official documentation of the Bangsamoro history from the pre-colonial period up to the present, and in popularizing the same through various physical and/or digital forms;

- u) Work with the Ministry of Basic, Higher and Technical Education in the formulation and adoption of the educational curriculum that includes the historical injustices committed against the Bangsamoro and the other indigenous peoples in the region;
- v) Establish Bangsamoro regional transitional justice museums, both physical and digital museums, which shall be turned over to the BCPCH, and promote community-based memorialization initiatives;
- w) Work with the BCPCH and LGUs on the declaration of places, structures, and events as historically or culturally significant to the Bangsamoro, and recommend the establishment of appropriate memorials therefor;
- x) Identify gaps and recommendations, for adoption, implementation, or other appropriate action by the Philippine Government, on the full realization of transitional justice and reconciliation at the national level, including but not limited to, educational initiatives, institutional reform in academic curricula, and other similar mechanisms that highlight historical injustices against the Bangsamoro and other indigenous peoples in the region;

On Land Dispossession:

- y) Document and publish an official narration of Bangsamoro land dispossession and marginalization from the Treaty of Paris in 1898 to the present, including laws and policies that resulted in land dispossession in favor of private corporations and individuals, largely from outside the Bangsamoro Autonomous Region, and to the detriment of the Moros and NMIPs; and specific instances of land grabbing, encroachment, and machinations leading to land migration and systematic, widescale transfers of land;
- z) Support the development of enhanced dispute resolution mechanisms that address issues related to land ownership and possession, as well as conflicting laws;
- aa) Recommend institutional reforms in land services in the Bangsamoro Autonomous Region through proposed changes in the legal framework and in all procedures related to land titling, registration, taxation, and management, including the claims of indigenous peoples on ancestral domains, and engage with national government agencies, such as the Department of Environment and Natural Resources, Department of Agrarian Reform, Department of Human Settlements and Urban Development, National Commission on Indigenous Peoples, Land Registration Authority and their regional counterparts, for this purpose; and
- bb) Identify gaps and recommendations for the Philippine Government to adopt, implement, or otherwise address to fully realize transitional justice and reconciliation in the area of land dispossession, including but not limited to, settlement, resolution, restitution, compensation, and institutional reform.

The BTJRC shall also perform such other functions as may be necessary for the effective discharge of its mandate.

SEC. 10. *Composition and Qualifications.* – The BTJRC shall be composed of a Chairperson and four (4) regular members, all of whom shall be at least thirty-five (35) years of age, of proven integrity, competence, and independence, and with at least ten (10) years of relevant experience in matters pertaining

to transitional justice and reconciliation, conflict resolution, peacebuilding, and human rights. All members shall be descendants of native inhabitants of the Bangsamoro, or spouses thereof.

The BTJRC shall include at least two (2) women, two (2) lawyers, two (2) residents of the island provinces, one (1) representative from the NMIPs, one (1) alim in *Shari'ah*, and one (1) representative from the civil society.

SEC. 11. *Disqualifications.* – The following persons are disqualified from appointment as Chairperson or Commissioner of the BTJRC:

- a) Those found culpable of human rights violations, abuses, or acts contrary to the principles of transitional justice;
- b) Those convicted by final judgment of any offense involving moral turpitude;
- c) Those removed from office or suspended for at least one (1) year as a result of disciplinary action in the government or private sector;
- d) Those who are fugitives from justice; or
- e) Those otherwise disqualified by law.

SEC. 12. *Appointment of Commissioners.* – The appointment of Commissioners, except the Commissioner from CSOs, shall proceed as follows:

- a) Within thirty (30) days from the effectivity of this Act, the Chief Minister shall constitute a Selection Committee composed of three (3) members—a civil society leader, an academician, and a civil servant—each known for integrity, competence, and independence. At least one (1) member shall be female;
- b) The Technical Management Service (TMS) of the Office of the Chief Minister (OCM) shall provide technical secretariat and administrative support to the Selection Committee;
- c) The Selection Committee shall publish the opening and duration of the application and nomination period for the positions of Chairperson and Commissioners;
- d) The Selection Committee shall make public the shortlist of nominees;
- e) The Selection Committee shall conduct interviews of shortlisted candidates;
- f) The Selection Committee shall submit to the Chief Minister the names of the three (3) highest-ranked candidates for Chairperson and nine (9) nominees for the three (3) Commissioner positions, from whom the Chief Minister shall appoint the Chairperson and the Commissioners; and
- g) Within thirty (30) days from receipt of the shortlist, submitted by the Selection Committee, the Chief Minister shall appoint the Chairperson and the Commissioners from among those recommended.

SEC. 13. *Appointment of Commissioner from CSOs.* – The Commissioner from CSOs shall be nominated by the members of the CSO Forum, as provided under Section 19 of this Act. In the case of the first Commissioner from CSOs, the Chairperson and the three (3) Commissioners appointed by the Chief Minister shall convene a meeting of CSO leaders, who shall nominate three (3) candidates for the position of Commissioner from CSOs, in accordance with the qualifications, disqualifications, and the required composition of the BTJRC. The Chief Minister shall appoint one (1) from the three (3) shortlisted nominees, who shall serve as Commissioner for a term of two (2) years, in accordance with Sec. 14 of this Act.

Succeeding Commissioners from the CSOs shall come from a list of three (3) nominees submitted to the Chief Minister by the CSO Forum. The appointed Commissioner from CSOs shall exercise the same rights, observe the same responsibilities, and receive the same compensation and other privileges as the other Commissioners.

SEC. 14. *Term of Office.* – Except as otherwise provided herein, the Chairperson and the Commissioners shall serve for the full duration of the BTJRC. The first appointed Commissioner from the CSOs shall have a term of two (2) years; the second, three (3) years; and the third, two (2) years. Should there be an extension, there shall be appointed another Commissioner from the CSOs for the duration of the extension. *Provided, That* the Chairperson or any Commissioner who resigns, is removed for cause, becomes incapacitated, or is disqualified under this Act shall cease to hold office, and the person appointed to fill the vacancy shall serve only for the unexpired portion of the term; *Provided, further, That*, the process for the appointment of a replacement shall be undertaken in the same manner as the other commissioners, as provided in Sections 12 and 13, as appropriate.

SEC. 15. *Compensation of the Chairperson and the Commissioners.* – Each Commissioner shall receive compensation equivalent to Salary Grade 27, while the Chairperson shall receive compensation equivalent to Salary Grade 28.

SEC. 16. *Powers and Functions of the Chairperson.* – The Chairperson of the BTJRC shall exercise the following specific functions:

- a) Execute and administer the policies, decisions, orders, and resolutions approved by the BTJRC;
- b) Direct, supervise, and oversee the overall administration and operations of the BTJRC;
- c) Represent the BTJRC in all official transactions or engagements with entities outside of the BTJRC; *Provided, That*, any contracts and obligations that bind the BTJRC shall be signed only by the Chairperson upon authority granted by, and pursuant to a resolution of the BTJRC;
- d) Preside over all sessions of the Commission;
- e) Sign, on behalf of the BTJRC, the appointment papers of all officials and employees thereof, except the Commissioners, as the needs of the service may require, subject to civil service laws, rules, and regulations. For this purpose, appointments made for positions receiving compensation equivalent to Salary Grade 25 and above are exempt from the effects of paragraph (b), Section 4 of Bangsamoro Autonomy Act No. 11, otherwise known as “*An Act Defining the Power of Appointment in the Bangsamoro Autonomous Region in Muslim Mindanao*,” and

- f) Perform such other functions as may be determined by the BTJRC consistent with its mandate.

SEC. 17. *Commissioners-in-Charge.* – The Commission may designate individual Commissioners as Commissioners-in-Charge to oversee, on behalf of the Commission, specific programs, projects and activities, units or clusters of units in the BTJRC, and particular components of the BTJR Program.

The Commissioners-in-Charge shall exercise such designated authority as may be assigned to them by the Commission and shall regularly report to the Chairperson and the Commission on their progress and results.

SEC. 18. *Powers and Functions of the Commissioner from the CSOs.* – The Office of the Commissioner from CSOs shall exercise the following specific functions:

- a) Organize and form the CSO Forum within two (2) months from his/her appointment;
- b) Facilitate the conduct of regular periodic meetings of the CSO Forum during which the BTJRC provides updates on its implementation of the BTJR Program;
- c) Develop coordination mechanisms between the BTJRC and the CSO Forum to ensure that the interests, recommendations, and suggestions of all stakeholders are considered in the BTJRC's output and in all aspects of the performance of its mandate;
- d) Communicate to the BTJRC the recommendations of the CSO Forum; and
- e) Perform such other functions as may be necessary to fulfill his/her mandate under this Act.

SEC. 19. *CSO Forum.* – There shall be created a CSO Forum, hereinafter referred to as “*Forum*”, that will be the platform for regular engagement between the BTJRC and civil society and grassroots organizations in all matters pertaining to transitional justice and reconciliation for the Bangsamoro.

The Forum shall ensure the representation of all relevant civil society, people's organizations, and other non-governmental organizations, especially those from victims' organizations, with guaranteed and meaningful participation for legitimate organizations of both Moro and NMIPs.

The Forum shall promulgate its own internal rules of procedure to foster the widest participation of all relevant stakeholders in all official acts of the Forum.

SEC. 20. *Organizational Structure and Staffing Pattern.* – Within one (1) month from the convening of the BTJRC, the organizational structure and staffing pattern shall be formulated and finalized in coordination with the Ministry of Finance, and Budget and Management. The recruitment and hiring process shall be based on merit and fitness, and shall ensure, as far as practicable, gender, geographical, and ethnic balance, and shall abide by the requirements set by national and regional civil service laws, rules, and regulations.

SEC. 21. *Meetings; Regular and Special.* – The BTJRC shall hold regular meetings every Tuesday of each week. The Order of Business shall be sent to the members at least three (3) working days before the regular meeting. Upon call of the Chairperson, or in the event of the Chairperson's temporary or permanent incapacity, upon the call of at least three (3) Commissioners, special meetings may likewise be held to discuss specific issues, which issues shall be clearly identified in the call for such a special meeting.

A majority of all sitting Commissioners shall constitute a quorum for BTJRC meetings. Decisions shall be made by majority vote of those present, with the Chairperson casting the deciding vote in the event of a tie.

SEC. 22. *Duration of the BTJRC.* – The BTJRC shall operate for a period of seven (7) years from its constitution or until completion of the purpose for which it was created, whichever comes first. It shall be deemed constituted upon the appointment and assumption of office of the Chairperson and at least two (2) Commissioners. It may continue to operate for a maximum of three (3) additional years upon the determination of the Chief Minister, made during the final year of the seven (7) year period, that such extension is necessary for the fulfillment of the mandate of the BTJRC and to advance the ends of transitional justice and reconciliation for the Bangsamoro.

SEC. 23. *Annual Milestones of the BTJRC.* – To ensure the orderly and phased implementation of the Program, annual milestones shall be outlined by the BTJRC based on the seven (7) year mandate, consistent with the goals and objectives under Section 4 of this Act.

SEC. 24. *Appropriations.* – For the initial operating expenses of the BTJRC necessary to carry out the mandate of this Act, the amount of One Hundred Fifty Million Pesos (P150,000,000.00) is hereby appropriated from the Contingent Fund of the Office of the Chief Minister. Thereafter, its regular budget shall be included in the General Appropriations Act of the Bangsamoro.

SEC. 25. *Fiscal Autonomy.* – The BTJRC shall have fiscal autonomy. It shall be provided with adequate funding, which shall be regularly and automatically released to it, to finance its operations. The annual appropriation of funds of the BTJRC shall not be reduced from the amount received in the preceding fiscal year. The compensation, emoluments, privileges, or other benefits enjoyed by the Chairperson, Commissioners, and all officials and employees under this Act shall not be decreased.

SEC. 26. *Implementing Rules and Regulations.* – Within sixty (60) days from the approval of this Act, the Office of the Chief Minister, with the assistance of its TMS, shall promulgate rules and regulations implementing the provisions of this Act. The implementing rules and regulations issued pursuant to this Section shall take effect fifteen (15) days after its publication in the Bangsamoro Gazette.

SEC. 27. *National Transitional Justice and Reconciliation Program for the Bangsamoro.* – This Act shall neither substitute nor supersede the Philippine Government's creation and implementation of a program for transitional justice and reconciliation as recommended by the TJRC. Upon the creation of the transitional justice and reconciliation program for the Bangsamoro at the national level, the BTJRC shall, within ninety (90) days from such creation, submit its findings, recommendations, and reports to the Office of the Chief Minister.

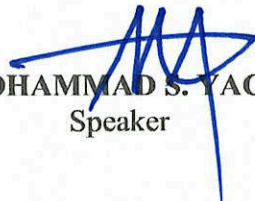
The Chief Minister shall transmit these submissions to the National Transitional Justice and Reconciliation mechanism, without prejudice to additional recommendations, decisions, and action points that the BTJRC may thereafter make and submit.

SEC. 28. *Transitory Provision.* – Upon the constitution of the BTJRC, the Bangsamoro Human Rights Commission shall turn over to the BTJRC all records and outputs emanating from the exercise of its functions as provided in Section 51, of Bangsamoro Autonomy Act No. 4, otherwise known as the "*Bangsamoro Human Rights Act of 2019.*"

SEC. 29. *Repealing Clause.* – All other regional laws, decrees, orders, issuances, rules, regulations, and other issuances which are inconsistent with the provisions of this Act, are hereby repealed, modified, superseded or amended accordingly.

SEC. 30. *Separability Clause.* – If any part, section, or provision of this Act is declared unconstitutional or contrary to the provisions of the OLBARM, the other provisions or parts not affected thereby shall remain valid and effective.

SEC. 31. *Effectivity.* – This Act shall take effect after fifteen (15) days following its complete publication in the Bangsamoro Gazette or in a newspaper of general circulation in the Bangsamoro Autonomous Region in Muslim Mindanao.


MOHAMMAD S. YACOB
Speaker

This Act was passed by the Bangsamoro Transition Authority Parliament on *Sha'ban* 09, 1447/January 28, 2026.


PROF. RABY B. ANGKAL
Secretary-General

Approved:


ABDULRAOF A. MACACUA
Chief Minister

Date: 02-11-2026

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